

CITY OF SHOREACRES

MAY 9, 2009

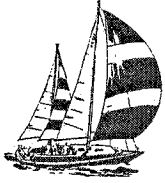
CANDIDATE'S PACKET

For: (3) Alderman at Large Positions
All for Two (2) Year Terms

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City of Shoreacres

601 Shoreacres Boulevard, Shoreacres, Texas 77571-7262
281.471.2244 • Fax 281.471.8955 • www.CityofShoreacres.us

Jayo Washington
Mayor

David K. Stall
Administrator

February 9, 2009

Dear Candidate:

The City Secretary's office has prepared the enclosed "Candidate's Packet" in an endeavor to acquaint you with the regulations and legal requirements of the State of Texas pertaining to campaign contributions and expenditures. I have also enclosed a calendar of dates that will be important to you. I encourage you to initially take time and thoroughly read the enclosed information. All forms and reports are to be filed with the city secretary's office.

The "Application for a Place on the Ballot" and the form "Appointment of a Campaign Treasurer by a Candidate" are to be completed by the candidate. To expedite the review process of your application, **we ask that you please bring your voter registration card with you at the time of filing.** A copy of your card will be attached to your application. Please remember that the **final filing date for declared candidates is Monday, March 9, 2009 by 5:00 p.m.** No applications can be accepted after this time. The deadline for application for write-in candidates is Monday, March 16, 2009 at 5:00 p.m.

All candidates must appoint a campaign treasurer before accepting a campaign contribution or making or authorizing any campaign expenditures including any expenditure from the candidate's own personal funds. State law does not impose any minimum qualifications, residency requirements or obligations on a candidate's campaign treasurer. You may appoint yourself or a family member as campaign treasurer. Should you have any questions regarding reporting procedures, please call the Texas Ethics Commission at 1-800-325-8506 for assistance.

It is the duty of the candidate to become familiar with the laws applicable to campaigns for office. While candidates may certainly expect the city secretary to be able to advise them when reports are due, the duty of the city secretary is limited to accepting and filing the various applications, affidavits and statements. I cannot comment upon the timeliness or sufficiency of the reports filed. These reports are open records and are open to inspection by any person.

Please note on your calendar that the drawing for positions on the ballot (order in which the names are listed on the ballot) will be held on Monday, March 9, 2009 at 5:00 p.m. in the City Hall Council Chambers. If you are unable to attend the drawing, you may designate someone else to draw for you. If no one attends to draw for you, your name and position will be drawn by a city hall staff member.

We appreciate your interest in the City of Shoreacres. If I can be of service to you, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "David Stall". The signature is stylized and written over a white background.

David Stall
City Secretary

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CITY OF SHOREACRES' ELECTION CALENDAR - MAY 9, 2009

Positions Open: Three (3) Council Positions-at-Large

Incumbents: Aldermen Dolly Arons, Richard Adams, and Dana Woodruff.

(Saturday, February 7, 2009) or
Monday, February 9, 2009.

First date to apply for a place on the ballot for both declared candidates and write-in candidates. (It is recommended that you file the form "Appointment of a Campaign Treasurer" when you file for a place on the ballot.)

NOTE: (1) Since a person may not file earlier than the 30th day before the deadline, and the deadline is extended to the 61st day, the 91st day rather than the 92nd day becomes the first day for both of these actions. (2) The City Secretary's Office is not required to be open on Saturday or Sunday for either of these activities.

Monday, March 9, 2009

Last date to file for place on ballot for declared candidates. Applications must be received by 5:00 p.m.

Drawing at City Hall for placement on the ballot at 5:15 p.m.

Tuesday, March 10, 2009

First date to accept applications for voting by mail ballot.

Monday, March 16, 2009

Last day for a write-in candidate to declare candidacy. Applications must be received by 5:00 p.m.

Tuesday, March 17, 2009

Last day for a candidate to withdraw.

Thursday, April 9, 2009

Last date for filing "Appointment of a Campaign Treasurer" and first "Campaign Finance Report". Reports must be filed with City Secretary no later than 5:00 p.m.

Last date to register to vote in city election. Must register with Harris County Registrar's Office in person or by mail.

Monday, April 27, 2009

First date to vote early by personal appearance.

Friday, May 1, 2009

Last date to receive application in person for a ballot to be voted by mail. Must be received by 5:30 p.m.

Due date to file the second "Campaign Finance Report" with City Secretary by 12:00 noon. Must be filed by all candidates who have not elected modified reporting.

Last date to receive application by mail for ballot to be voted by mail.

Tuesday, May 5, 2009

Early voting by personal appearance ends.

Saturday, May 9, 2009

ELECTION DAY, VOTING TAKES PLACE IN CITY HALL COUNCIL CHAMBERS FROM 7:00 A.M. UNTIL 7:00 P.M.

Monday, May 18, 2008

Canvass of Election at City Council Meeting in City Hall Council Chambers at 7:00 p.m.

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All information is required to be provided unless indicated as optional. (Se requiere toda la información, a menos que haya alguna indicación que no es obligatoria.)

APPLICATION FOR A PLACE ON THE CITY OF _____			GENERAL ELECTION BALLOT		
<i>(APLICACION PARA UN LUGAR EN LA BOLETA DE LA CIUDAD DE _____)</i>			<i>ELECCION GENERAL)</i>		
TO: City Secretary (A: Secretario(a) de la Ciudad)					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below. (Solicito que mi nombre esté puesto en la arriba nombrada boleta como candidato para puesto oficial indicado abajo.)					
OFFICE SOUGHT (PUESTO OFICIAL SOLICITADO) Include any place number or other distinguishing number, if any. (Incluya cualquier número de lugar u otro número que hace el puesto oficial diferente a otros, si hay alguno.)			INDICATE FULL OR UNEXPIRED TERM (INDIQUE SI EL TERMINO DEL PUESTO OFICIAL ES TERMINO COMPLETO O NO COMPLETADO)		
FULL NAME (First, Middle, Last) (NOMBRE COMPLETO) (Nombre de Pila, Segundo Nombre, Apellido)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT (ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA)		
PERMANENT RESIDENCE ADDRESS (Street address and apartment number. If none, describe location of residence. Do not include P.O. Box or Rural Rt.) (DIRECCION DE RESIDENCIA PERMANENTE: Calle y Número de Departamento: si no tiene, describa la localidad de su residencia. No incluya su caja postal o ruta rural.)			MAILING ADDRESS (If different from residence address) (DIRECCION POSTAL (Si es diferente a su dirección de residencia))		
CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)	CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)
OCCUPATION (Do not leave blank) (EMPLEO) (No lo deje en blanco)		DATE OF BIRTH (FECHA DE NACIMIENTO)		COUNTY OF RESIDENCE (CONDADO DE RESIDENCIA)	
TELEPHONE NUMBER (Include area code) (Optional) (NUMERO DE TELEFONO-Incluya el código de la área) (Facultativo)		Length of Continuous Residence as of Date Application Sworn (Tiempo en que ha Residido en un Solo Lugar en la Fecha en que Prestó Juramento Sobre la Solicitud)			
OFFICE: (DE SU OFICINA:)		IN STATE (EN EL ESTADO)	IN COUNTY (EN EL CONDADO)	IN DISTRICT OR PRECINCT (EN EL DISTRITO O PRECINTO)	
HOME: (DE SU DOMICILIO:)		__yr(s) __mos (año(s) (mes(es)))	__yr(s) __mos (año(s) (mes(es)))	__yr(s) __mos (año(s) (mes(es)))	
<p>If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. <i>Para poder incluir un apodo como parte de su nombre completo el la papeleta, Ud.debera firmar la siguiente constancia: Ademas, juro que se me ha conocido por este apodo por mas de tres años. Ademas, juro que el apodo no es un lema político ni una indicacion de mis creencias o afiliaciones políticas, economicas, sociales, o religiosas.</i></p>					
<p>Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says: "I, (name) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the Constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.</p> <p>I further swear that the foregoing statements included in my application are in all things true and correct."</p> <p><i>(Ante mí, la autoridad, suscrita apareció en persona _____, quien habiendo aquí y ahora prestado juramento debido, bajo juramento dice: "Yo, _____, del condado de _____, Texas, siendo candidato para el puesto oficial de _____ solemnemente juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal puesto oficial bajo la Constitución y las leyes de este Estado. No me han determinado por un juicio final de una corte de la legalización de un testamento, ser totalmente incapacitado mentalmente o parcialmente incapacitado sin el derecho de votar, ni he sido probado culpable finalmente de una felonía por la cual no he sido perdonado o por la cual no se me han restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. Yo tengo conocimiento de la ley sobre el nepotismo según el capítulo 573 de Código Gobierno.</i></p> <p><i>Además juro que las precedents declaraciones que incluyo en mi solicitud son verdaderas y están correctas en todos sentidos."</i></p>					
			X		
			SIGNATURE OF CANDIDATE (FIRMA DEL CANDIDATO)		
Sworn to and subscribed before me at _____, this the _____ day of _____.					
<i>(Jurado y suscrito ante mi en _____, este día _____ de _____.)</i>					
			SEAL (SELLO)		
Signature of Officer administering oath ¹ (Firma del oficial administrando el juramento)			Title of Officer administering oath (título del oficial administrando el juramento)		
TO BE COMPLETED BY CITY SECRETARY:					
(See Section 1.007)					
			Date Received		Signature of City Secretary

