

PARKS AND RECREATION MEMORANDUM

City Council Meeting: May 6, 2025

Department: Admin

Subject: Brief overview of Open Meetings Act / Public records rules/ Conflict of interest reminders

Open Meetings Act

Public access:

Meetings of governmental bodies must be open to the public, with limited exceptions.

Notice:

Governmental bodies must provide reasonable notice of their meetings, including the date, time, and location, and the agenda.

Quorum:

A quorum, typically a simple majority of the governmental body, must be present for a meeting to be valid.

Minutes:

Minutes or records of open meetings must be kept and made available to the public.

Closed sessions:

Exceptions for specific matters, such as personnel or litigation discussions, allow for closed or executive sessions.

Public comment:

The Open Meetings Act allows members of the public to address the governmental body on agenda items.

Enforcement:

The Open Meetings Act includes provisions for enforcement, including civil remedies and criminal penalties for violations.

Public records rules

Open Meetings:

The Texas Open Meetings Act mandates that governing bodies (like city boards) hold their meetings in open sessions, ensuring public access and transparency.

Record Keeping:

Governing bodies must either record meeting minutes or make audio recordings of all open meetings.

Public Access:

The Texas Open Meetings Act and Public Information Act ensure that these records (minutes or recordings) are open to the public for inspection and copying.

Public Participation:

The Texas Open Meetings Act also grants the public the right to record meetings, and governing bodies can establish reasonable rules to maintain order.

Exceptions:

While most government records are public, the Public Information Act does allow for certain exceptions to disclosure, which may apply in specific situations.

Public Information Requests:

The Public Information Act allows citizens to formally request specific information from government entities, including those related to city board meetings.

Enforcement:

The Attorney General of Texas's office plays a crucial role in enforcing the Texas Open Meetings Act and Public Information Act, providing guidance and taking action to ensure compliance.

Conflict of interest reminders

Local Government Officers (City Board Members):

Must file a Conflicts Disclosure Statement with the City Clerk within seven business days of becoming aware of a conflict. This form is to be notarized and may be mailed, hand-delivered, or emailed to the appropriate office.

Vendors (Individuals or Businesses):

Must file a Conflict of Interest Questionnaire within seven business days of becoming aware of a conflict or beginning contract discussions with the city, whichever comes later. This form may also be mailed, hand-delivered, or emailed.

Disclosure in Open Meeting:

Local government officers must disclose their conflict of interest in an open meeting.

Texas Ethics Commission:

The Texas Ethics Commission provides the CIS and Conflict of Interest Questionnaire forms and guidance on conflict of interest requirements.

Specific Circumstances:

Conflicts may arise due to family relationships, business relationships resulting in taxable income exceeding \$2,500 in the preceding 12 months, or other business interests.

Compliance:

Questions about compliance should be directed to each vendor's or officer's legal counsel.

Public Access:

Local governmental entities are required to provide access to the statements and questionnaires filed under Chapter 176 of the Texas Local Government Code on their website.

Chapter 171:

Chapter 171 of the Local Government Code also regulates local public officials' conflicts of interest, requiring them to file an affidavit with the city's official record keeper before voting on matters involving their business interests.

Open Meetings Act:

The Texas Open Meetings Act (Chapter 551 of the Texas Government Code) requires that local government meetings be open to the public and that conflicts of interest be disclosed during those meetings.

ESSENTIAL TRAINING

Texas Municipal League offers a comprehensive training program for newly elected city officials that will give you the knowledge and tools you need to jump-start your term.

TRAINING

- [TML Newly Elected City Officials' Orientation](#)
- [Open Meetings Act Training](#) (required)
- [Public Information Act Training](#) (required)
- [Cybersecurity Training](#) (required); provided by TML Risk Pool
- [On Demand Training](#)

https://m365.us.vadesecure.com/safeproxy/v4?f=daD4XxeZcoqhUnDmG68Kwq4yrUtp_1RbV3cA2BIPnYDREvFAsnQpAFALa54Xrjj&i=yImRG0_uW5zTX0uzfYKjd57BFO2E15x6RG5-OmiZAb9iECqG6l_AnJKpDZ4MEIxZygyLdgdh1_QaR01cY6nhlQ&k=Y19E&r=XonPHko3ilNK_ye4LeJhMKGmNkvQlkSq7on0Jc4fbbffya8lr91StL2G1v2amxJt&s=218e97d1152fbe174b852c310a2cb71cdbcaf1d34f0121eaed7fd79397690f3e&u=https%3A%2F%2Fwww.tml.org%2F216%2F2FEssential-Training