# City of San Antonio

## Agenda Memorandum

## File Number:

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**Agenda Item Number:** 1

**Agenda Date:** January 14, 2024

**In Control:** City Council Special Session

**DEPARTMENT:** City Attorney's Office.

**DEPARTMENT HEAD:** Andy Segovia, City Attorney.

**COUNCIL DISTRICTS IMPACTED:** Citywide.

**SUBJECT:**

A censure vote of Councilmember Marc Whyte by the City Council.

**SUMMARY:**

The City Council censures Councilmember Marc Whyte for his actions of December 29, 2023 for his arrest for one count of Driving While Intoxicated, a Class B misdemeanor.

**BACKGROUND INFORMATION:**

On December 29, 2023, the San Antonio Police Department conducted a traffic stop on a vehicle at Eastbound Loop 410 Access Road. The driver identified as Councilmember Marc Whyte showed signs of intoxication, and was evaluated at the scene for Driving While Intoxicated (DWI). The Councilmember was arrested for DWI 1st, a Class B misdemeanor.

The elected officials of the City of San Antonio are committed to serving their constituents in their district and city-wide consistent with the City of San Antonio's core values of Teamwork, Integrity, Innovation, and Professionalism. Councilmember Whyte has publicity expressed his remorse and is accounting for his actions on December 29, 2023.

While Councilmember Whyte's acceptance of responsibility for his choices is important and demonstrates personal accountability, Councilmember Whyte's actions and pending criminal case has negatively impacted his and the City Council's ability to conduct its business.

**ISSUE:**

The issuing of this vote of censure following Councilmember Whyte's arrest for one count of Driving While Intoxicated that occurred on the night of Friday, December 29, 2023 as these actions run contrary to the public expectations of city officials and contrary to City Council's expectations of ethical and professional conduct.

**ALTERNATIVES:**

The City Council could choose to not censure.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Given the internal nature of this action amongst the City Council colleagues, this section is not applicable.