INSTRUCTIONS

An application to have the name of a candidate placed on the ballot for any election may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void.

The filing deadline is 5:00 p.m. 62 days prior to the election day.

The candidate **must** sign this statement indicating his awareness of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to himself, or to any other member of the governing body or court on which he serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

Examples of relatives within the third degree of consanguinity are as follows:

- (1) First degree: parent, child;
- (2) Second degree: brother, sister, grandparent, grandchild;
- (3) Third degree: great-grandparent, great-grandchild, uncle, aunt, nephew, niece.

These include relatives by blood, half-blood, and legal adoption.

Examples of relatives within the second degree of affinity are as follows:

- (1) First degree: spouse, spouse's parent, son-in-law, daughter-in-law;
- (2) Second degree: brother's spouse, sister's spouse, spouse's brother, spouse's sister, spouse's grandparent.

Persons related by affinity (marriage) include spouses of relatives by consanguinity, and, if married, the spouse and the spouse's relatives by consanguinity. These examples are not all inclusive.

INSTRUCCIONES

Una aplicación para que le nombre de un candidato aparezca en la boleta para cualquier elección no deberá registrarse antes de 30 días antes del último día para registrar la aplicación como prescribe este código. Una aplicación registrada antes de ese día se declarará inválida.

El último día para registrarse el 5:00 p.m. a lo menos 62 días antes del día de la elección.

*El candidato **deberá** firmar esta declaración indicando que él/ella está enterado(a) de la ley sobre el nepotismo. Lo siguiente es un resumen de las prohibiciones del nepotismo al acuerdo al capítulo 573 de Código Gobierno:*

Ningún oficial podrá nombrar, o votar por o confirmar el nombramiento o empleo de alguna persona que está emparentada con él dentro del segundo grado por afinidad (matrimonio) o dentro del tercer grado por consanguinidad (sangre), o que está emparentada con cualesquier otro miembro del cuerpo directivo o corte en que él/ella celebra sesión cuando la compensación de esa persona estará pagada con fondos públicos o los honorarios del puesto oficial. Sin embargo, la ley no prohíbe el nombramiento, el votar por, o la confirmación de alguna persona que continuamente ha sido empleado de la oficina o ha sido empleado durante el siguiente plazo antes de la elección o el nombramiento del oficial o miembro que está emparentado con el empleado en el grado prohibido: seis meses, si el oficial o miembro está elegido en una elección otra de la elección general para oficiales del estado y del condado.

Ningún candidato podrá obrar para influir a un empleado del puesto oficial al cual el candidato desea estar elegido o un empleado o oficial del cuerpo fiscal al cual el candidato desea estar elegido en cuanto al nombramiento o al empleo de una persona que está emparentada con el candidato en un grado prohibido como notado arriba. Esta restricción no se dirige a las acciones de un candidato respecto a una clase o categoría de buena fe de empleados o empleados anticipados.

Los ejemplos de parientes dentro del tercer grado de consanguinidad son los siguientes:

- (1) Primer grado: padre, madre, hijo(a);
- (2) Segundo grado: hermano(a), abuelo(a), nieto(a) primo(a);
- (3) Tercer grado: bisabuelo(a), bisnieto(a), tío(a), sobrino(a).

Los siguientes incluyen parientes de linaje (sangre), medios hermanos, y adopción legal.

Los ejemplos de parientes dentro del segundo grado de afinidad son los siguientes:

- (1) Primer grado: esposo(a), suegro(a), yerno(a);
- (2) Segundo grado: cuñado(a), abuelo(a) del esposo o esposa.

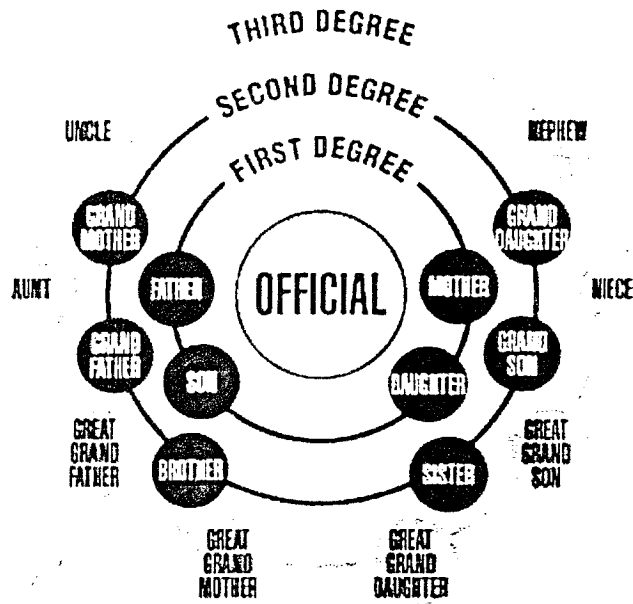
Las personas que están emparentadas por afinidad (matrimonio) están incluyen los esposos o esposas de parientes que están emparentados por consanguinidad, y, si casados, el esposo o esposa y los parientes del esposo o esposa por consanguinidad. No todos estos ejemplos son inclusivos.

