

Agenda
College Station City Council
Special Meeting
(Orientation)
Monday, December 9, 2013 3:00 p.m.
City Hall – Administrative Conference Room, 1101 Texas Avenue
College Station, Texas

1. Call meeting to order, and welcome by Mayor Nancy Berry.
2. Presentation and discussion on the relationship between the Council, City Manager and staff; and a review of procedures for requesting information by City Manager, Kelly Templin.
3. Presentation and discussion on Communications and Handling Media Inquiries by Public Communications Director, Jay Socol.
4. Presentation and discussion on Conflict of Interest by City Attorney, Carla Robinson.
5. Presentation and discussion on Open Records and Public Information; Council Agenda Process; Parliamentary Procedure; and the Council Relations Policy and Code of Ethics by City Secretary, Sherry Mashburn.
6. Adjourn.

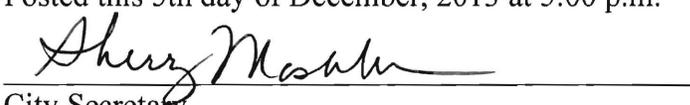
APPROVED:



City Manager

Notice is hereby given that a Special Meeting of the City Council of the City of College Station, Texas will be held on the 9th day of December, 2013 at 3:00 p.m. at City Hall in the Administrative Conference Room & Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this 5th day of December, 2013 at 5:00 p.m.



City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov. The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on December 5, 2013 at 5:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official board at the College Station City Hall on the following date and time: _____ by _____.
Dated this ____ day of _____, 2012.

CITY OF COLLEGE STATION, TEXAS

By _____

Subscribed and sworn to before me on this the ____ day of _____,
_____ Notary Public – Brazos County, Texas My commission
expires: _____

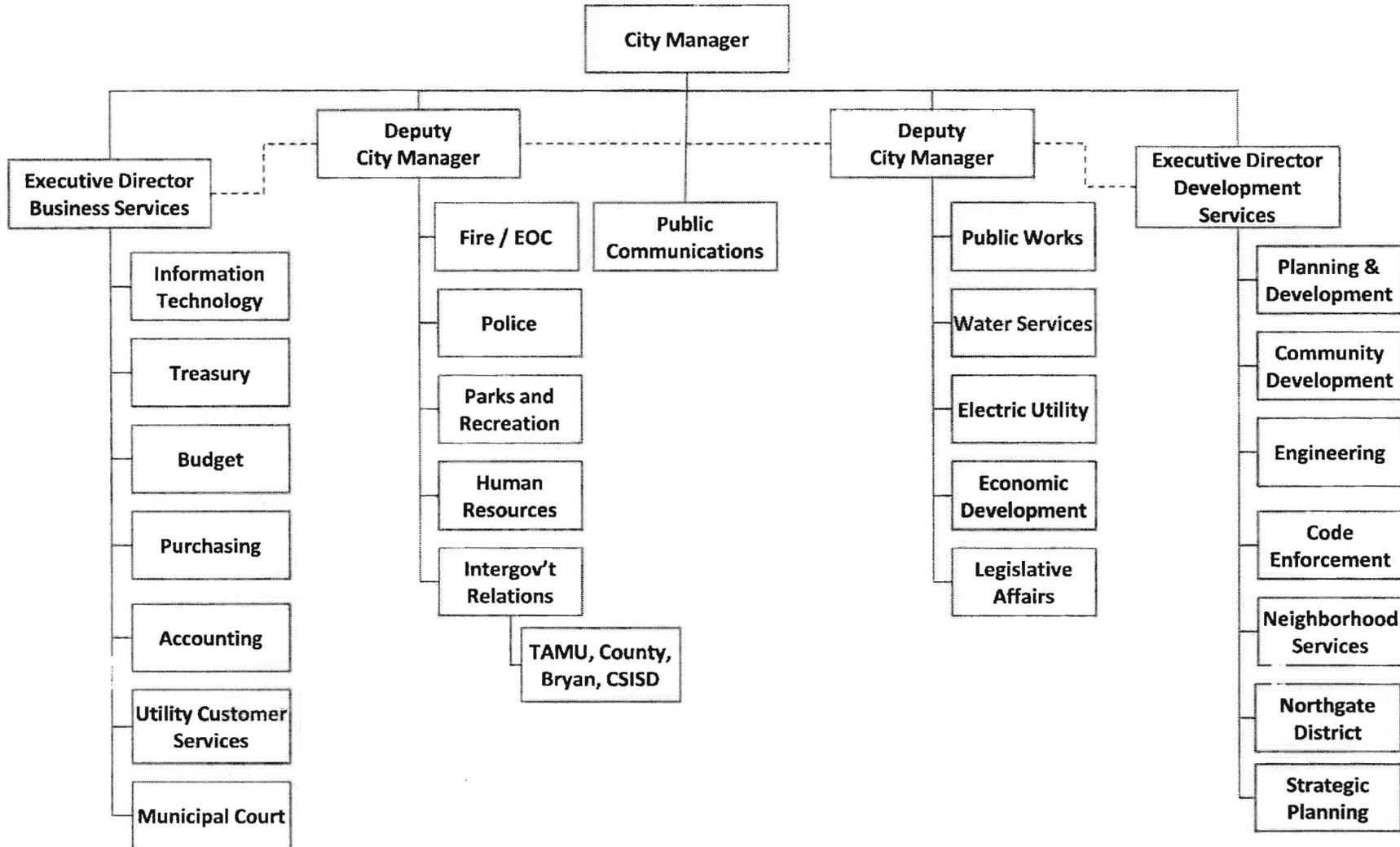
This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764-3517 or (TDD) 1-800-735-2989. Agendas may be viewed on www.cstx.gov. Council meetings are broadcast live on Cable Access Channel 19.

