



PUBLIC OFFICIALS LIABILITY TRAINING

Boards/Commissions/Committees (B/C/C's)

Public Officials Liability

- **The public's trust in governing bodies is enhanced when citizens are confident that personal business interests will not influence the decision-making of elected, appointed, or employed officials.**



Public Officials Liability

Public officials can face exposure in the following areas:

- Land use claims
- Administration of federal grants
- Granting or denying franchises, permits, or licenses
- Failure to protect the public trust, including failure to attend meetings, or to examine documents
- Use of inside information for personal benefit
- Keeping silent about improper conduct of fellow officials
- Denial of due process
- Harassment of a business or employees



Public Officials Liability

Following these general guidelines will help you avoid potential problems as a public official:

- Think and act in terms of “We”, not “I”
- As an individual member, you do not have the authority to work on your own; you must work as a collective body to accomplish the City’s goals



Quasi-Judicial Matters

- **Be fair and impartial**
- **Avoid conflicts of interest**
- **If you have a conflict of interest, declare it and recuse yourself**



Quasi-Judicial Matters

- Refrain from “ex parte” contacts
- Consider only evidence and the law
- When acting on legislative matters, “ex parte” contacts are allowed



Personal Liability

- **Don't act on personal motives**
- **Never retaliate against someone**
- **Avoid willful and wanton conduct**



Public Officials Liability

- **Focus on legislative and quasi-judicial issues**
- **Delegate personnel issues to staff**
- **Stay within the scope of your authority**



Public Officials Liability

- **Be knowledgeable about the process and procedures of municipal government and the specific responsibilities of your B/C/C**
- **Public statement should contain no promises to the public that may be construed to be binding on the B/C/C, staff or City Council**
- **Place the public welfare ahead of your own**





Questions?

Contact the City Clerk's Office
@ 913-856-0945 or cityclerk@gardnerkansas.gov