FOOTNOTE

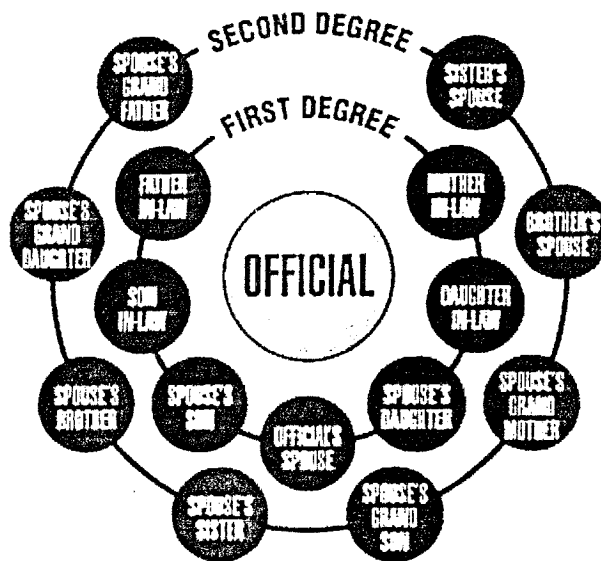
¹All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary, and the Secretary of State of Texas.

NOTA AL PIE DE LA PAGINA

¹Todo juramento, testimonio o afirmación hecho dentro de este Estado se podrá administrar y se podrá dar un certificado del hecho por un juez, escribano, o comisionado de alguna corte de registro, un notario público, un juez de paz, secretario de la ciudad, y el Secretario del Estado de Texas.



CONSANGUINITY



AFFINITY

4

DECLARATION OF WRITE-IN CANDIDACY FOR _____

(DECLARACION DE SER UN CANDIDATO ELEGIBLE PARA RECIBIR VOTOS FOR INSERCIÓN ESCRITA _____)

TO: Filing Officer
(A: Oficial encargado)

I declare that I am a write-in candidate for the office indicated below.
(Por la presente declaro soy un candidato para recibir votos por inserción escrita para el puesto oficial indicado abajo.)

OFFICE SOUGHT (PUESTO OFICIAL SOLICITADO) Include any place number or other distinguishing number, if any. (Incluya cualquier número de lugar u otro número que hace el puesto oficial diferente a otros, si hay alguno.)	INDICATE FULL OR UNEXPIRED TERM (INDIQUE SI EL TERMINO DEL PUESTO OFICIAL ES TERMINO COMPLETO O NO COMPLETADO)
--	--

FULL NAME (First, Middle, Last) (NOMBRE COMPLETO) (Nombre de Pila, Segundo Nombre, Apellido)	PRINT NAME AS YOU WANT IT TO APPEAR ON THE LIST OF DECLARED WRITE-IN CANDIDATES (ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA LISTA DE CANDIDATOS DECLARADOS PARA INSERCIÓN POR MANO)
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PERMANENT RESIDENCE ADDRESS (Street address and apartment number. If none, describe location of residence. Do not include P.O. Box or Rural Rt.) (DIRECCION DE RESIDENCIA PERMANENTE: Calle y Número de Departamento: si no tiene, describa la localidad de su residencia. No incluya su caja postal o ruta rural.)	MAILING ADDRESS (If different from residence address) (DIRECCION POSTAL (Si es diferente a su dirección de residencia))
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CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)	CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)
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OCCUPATION (Do not leave blank) (EMPLEO) (No lo deje en blanco)	DATE OF BIRTH (FECHA DE NACIMIENTO)	COUNTY OF RESIDENCE (CONDADO DE RESIDENCIA)
---	---	---

TELEPHONE NUMBER (Include area code) (Optional) (NUMERO DE TELEFONO-Incluya el código de la areá) (Facultativo)	Length of Continuous Residence as of Date Application Sworn (Tiempo en que ha Residido en un Solo Lugar en la Fecha en que Prestó Juramento Sobre la Solicitud)		
OFFICE: (DE SU OFICINA:)	IN STATE (EN EL ESTADO)	IN COUNTY (EN EL CONDADO)	IN DISTRICT OR PRECINCT (EN EL DISTRITO O PRECINTO)
HOME: (DE SU DOMICILIO:)	___yr(s) ___mos (año(s) (mes(es))	___yr(s) ___mos (año(s) (mes(es))	___yr(s) ___mos (año(s) (mes(es))

If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Para poder incluir un apodo como parte de su nombre completo el la papeleta, Ud.debera firmar la siguiente constancia: Ademas, juro que se me ha conocido por este apodo por mas de tres años. Ademas, juro que el apodo no es un lema politico ni una indicacion de mis creencias o afiliaciones politicas, economicas, sociales, o religiosas.

Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says: "I, (name) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the Constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.

I further swear that the foregoing statements included in my application are in all things true and correct."

(Ante mí, la autoridad, suscrita apareció en persona _____, quien habiendo aquí y ahora prestado juramento debido, bajo juramento dice: "Yo, _____, del condado de _____, Texas, siendo candidato para el puesto oficial de _____ solemnemente juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal puesto oficial bajo la Constitución y las leyes de este Estado. No me han determinado por un juicio final de una corte de la legalización de un testamento, ser totalmente incapacitado mentalmente o parcialmente incapacitado sin el derecho de votar, ni he sido probado culpable finalmente de una felonía por la cual no he sido perdonado o por la cual no se me han restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. Yo tengo conocimiento de la ley sobre el nepotismo según el capítulo 573 de Código Gobierno.

Además juro que las precedents declaraciones que incluyo en mi solicitud son verdaderas y están correctas en todos sentidos."

X

SIGNATURE OF CANDIDATE (FIRMA DEL CANDIDATO)

Sworn to and subscribed before me at _____, this the _____ day of _____.
(Jurado y suscrito ante mí en _____, este día _____ de _____.)

SEAL
(SELLO)

Signature of Officer administering oath'
(Firma del oficial administrando el juramento)

Title of Officer administering oath
(título del oficial administrando el juramento)

TO BE COMPLETED BY FILING OFFICER:

(See Section 1.007)

Date Received

Signature of Filing Officer

INSTRUCTIONS

1. The declaration of write-in candidacy is filed with the City Secretary, Secretary of Board of Trustees, or Secretary of Board of Directors for a Water District.
2. The declaration must be received by the filing officer not later than 5:00 p.m. of the 5th day after the date an application for a place on the ballot is required to be filed. Mailing without a delivery by the deadline is not sufficient. The declaration may not be filed earlier than 30 days before the deadline for filing the application. A declaration filed before that day is void.

The candidate **must** sign this statement indicating his awareness of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to himself, or to any other member of the governing body or court on which he serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree; six months, if the officer or member is elected at the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

Examples of relatives within the third degree of consanguinity are as follows:

- (1) First degree: parent, child;
- (2) Second degree: brother, sister, grandparent, grandchild;
- (3) Third degree: great-grandparent, great-grandchild, uncle, aunt, nephew, niece.

These include relatives by blood, half-blood, and legal adoption.

Examples of relatives within the second degree of affinity are as follows:

- (1) First degree: spouse, spouse's parent, son-in-law, daughter-in-law;
- (2) Second degree: brother's spouse, sister's spouse, spouse's brother, spouse's sister, spouse's grandparent.

Persons related by affinity (marriage) include spouses of relatives by consanguinity, and, if married, the spouse and the spouse's relatives by consanguinity. These examples are not all inclusive.