COUNCIL

ORIENTATION

DECEMBER 9, 2013

CITY ORGANIZATION



PROPOSED
2014
COUNCIL CALENDAR

2014 COUNCIL CALENDAR

1 New Year's Day (City Offices Closed)
9 Regular Meeting
20 M.L. King Jr. Day (City offices closed)
23 Regular Meeting
27-28 Council Retreat
30-31 Texas City Mgt Assoc.

JANUARY						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
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JULY						
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4 Independence Day (City offices closed)
10 Regular Meeting
24 Regular Meeting

7-9 TML Elected Officials
13 Regular Meeting
27 Regular Meeting

FEBRUARY						
S	M	T	W	Th	F	S
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AUGUST						
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31						

14 Regular Meeting
28 Regular Meeting

13 Regular Meeting
27 Regular Meeting
27-28 Texas City Mgt Assoc. II

MARCH						
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SEPTEMBER						
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28	29	30				

1 Labor Day (City Offices Closed)
11 Regular Meeting
25 Regular Meeting
14-17 ICMA Annual Conference
29-30 TML Annual Conference

10 Regular Meeting
18 Good Friday (City Offices Closed)
24 Regular Meeting

APRIL						
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OCTOBER						
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1-3 TML Annual Conference
9 Regular Meeting
20 Regular Meeting
23 TMCA swearing in Shery Mashburn for President

6-9 Chamber Washington
8 Regular Meeting
22 Regular Meeting
26 Memorial Day (City offices closed)

MAY						
S	M	T	W	Th	F	S
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NOVEMBER						
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30						

13 Regular Meeting
24 Regular Meeting
27-28 Thanksgiving (City Offices closed)

12 Regular Meeting
26 Regular Meeting
26-29 TX City Mgt Assoc Annual

JUNE						
S	M	T	W	Th	F	S
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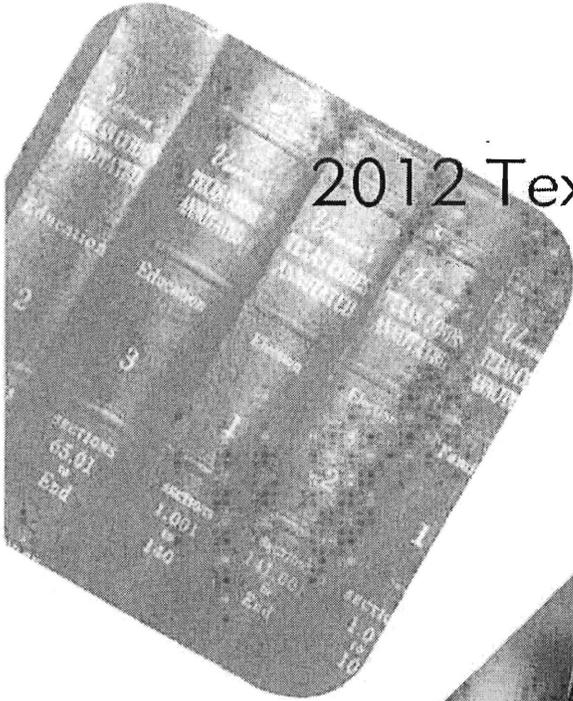
DECEMBER						
S	M	T	W	Th	F	S
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21	22	23	24	25	26	27
28	29	30	31			