INSTRUCCIONES

1. *La declaración de un candidato para estar elegible para recibir votos por inserción escrita se registra con el Secretario(a) de la ciudad, Secretario(a) de la Junta de Regentes, o Secretario(a) de la Junta de Directores para undistrato de aguas.*
2. *La declaración que todo candidato está obligado a presentar ante el funcionario quien recibe los avisos de candidatura deberá estar en manos del mismo para las 5:00 p.m. del 5° día después de la fecha límite para la presentación de los avisos de aquellos candidatos quienes desean aparecer en la papeleta electoral. No es suficiente enviarla sin entregarse el último día para registrarse. La declaración no deberá registrarse antes de 30 días antes del último día para registrar la aplicación. Una declaración registrada antes de ese día se declarará inválida.*

*El candidato **deberá** firmar esta declaración indicando que él/ella está enterado(a) de la ley sobre el nepotismo. Lo siguiente es un resumen de las prohibiciones del nepotismo de acuerdo al capítulo 573 de Código Gobierno:*

Ningún oficial podrá nombrar, o votar por o confirmar el nombramiento o empleo de alguna persona que está emparentada con él dentro del segundo grado por afinidad (matrimonio) o dentro del tercer grado por consanguinidad (sangre), o que está emparentada con cualesquier otro miembro del cuerpo directivo o corte en que él/ella celebra sesión cuando la compensación de esa persona estará pagada con fondos públicos o los honorarios del puesto oficial. Sin embargo, la ley no prohíbe el nombramiento, el votar por, o la confirmación de alguna persona que continuamente ha sido empleado de la oficina o ha sido empleado durante el siguiente plazo antes de la elección o el nombramiento del oficial o miembro que está emparentado con el empleado en el grado prohibido: seis meses, si el oficial o miembro está elegido en una elección otra de la elección general para oficiales del estado y del condado.

Ningún candidato podrá obrar para influir a un empleado del puesto oficial al cual el candidato desea estar elegido o un empleado o oficial del cuerpo fiscal al cual el candidato desea estar elegido en cuanto al nombramiento o al empleo de una persona que está emparentada con el candidato en un grado prohibido como notado arriba. Esta restricción no se dirige a las acciones de un candidato respecto a una clase o categoría de buena fe de empleados o empleados anticipados.

Los ejemplos de parientes dentro del tercer grado de consanguinidad son los siguientes:

- (1) *Primer grado: padre, madre, hijo(a);*
- (2) *Segundo grado: hermano(a), abuelo(a), nieto(a) primo(a);*
- (3) *Tercer grado: bisabuelo(a), bisnieto(a), tío(a), sobrino(a).*

Los siguientes incluyen parientes de linaje (sangre), medios hermanos, y adopción legal.

Los ejemplos de parientes dentro del segundo grado de afinidad son los siguientes:

- (1) *Primer grado: esposo(a), suegro(a), yerno(a);*
- (2) *Segundo grado: cuñado(a), abuelo(a) del esposo o esposa.*

Las personas que están emparentadas por afinidad (matrimonio) están incluyen los esposos o esposas de parientes que están emparentados por consanguinidad, y, si casados, el esposo o esposa y los parientes del esposo o esposa por consanguinidad. No todos estos ejemplos son inclusivos.

FOOTNOTE

¹For school board elections, no person may be elected unless he or she is a qualified voter (registered voter) of the school district.

²All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary, and the Secretary of State of Texas.

NOTA AL PIE DE LA PAGINA

¹Para elecciones en el distrito escolar, ninguna persona puede ser elegido a menos que sea una votante registrada en el distrito escolar.

²Todo juramento, testimonio o afirmación hecho dentro de este Estado se podrá administrar y se podrá dar un certificado del hecho por un juez, escribano, o comisionado de alguna corte de registro, un notario público, un juez de paz, secretario de la ciudad, y el Secretario del Estado de Texas.

5

CERTIFICATE OF WITHDRAWAL
CONSTANCIA DE RETIRO DE CANDIDATURA

I, _____, a candidate for the office of _____, hereby withdraw my candidacy from the _____ election. The election is being conducted by _____ and is to be held on _____.

(political subdivision)

(date)

Yo, _____, candidato /a al cargo de _____, por este medio retiro mi candidatura de la elección _____. Dicha elección estará a cargo de _____ y se celebrará el _____.

(subdivisión política)

(fecha)

Signature of Candidate (*Firma del/de la Candidato /a*)

"The State of (*El estado de*) _____,

"County of (*Condado de*) _____,

"This instrument was acknowledged before me on _____ by

(date)

(withdrawing candidate)

"El presente instrumento fue reconocido ante mí el _____ por _____
(fecha)

(persona que retira su candidatura)

(Signature of officer)
(Firma del/de la Oficial)

(Seal)

(Title of officer)
(Título del/de la Oficial)

My commission expires: _____"
(Mi cargo se vence el)

6

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised January 23, 2006

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
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AN EQUAL OPPORTUNITY EMPLOYER

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

FORM CTA—INSTRUCTION GUIDE

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APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE form (CTA). Use Form CTA only for appointing your campaign treasurer. Use the AMENDMENT form (ACTA) for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. Note: Candidates for most judicial offices use Form JCTA to file a campaign treasurer appointment.

DUTIES OF A CANDIDATE OR OFFICEHOLDER. As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form and all candidate/officeholder reports of contributions, expenditures, and loans. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

QUALIFICATIONS OF CAMPAIGN TREASURER. A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period. A person who violates this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision. Note: A candidate may appoint himself or herself as his or her own campaign treasurer.

DUTIES OF A CAMPAIGN TREASURER. State law does not impose any obligations on a candidate's campaign treasurer.

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN. If you plan to run for a public office in Texas (except for a federal office), you must file this form before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing this form.

If you are an officeholder, you may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. If you do not have a campaign treasurer appointment on file and you wish to accept *campaign* contributions or make *campaign* expenditures in connection with your office or for a different office, you must file this form before doing so. In such a case, a sworn report of contributions, expenditures, and loans will be due no later than the 15th day after filing this form.

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT. The appropriate filing authority depends on the office sought or held.

a. Texas Ethics Commission. The Texas Ethics Commission is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner.
- State Senator or State Representative.
- Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge.*
- State Board of Education.
- A multi-county district judge* or district attorney.
- A single-county district judge.* (Note: Candidates for single-county district judge file *reports* with both the Ethics Commission and the county filing authority.)
- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
- A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
- A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.

* Judicial candidates use Form JCTA to appoint a campaign treasurer.

b. County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate local filing authority for a candidate for:

- A county office.
- A precinct office.
- A district office (except for multi-county district offices).
- An office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.

c. Local Filing Authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

FILING WITH A DIFFERENT AUTHORITY. If you have a campaign treasurer appointment on file with one authority, and you wish to accept campaign contributions or make or authorize campaign expenditures in connection with another office that would require filing with a different authority, you must file a new campaign treasurer appointment *and* a copy of your old campaign treasurer appointment (certified by the old authority) with the new filing authority before beginning your campaign. You should also provide written notice to the original filing authority that your future reports will be filed with another authority.

FORMING A POLITICAL COMMITTEE. As a candidate, you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE form (CTA). You may also form a specific-purpose committee to support your candidacy. Remember that filing a campaign treasurer appointment for a political committee does not eliminate the requirement that a candidate file his or her own campaign treasurer appointment (Form CTA) and the related reports.

NOTE: *See the Campaign Finance Guide for Political Committees for further information about specific-purpose committees.*

CHANGING A CAMPAIGN TREASURER. If you wish to change your campaign treasurer, simply file an amended campaign treasurer appointment (Form ACTA). This will automatically terminate the outgoing campaign treasurer appointment.

AMENDING A CAMPAIGN TREASURER APPOINTMENT. If *any* of the information reported on the campaign treasurer appointment (Form CTA) changes, file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE form (ACTA) to report the change.

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS. If you are an officeholder who appoints a campaign treasurer after a period of not having one, you must file a report of contributions, expenditures, and loans no later than the 15th day after your appointment is effective. This requirement is not applicable if you are a candidate or an officeholder who is merely changing campaign treasurers.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT. You may terminate your campaign treasurer appointment at any time by:

- 1) filing a campaign treasurer appointment for a successor campaign treasurer, or
- 2) filing a final report.

Remember that you may not accept any campaign contributions or make or authorize any campaign expenditures without a campaign treasurer appointment on file. You may, however, accept officeholder contributions and make or authorize officeholder expenditures.

If your campaign treasurer quits, he or she must give written notice to both you and your filing authority. The termination will be effective on the date you receive the notice or on the date your filing authority receives the notice, whichever is later.

FILING A FINAL REPORT. For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. If you have surplus funds, or if you retain assets purchased with political funds, you will be required to file annual reports. (*See instructions for FORM C/OH - UC.*) If you are an officeholder at the time of filing a final report, you may be required to file semiannual reports of contributions, expenditures, and loans as an officeholder.

If you do not have an appointment of campaign treasurer on file, you may not accept *campaign* contributions or make *campaign* expenditures. A payment on a campaign debt is a campaign expenditure. An officeholder who does not have an appointment of campaign treasurer on file may accept *officeholder* contributions and make *officeholder* expenditures.

To file a final report, you must complete the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH), check the “final” box on Page 1, Section 9, and complete and attach the DESIGNATION OF FINAL REPORT (Form C/OH-FR).

ELECTRONIC FILING. All persons filing campaign finance reports with the Texas Ethics Commission are required to file those reports electronically unless the person is entitled to claim an exemption. Please check the Ethics Commission’s website at <http://www.ethics.state.tx.us> for information about exemptions from the electronic filing requirements.

GUIDES. All candidates should review the applicable Ethics Commission’s campaign finance guide. Guides are available on the Ethics Commission’s website at <http://www.ethics.state.tx.us>.

SPECIFIC INSTRUCTIONS

Each numbered item in these instructions corresponds to the same numbered item on the form.

PAGE 1

1. TOTAL PAGES FILED: After you have completed the form, enter the total number of pages of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.

2. CANDIDATE NAME: Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, of this form.

3. CANDIDATE MAILING ADDRESS: Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. If this information changes, please notify your filing authority immediately.

4. CANDIDATE PHONE: Enter your phone number, including the area code and extension, if applicable.

5. OFFICE HELD: If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.

6. OFFICE SOUGHT: If you are a candidate, please enter the office you seek, if known. Include the district, precinct, or other designation for the office, if applicable.

7. CAMPAIGN TREASURER NAME: Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.

8. CAMPAIGN TREASURER STREET ADDRESS: Enter the complete street address of your campaign treasurer, including the zip code. You may enter either the treasurer's business or residential street address. If you are your own treasurer, you may enter either your business or residential street address. Please do not enter a P.O. Box.

9. CAMPAIGN TREASURER PHONE: Enter the phone number of your campaign treasurer, including the area code and extension, if applicable.

10. CANDIDATE SIGNATURE: Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.

- The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.
- A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.
- A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.
- Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The *degree of consanguinity* is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. **Examples:** (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

PAGE 2

11. CANDIDATE NAME: Enter your name as you did on Page 1.

12. MODIFIED REPORTING DECLARATION: Sign this option if you wish to report under the modified reporting schedule.

The modified reporting option is not available for candidates for the office of state chair of a political party and candidates for county chair of a political party.

To the left of your signature, enter the year of the election or election cycle to which your selection of modified reporting applies.

Your selection of modified reporting is valid for an entire election cycle. For example, if you choose modified reporting before a primary election, your selection remains in effect for any runoff and for the general election and any related runoff. You must make this selection at least 30 days before the first election to which your selection applies.

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$500 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semiannual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$500 maximums apply to each election within the cycle. In other words, you are limited to \$500 in contributions and expenditures in connection with the primary, an additional \$500 in contributions and expenditures in connection with the general election, and an additional \$500 in contributions and expenditures in connection with a runoff.

EXCEEDING \$500 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$500 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$500 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

Your selection is not valid for other elections or election cycles. Use the AMENDMENT form (ACTA) to renew your option to file under the modified schedule for a different election year or election cycle.

For more information, see the Ethics Commission's campaign finance guide that applies to you.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1	Total pages filed:
2	CANDIDATE NAME	MS / MRS / MR FIRST MI	OFFICE USE ONLY
		NICKNAME LAST SUFFIX	
Acct. #			
3	CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Date Received
4	CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION	HD/PM
		()	Date Processed
5	OFFICE HELD (if any)		Date Imaged
6	OFFICE SOUGHT (if known)		
7	CAMPAIGN TREASURER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX	
8	CAMPAIGN TREASURER STREET ADDRESS (Residence or business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE	
9	CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION	
		()	
10	CANDIDATE SIGNATURE	I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.	
		I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.	
		I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.	
		_____	_____
		Signature of Candidate	Date Signed

GO TO PAGE 2



CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

<p>11 CANDIDATE NAME</p>	
<p>12 MODIFIED REPORTING DECLARATION</p>	<p style="text-align: center;">COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING.</p> <p style="text-align: center;">•• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. ••</p> <p style="text-align: center;">•• The modified reporting option is valid for one election cycle only. •• (An election cycle includes a primary election, a general election, and any related runoffs.)</p> <p style="text-align: center;">•• Candidates for the office of state chair of a political party and candidates for county chair of a political party may <u>NOT</u> choose modified reporting. ••</p> <p>I do not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Year of election(s) or election cycle to which declaration applies</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Signature of Candidate</p>

This appointment is effective on the date it is filed with the appropriate filing authority.



TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA--INSTRUCTION GUIDE



Revised September 1, 2005

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
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FORM ACTA - AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE form (ACTA). Use this form for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. The information you enter on this form will replace the information from your previous APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE form (CTA).

If any of the information required to be reported on your CAMPAIGN TREASURER APPOINTMENT changes, you should file an amendment. Use the AMENDMENT form (ACTA) to report the changes. Do not use the APPOINTMENT form (CTA).

You must also use the AMENDMENT form to renew your option to file under the modified schedule.

Except for your name at the top of the form (and your account number, if you file with the Ethics Commission), enter only the information that is *different* from what is on your current campaign treasurer appointment. Do not repeat information that has not changed. The “NEW” boxes emphasize that the information entered on this form should only be information that is different from what was previously reported. Any information entered in a space with a “NEW” box will replace the existing information.

SPECIFIC INSTRUCTIONS

Each numbered item in these instructions corresponds to the same numbered item on the form.