11 Regular Meeting
24-25 Christmas (City Offices Closed)

COUNCIL BUDGET

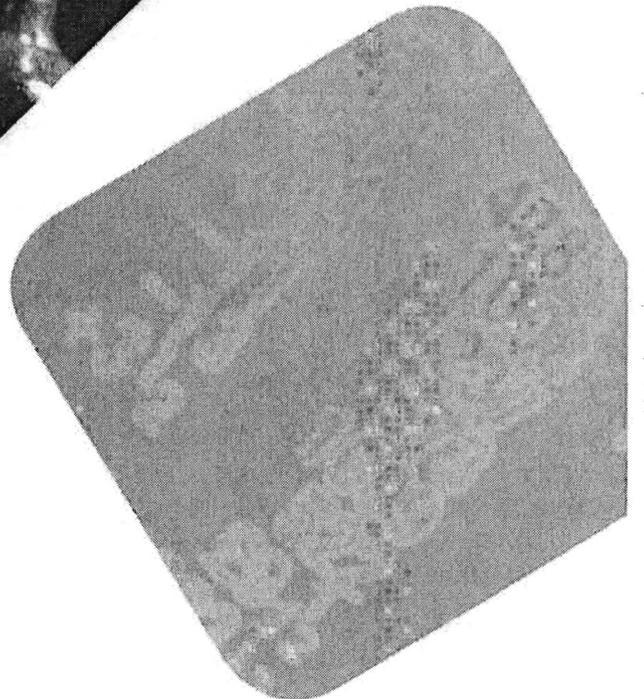
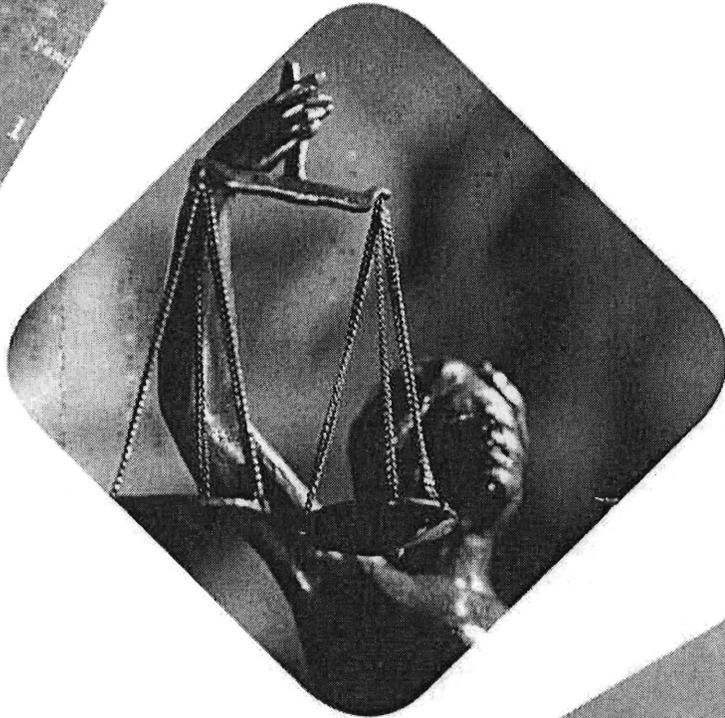
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CALC	FY14 TMRS ADJUSTMENT	FY14 PAY PLAN	CALC	CALC FY14 Proposed SLAs	CALC	FY14 1X COUN DIR CHANGES	FY14 REC COUNCIL CHNG	FY14 Approved Budget
		FY14 Revised Base Budget			FY14 Proposed Base Budget		FY14 Proposed Budget			
001-1001-501.21-10	Office Supplies: General	300	0	0	300	0	300	0	0	300
001-1001-501.21-70	Computer Hardware	200	0	0	200	0	200	0	0	200
001-1001-501.24-31	Misc Suppl: Goodwill	2,033	0	0	2,033	0	2,033	0	0	2,033
001-1001-501.24-32	Misc Suppl: Food And Ice	8,348	0	0	8,348	0	8,348	0	0	8,348
001-1001-501.51-52	Util Serv: Mobile Phone	4,454	0	0	4,454	0	4,454	0	0	4,454
001-1001-501.62-40	Advertise: Sponsorships	1,500	0	0	1,500	0	1,500	0	0	1,500
001-1001-501.63-10	Training: Travel/Lodging	4,602	0	0	4,602	0	4,602	0	0	4,602
001-1001-501.63-11	Training: Outside Trng	2,500	0	0	2,500	0	2,500	0	0	2,500
001-1001-501.63-30	Training: Memberships	7,059	0	0	7,059	0	7,059	0	0	7,059
001-1001-501.64-10	Transp: Mileage	505	0	0	505	0	505	0	0	505
* General Gov't Operations		31,501	0	0	31,501	0	31,501	0	0	31,501
** General Government		31,501	0	0	31,501	0	31,501	0	0	31,501
*** EXPENDITURE		31,501	0	0	31,501	0	31,501	0	0	31,501
**** General Fund		31,501	0	0	31,501	0	31,501	0	0	31,501
		31,501	0	0	31,501	0	31,501	0	0	31,501