PAGE 1

1. CANDIDATE NAME: Enter your name as it is on your current campaign treasurer appointment. Enter your name in the same way on Page 2, Section 13, of this form. If you are reporting a name change, enter your new name under Section 4.

2. ACCOUNT #: If you are filing with the Ethics Commission, you were assigned a filer account number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your account number. Enter this number wherever you see “ACCOUNT #.” If you do not file with the Ethics Commission, you are not required to enter an account number.

3. TOTAL PAGES FILED: After you have completed the form, enter the total number of pages of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.

4. CANDIDATE NAME: Complete this section only if your name has *changed*. If your name has changed, enter your complete new name, including nicknames and suffixes (e.g., Sr., Jr., III) if applicable.

5. CANDIDATE MAILING ADDRESS: Complete this section only if your mailing address has *changed*. If your mailing address has changed, enter your complete new address, including zip code. This information will allow your filing authority to correspond with you.

6. CANDIDATE PHONE: Complete this section only if your phone number has *changed*. If your phone number has changed, enter your new phone number, including the area code and extension, if applicable.

7. OFFICE HELD: If you are an officeholder, complete this section only if your office has *changed*. If your office has changed, please enter the new office held. Include the district, precinct, or other designation for the office, if applicable.

8. OFFICE SOUGHT: If you are a candidate, complete this section only if the office you seek has *changed*. If the office has changed, please enter the office you now seek, if known. Include the district, precinct, or other designation for the office, if applicable.

Note: Changing the office you are seeking may require you to file your reports with a different filing authority. See the Campaign Finance Guide for further information on filing with a different authority.

9. CAMPAIGN TREASURER NAME: Complete this section only if your campaign treasurer has *changed*. If your campaign treasurer has changed, enter the full name of your new campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.

Qualifications of Campaign Treasurer. A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period. A person who violates this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision.

10. CAMPAIGN TREASURER STREET ADDRESS: Complete this section only if your campaign treasurer's street address has *changed*. If your campaign treasurer's street address has changed, enter the complete new address of your campaign treasurer, including the zip code. You may enter either the treasurer's new business or residential street address. If you are your own treasurer, you may enter either your business or residential street address. Please do not enter a P.O. Box.

11. CAMPAIGN TREASURER PHONE: Complete this section only if your campaign treasurer's phone number has *changed*. If your campaign treasurer's phone number has changed, enter the new phone number of your campaign treasurer, including the area code and extension, if applicable.

12. CANDIDATE SIGNATURE: Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.

- The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.
- A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.
- A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.
- Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The *degree of consanguinity* is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. **Examples:** (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

Note: The changes you have made on this form will replace the information on your previous APPOINTMENT form (CTA).

PAGE 2

13. CANDIDATE NAME: Enter your name as you did on Page 1, Section 1.

14. MODIFIED REPORTING DECLARATION: Sign this option if you wish to report under the modified reporting schedule or if you wish to renew your previous selection to report under the modified reporting schedule. To the left of your signature, enter the year of the election or election cycle to which your selection of modified reporting applies.

Your selection of modified reporting is valid for an entire election cycle. For example, if you choose modified reporting before a primary election, your selection remains in effect for any runoff and for the general election and any related runoff. You must make this selection at least 30 days before the first election to which your selection applies.

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$500 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semi-annual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$500 maximums apply to each election within the cycle. In other words, you are limited to \$500 in contributions and expenditures in connection with the primary, an additional \$500 in contributions and expenditures in connection with the general election, and an additional \$500 in contributions and expenditures in connection with a runoff.

Exceeding \$500 in contributions or expenditures. If you exceed \$500 in contributions or expenditures in connection with an election, you must file according to the regular schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$500 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

Your selection is not valid for other elections or election cycles. Use another AMENDMENT form (ACTA) to renew your option to file under the modified schedule.

For more information, see the Ethics Commission's campaign finance guide that applies to you.

**AMENDMENT: APPOINTMENT OF A
CAMPAIGN TREASURER BY A CANDIDATE**

**FORM ACTA
PG 1**

1 CANDIDATE NAME	2 ACCOUNT #	3 Total pages filed:
See ACTA INSTRUCTION GUIDE for detailed instructions. Use this form for changes to existing information <i>only</i>. Do not provide information previously disclosed.		
4 CANDIDATE NAME	<input type="checkbox"/> NEW MS / MRS / MR FIRST MI <hr style="border-top: 1px dotted black;"/> NICKNAME LAST SUFFIX	OFFICE USE ONLY Date Received Date Hand-delivered or Date Postmarked Date Processed Date Imaged
5 CANDIDATE MAILING ADDRESS	<input type="checkbox"/> NEW ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	
6 CANDIDATE PHONE	<input type="checkbox"/> NEW AREA CODE PHONE NUMBER EXTENSION ()	
7 OFFICE HELD (if any)	<input type="checkbox"/> NEW	
8 OFFICE SOUGHT (if known)	<input type="checkbox"/> NEW	
9 CAMPAIGN TREASURER NAME	<input type="checkbox"/> NEW MS / MRS / MR FIRST MI NICKNAME LAST SUFFIX	
10 CAMPAIGN TREASURER STREET ADDRESS (Residence or business)	<input type="checkbox"/> NEW STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE	
11 CAMPAIGN TREASURER PHONE	<input type="checkbox"/> NEW AREA CODE PHONE NUMBER EXTENSION ()	
12 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p style="text-align: center;"> _____ Signature of Candidate </p> <p style="text-align: right;"> _____ Date Signed </p>	
GO TO PAGE 2		

AMENDMENT:
CANDIDATE MODIFIED REPORTING DECLARATION

FORM ACTA
PG 2

13 CANDIDATE NAME			
14 MODIFIED REPORTING DECLARATION	<table border="1"> <tr> <td data-bbox="363 338 428 369">NEW</td> <td data-bbox="428 338 1518 1331"> <p align="center">COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING.</p> <ul style="list-style-type: none"> •• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. •• •• The modified reporting option is valid for one election cycle only. •• <small>(An election cycle includes a primary election, a general election, and any related runoffs.)</small> <p>I do not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.</p> <p align="center"> _____ Date of election(s) or election cycle to which declaration applies </p> <p align="center"> _____ Signature of Candidate </p> </td> </tr> </table>	NEW	<p align="center">COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING.</p> <ul style="list-style-type: none"> •• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. •• •• The modified reporting option is valid for one election cycle only. •• <small>(An election cycle includes a primary election, a general election, and any related runoffs.)</small> <p>I do not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.</p> <p align="center"> _____ Date of election(s) or election cycle to which declaration applies </p> <p align="center"> _____ Signature of Candidate </p>
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This appointment is effective on the date it is filed with the appropriate filing authority.



7

ORDINANCE NO. 2001-01

POLICY ORDINANCE OF THE CITY OF SHOREACRES ESTABLISHING THE NORMS OF OPERATION AND RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS.

WHEREAS, it is critical to the successful operation of any public or private organization and agency, that rules, standards, or norms be established to define the roles, responsibilities and expectations of the governing board and staff in the operation of the organization; and

WHEREAS, the establishment of rules, standards or norms by the City Council and Mayor will promote understanding and trust among members of the City Council, Mayor, and City Staff concerning their roles, responsibilities, and expectations for the operation of the City; and

WHEREAS, periodic review will assist each member of the City Council and Mayor to better understand their responsibility and role.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shoreacres, State of Texas that policy pertaining to the Norms of Operation and Rules of Order and Procedure for City Council Meetings is hereby established as follows:

Table of Contents:

- Part 1. The Mayor, Council Members and Staff
- Part 2. Norms of Operation
- Part 3. Rules of Order and Procedure for Council Meetings
- Part 4. Policies Regarding the Preparation for Council Meetings
- Part 5. Policies Regarding the Conduct of Council Meetings
- Part 6. Policies Regarding the Conclusion of Council Meetings
- Part 7. Workshops and Public Hearings

Part 1. The Mayor, Council Members and Staff

Section 1. THE MAYOR

The Mayor presides over the City Council and provides leadership. The Mayor shares legislative responsibilities with the council in:

- A. Identifying the needs of the City
- B. Setting policy goals
- C. Adopting rules, regulations and ordinances
- D. Evaluating the extent to which municipal policy meets the goals
- E. Operating the City and directing the employees
- F. Enforcing the laws of the City

- G. Preparing the annual budget
- H. Appointing the officers and employees

Section 2. THE COUNCIL MEMBER

The primary duty of the council members is that of policy making, a role shared with the Mayor. This role requires:

- A. Identifying the needs of the City
- B. Formulating programs and services to meet the City's needs within the resources available
- C. Adopting ordinances, resolutions, contracts, rules, policies and regulations
- D. Providing the resources required to support the programs and services
- E. Evaluating and measuring the effectiveness of the programs and services
- F. Taking the responsibility to promote the health and safety of the citizens
- G. Establishing the City's annual program of service by adopting the budget, which directs the expenditure of funds

As an individual, the Council Member may not direct employees, determine priorities, make assignments, or make decisions for the City, but sitting as a member of Council, he/she jointly with the Council as a whole, is totally responsible for the operation of the City.

Section 3. THE STAFF

The staff and employees of the City perform key roles.

The central point of authority is the City Manager, the City Administrator, or in the absence of these positions, the Mayor. The Mayor, City Manager or City Administrator may delegate the administrative role to the City Clerk, Director of Public Works, and Police Chief for the employees within their respective departments.

Part 2. Norms of Operation

Section 1. OPERATION OF CITY COUNCIL MEETINGS

- A. Any item in need of being placed on the agenda shall be submitted to the City Clerk pursuant to agenda deadlines.

- B. The Mayor or Mayor Pro Tem will conduct an orderly meeting.
- C. Comments by the public will be limited to five minutes. The City Clerk will monitor the time for each speaker with a timer that will sound after five-minutes.
- D. Any changes to, or proposed City ordinances shall be scheduled on an agenda.
- E. Closed sessions of the City Council meeting will be included in the business portion of the Council meeting. After such closed session, Council will reconvene to that scheduled meeting and take action on the closed portion of the meeting.
- F. Members of Council shall not enter into a debate with a member of the public or staff at council meetings.
- G. Any concerns by a member of Council over the behavior or work of a City employee during a council meeting should be directed to the Mayor in private or closed session to ensure the concern is resolved.
- H. City Council agenda items that are continued from one meeting to another shall have preference on the agenda under the same agenda category.
- I. It is not necessary for all Council Members to speak or give their viewpoints on every issue. On critical or significant issues, however, Council Members are encouraged to make a statement about their vote if they vote outside the majority.
- J. Any correspondence or other materials received at a Council meeting shall be submitted to the Clerk and be documented with a receipt date and time.
- K. The Mayor shall state each proposed motion in its final form for the City Council, prior to Council taking action on the agenda item.

Section 2. MAYOR AND CITY COUNCIL RELATIONS WITH CITY STAFF

- A. The City Staff, the Mayor and Council Members shall show mutual respect to one another.

- B. City Staff shall acknowledge the Mayor, and Council as the policy makers and the Mayor and City Council shall acknowledge Staff as the administrator of the Council's policies.
- C. All requests for information or questions by the City Council to Staff shall be directed to the City Clerk or Department Supervisors. All complaints should be submitted to the City Clerk or Mayor.
- D. All written informational material requested by individual Council Members shall be distributed by Staff to all Council Members with the notation indicating which Council Member requested the information.
- E. The Mayor and Council shall not individually attempt to coerce or influence Staff in the making of appointments, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of City licenses or permits.
- F. A Council Member shall not attempt to change or interfere with the operating policies and practices of any City department.
- G. Mail that is addressed to the Mayor or City Council shall be circulated by the City Clerk to the Mayor and City Council. The Mayor's response to mail received shall be distributed to City Council for their information and Council Members shall distribute their responses of a mailed item to the Mayor for his/her information.
- H. The City Clerk shall not open mail addressed to an individual Council Member or Mayor unless authorized to do so.

Section 3. CITY COUNCIL RELATIONSHIP WITH CITY COMMISSIONS AND COMMITTEES

- A. Members of Council should not attempt to influence or publicly criticize city commissions or committee recommendations or to influence or lobby individual city commission or committee members on any item under consideration.
- B. Individual Council Members shall have the right to attend meetings but shall not speak or become involved in the meeting's discussion, except on matters affecting a Council Member as a private citizen or property owner.

Section 4. COUNCIL MEMBER REPRESENTATION TO OTHER AGENCIES AND GROUPS

- A. If a member of City Council appears before another governmental agency or organization to give a statement on an issue affecting the City, the Council Member should first indicate the majority position or opinion of the Council, if one exists.
- B. Personal opinions and comments may be expressed if the Council Member clarifies that these statements do not represent the position of the City Council.

Section 5. CITY COUNCIL HANDLING OF LITIGATION AND OTHER CONFIDENTIAL INFORMATION

- A. The Mayor or City Council shall keep all written materials and verbal information provided to them on matters that are confidential under State Law in complete confidence to insure the City's position is not compromised. No disclosure or mention of information in these materials shall be made to anyone other than the Mayor, Council Members, the City Attorney, or City Clerk.
- B. If a City Council in closed session has provided direction to City Staff on proposed terms and conditions for any type of negotiations whether it be related to property acquisition or disposal, a proposed or pending claim or litigation, and/or employee negotiations, all contact with the other party and/or attorney shall be limited to, and made by, the designated City Staff representative handling the negotiations, claim or litigation. Except as provided in subsection C below, no Council Member shall have any contact or discussion with the other party or its representative involved with the negotiation, claim or litigation at this time, nor shall any Council Member communicate or disclose any discussion conducted or information received in closed sessions. All public statements, information, and press releases shall be handled exclusively by the designated Staff spokesperson.
- C. Notwithstanding the prohibition set forth in subsection B above, an individual Council Member, prior to attending a closed session or receiving confidential information concerning litigation or a claim, may have contact and/or discussion with a party or the party's representative with the respect to a claim for damages or litigation against the City, provided that the Council Member first satisfies each of the following requirements:

- (1) The Council Member must not have attended a closed session or received any confidential information concerning the party's claim or litigation;
- (2) Prior to initiating or allowing such contact, the Council Member shall provide the party and/or attorney, the Mayor, the City Clerk and the City Attorney with a written declaration and agreement, signed under penalty of perjury, and in the format acceptable to the City Attorney, that the Council Member: (a) fully excuses him/herself from, and waives all right to (i) any and all future participation in any decision which in any manner involves the party's/representative's claim and/or litigation, and (ii) that Council Members right to receive confidential information and to attend closed sessions of the Council; (b) does not and shall not purport to make such contact or any representation on behalf, or in his/her capacity as a member, of the Council; and
- (3) has not received or been privy to, and shall not in any manner disclose any confidential information concerning the party's/representative's claim and/or litigation.