CONFLICT OF
INTEREST LAWS
MADE EASY



2012 Texas Conflict of Interest Laws MADE EASY

Answers to the most frequently asked questions about
the Texas Conflict of Interest Laws



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

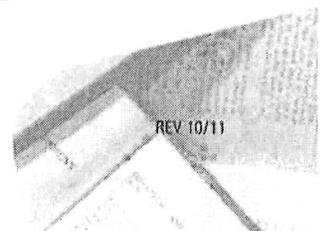


Table of Contents

1.	What conflict of interest laws apply to local public officials in Texas?	1
2.	Do conflict of interest laws apply to persons appointed to local boards and commissions (e.g., planning and zoning commission members)?	1
3.	Do conflict of interest laws apply to members of purely advisory committees that are established by the local entity?	2
4.	What types of issues are covered by Texas conflict of interest laws?	2
5.	What is the definition of a “business entity” for purposes of the conflict of interest laws? ..	2
6.	What is considered a “substantial interest” in a business entity (such that it would amount to a potential conflict of interest)?	3
7.	Is the fact that a local official is employed by a business entity sufficient to create a potential conflict?	3
8.	What is the test for conflict of interest regarding a business entity?	3
9.	May an indirect benefit from a contract with a business constitute a possible conflict of interest?	4
10.	What is considered a “substantial interest” in real property (such that it would amount to a potential conflict of interest)?	4
11.	What is the test for conflict of interest regarding real property?	5
12.	Might the part-time or summer job of an official’s child create a conflict of interest?	5
13.	May a local official discuss or vote on an item if the effect of the vote on the official’s business or property interest is no different than its effect on the general public?	6
14.	What actions must a local official take if the official has a conflict of interest under chapter 171?	6
15.	May a local official deliberate about an issue with which the official has a conflict of interest if the official abstains from voting on the issue?	6
16.	May a local entity separate out an item from a budget to allow the official with the conflict to vote on the budget?	7
17.	What may a local entity do if a majority of the members of the governmental body have a conflict of interest regarding an item to be considered?	7
18.	May a home rule city provide further conflict of interest limitations on its city officials and employees?	7
19.	Are there state statutes that provide stricter conflict of interest restrictions for particular situations or for certain public officials or that contain additional reporting requirements?.	7
20.	Are there special conflict of interest provisions that apply to the selection of a local depository?	8

21. Are there special conflict of interest laws that apply to judges?.....	8
22. Are there special conflict of interest laws that apply to lawyers (e.g., city attorneys)?	9
23. If an official's vote on a contract violates the conflict of interest laws, is the contract illegal and void?.....	9
24. Must a local official be removed from office if the official violates the conflict of interest laws?	9
25. May a person be charged with a crime if the official violates the conflict of interest laws?10	
26. Does the conflict of interest law apply to directors of an economic development corporation?	10
27. Do the conflict of interest laws apply to board members of a municipal utility district?....	11
28. Do the conflict of interest laws apply to members of a local governing body who have a direct, personal matter pending before the governing body?.....	11
Sample Affidavit.....	12

Texas Conflict of Interest Laws Made Easy

Every time a local public official participates in contracting with his or her governmental entity or owns real property that may be affected by that entity's actions, the official must consider whether his or her discussion, decision or vote on an item will violate either Texas conflict of interest laws or local conflict of interest provisions. Public officials need to be aware of the applicable standards for determining when such a conflict of interest may exist and how such conflicts must be handled. The following questions and answers provide a lay person's explanation of the general conflict of interest laws that apply to Texas local officials. This handbook provides general guidance on the issues raised in this area. While the Local Government section of the Office of the Attorney General is available to answer general questions about this article from local officials, local officials should consult with their legal counsel regarding the application of the law to the facts of each particular situation.