D. The exception set forth in subsection C above shall be limited and strictly construed, shall not be construed as authorizing any contact not expressly authorized by its express language, and shall not under any circumstances be construed as authorizing any disclosure of any confidential information.

Part 3. Rules of Order and Procedure for Council Meetings

Section 1. TIME OF MEETINGS/CLOSED SESSIONS

Regular meetings of the City Council shall be held on the 2nd and the 4th Monday of each month in the Council Chambers, City Hall commencing at 7:00 p.m. except when agreed on by majority vote of council to another time/date. The order of business shall be described in Section 2 (Order of Business).

Closed sessions will be scheduled as needed on the regular agenda.

The Council shall not consider any resolution, motion, or matter that does not affect the conduct of the business of the City of Shoreacres or its corporate powers or duties as a municipal corporation. The Council shall not consider any resolution or motion supporting or disapproving any legislation or action pending in the

Legislature of the State of Texas, the Congress of the United States, or before any officer or agency of said State or nation unless such proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers and duties of the City of Shoreacres or its officers or employees as such. Communications that do not directly relate to the conduct of business for the City of Shoreacres shall be provided to Council on an information only basis. Such communications may be submitted on a Council agenda upon request of a Council Member.

Section 2. ORDER OF BUSINESS

The agenda for regular council meetings shall be taken up for consideration in substantially the following order. The Mayor or a Member of Council may at any time by majority consent, change the order of the agenda items. City Council agenda items that are continued from one meeting to another shall have preference on the agenda. If items are scheduled for a specific time, the Council will attempt to address those issues at the specific time.

7:00 p.m. Call to Order
 Roll Call
 Pledge of Allegiance (at the discretion of the
 presiding officer)
 Special Presentations
 Public Comments
 Approval of Minutes
 Council Reports / General Discussion
 Administrative Reports
 Old Business
 Closed Session (if desired)
 New Business
 Adjourn

Section 3. THE FOLLOWING IS A GENERAL POLICY STATEMENT
DISCUSSING THE PROCESS AND/OR POLICY RELATED TO
THE ORDER OF BUSINESS (Section 2):

- A. Call to Order
The Presiding Officer will call the meeting to order at the posted time.

- B. Roll Call
The City Clerk will call roll as the first order of business at each meeting.

- C. Pledge of Allegiance
The Presiding Officer will lead in the Pledge of Allegiance as the second order of business at each meeting, if desired.

- D. Special Presentations
Special Presentations in recognition of persons or groups, or for the promotion of an event or service shall be scheduled by the Mayor and City Clerk. Requests for special presentations must be submitted to the City Clerk in writing pursuant to the agenda deadlines.

- E. Public Comments
Time shall be reserved on each regular meeting agenda to provide an opportunity for members of the public to directly address the council. Each person shall be subject to the provisions of this ordinance. Any item of interest not appearing on the agenda but that is presented by a member of the public under "Citizen's Comments" may be added to the current sessions agenda only if the Council determines by at least two-thirds vote (or if less than two-thirds of the members are present, then by a unanimous vote of the members present) that the need to take action arose after the agenda was posted and the Council believes it is necessary to take immediate action. Otherwise, the item is referred to the City Clerk, Mayor, or a Member of Council for investigation and placement on a future agenda if desired.

All citizens must observe the following rules with respect to comment and testimony:

- (1) FIVE MINUTE LIMIT. Comment and testimony shall be limited to five minutes for each member of the public who wishes to speak. "Applicants" or "Appellants" are not held to this time limit. (see Hearings and Appeals). All comments and testimony shall be from the podium or other approved Council location; no comment shall be shouted from the audience. The City Clerk shall set the timer for five minutes and comments will conclude at the end of the five-minute limit. Questions for staff or the applicant shall be made through the presiding officer. Any such questions are part of the five-minute limit.

- (2) ADDITIONAL TIME. If additional time is needed for public commentary, citizens must ask for this at the outset of the comment period and have it approved by the City Council.

- (3) LESS TIME. The Council may limit the total amount of time devoted to public comment, the amount of time offered to each speaker, or the number of speakers to be heard on an issue, or may make such other modifications as the Council deem appropriate. To the extent practicable, the Council and/or City Clerk shall include notice of such modification or limit in published notice of the meeting.
- (4) SPEAK ONLY ONCE. Second opportunities for a member of the public to speak on the same issue or agenda item will not be permitted unless mandated by law. No member of the public may give all or part of their time to speak to another member of the public.
- (5) ADDRESSING THE COUNCIL. Comments and testimony are to be directed to the City Council. Dialogue between and inquiries from citizens and members of the staff or the seated audience is not permitted. Unless otherwise authorized by motion and vote of the Council, inquiries which require staff response shall be referred to staff for response at a later time.
- (6) DISRUPTIVE COMMENTS OR CONDUCT. No person who addresses Council shall make any belligerent, personal, impertinent, redundant, slanderous, loud, threatening, abusive or disparaging remark, statement or commentary toward the council, staff or other individuals in a manner which disrupts, disturbs, or otherwise impedes the orderly conduct of the council meeting. Nor shall any person engage in any other disorderly conduct which so disrupts, disturbs or impedes the orderly conduct of the meeting. Council shall be held to the same standards. Nothing in this section shall prohibit or discourage orderly criticism of any City decision or policy within the limits of these rules. Any violation of this rule shall be grounds for terminating the citizen's comment period. Continued inappropriate behavior or comments, after having been directed to discontinue, shall be grounds for removal from the meeting.

F. Approval of Minutes

Minutes of the City Council meetings shall be submitted to the Council for approval and/or correction in draft form at a subsequent regular meeting. Only Members of the Council and the City Clerk have the authority to make revisions to the minutes, subject to a

majority vote of the City Council.

G. Council Reports / General Discussion

Each regular meeting agenda will provide for "Council Comments and General Discussion". This is the opportunity for the Council Members to ask questions for clarification, provide information to Staff or other Members of Council, request Staff to report back on a matter, or to direct Staff to place a matter on a subsequent agenda.

H. Administrative Reports

Administrative reports are reports and recommendations from Administrative Staff intended for Council discussion or to inform Council of items of interest.

Staff reports and related background material regarding these agenda items should be received by the City Clerk by noon, four (4) days prior to the meeting.

I. Old Business

If an item was continued from a previous agenda where it was listed as New Business, it will be then listed as Old Business.

J. New Business

All new items of business, such as contracts, agreements, ordinances, and resolutions that require action to be addressed by Council should be presented under New Business.

K. Closed Session (if applicable)

Closed sessions will be carried out according to Texas Laws, or as defined by law.

L. Adjournment

Generally, Council meetings should adjourn by 10:00 p.m.

Any items not completed at the conclusion of a meeting shall be continued at the next regular meeting and shall be considered before any new items within their category.

Part 4. Polices Regarding the Preparation for Council Meetings

A. Closing of Agenda Regular Meetings:

The Agenda of business to come before the Council at any regular meeting shall be closed as of 12:00 p.m. three (3) days preceding said meeting.