1. What conflict of interest laws apply to local public officials in Texas?

The general conflict of interest laws for Texas city and county officials, as well as officials of other Texas political subdivisions, is found in chapter 171 of the Local Government Code.¹ Chapter 171 establishes the standard for determining when a local official has a conflict of interest that would affect his or her ability to discuss, decide or vote on a particular item.² Chapter 171 conflict of interest provisions apply to all local public officials.³ Within a governmental unit, "local public officials" are defined to include:

1. elected officials such as the members of the city council or county commissioners (whether paid or unpaid); and
2. appointed officials (paid or unpaid) who exercise responsibilities that are more than advisory in nature.⁴

It should be noted that other state and federal laws, as well as local provisions, may be applicable to officials in a particular situation. Whether a law is applicable depends on the activity that the official is undertaking. Officials should work with their own legal counsel to determine whether their activities are subject to any such additional provisions.

2. Do conflict of interest laws apply to persons appointed to local boards and commissions (e.g., planning and zoning commission members)?

Chapter 171 conflict of interest laws apply to persons appointed to local boards and commissions if the board or commission exercises powers that are more than advisory in nature.⁵ For example, members of a city's planning and zoning commission would likely be subject to chapter 171 conflict of interest provisions. Accordingly, the ability of such officials to discuss or vote on an item would potentially be limited by these laws if the official is considered to have a conflict of interest on the issue.

¹ TEX. LOC. GOV'T CODE ANN. §§ 171.001 - .010 (West 2008).

² *Id.* § 171.002.

³ *Id.* §171.001(1).

⁴ *Id.*

⁵ *Id.*

3. *Do conflict of interest laws apply to members of purely advisory committees that are established by the local entity?*

No, chapter 171 conflict of interest provisions apply only to an officer who exercises responsibilities beyond those that are advisory in nature.⁶ Whether an officer exercises such responsibilities depends on the authority vested in him or her by law and not necessarily on the title of a committee to which he or she belongs.

A city may adopt other additional provisions defining and prohibiting conflicts of interest.⁷

4. *What types of issues are covered by Texas conflict of interest laws?*

Texas conflict of interest statutes do not address every conceivable conflict that may arise for a local official. In fact, chapter 171 conflict laws are generally financial in nature and cover two main types of conflicts:⁸

1. **Business entity conflicts:** Conflicts due to a local official's substantial financial interest in a "business entity" that has an issue before his or her governmental unit;⁹ or
2. **Real property conflicts:** Conflicts due to a local official's substantial financial interest in "real property" that would be affected by his or her governmental unit's action.¹⁰

5. *What is the definition of a "business entity" for purposes of the conflict of interest laws?*

For purposes of Texas conflict of interest laws, a "business entity" means:

a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.¹²

Governmental entities such as cities or school districts are not considered business entities.¹³ Accordingly, if the issue before a city council involves a governmental entity, an official's relationship with that entity would not subject that official to chapter 171 conflict of interest laws. However, an economic development corporation is a business entity, so an official with a substantial interest in the corporation would have to comply with chapter 171.¹⁴

⁶ *Id.*

⁷ *Id.* § 171.007.

⁸ A less commonly seen conflict is covered in section 171.003, which prohibits an official from acting either as a surety for businesses doing business with the governmental entity or as a surety on bonds involving public officials.

⁹ *Id.* § 171.002(a).

¹⁰ *Id.* § 171.002(b).

¹² TEX. LOC. GOV'T CODE ANN. § 171.001(2) (West 2008).

¹³ Tex. Att'y Gen. Op. Nos. DM-267 (1993); GA-31 (2003).

¹⁴ Tex. Att'y Gen. Op. No. JC-547 (2002).

6. *What is considered a “substantial interest” in a business entity (such that it would amount to a potential conflict of interest)?*

There are four ways that a person could be deemed to have a “substantial interest” in a business entity that would raise a potential conflict of interest. A person has a substantial interest in a business entity if the person has a(n):

1. **Stock interest:** If the official owns 10 percent or more of the total voting stock or shares of the business entity;¹⁵
2. **Other ownership interest:** If the official owns either 10 percent or more, or \$15,000 or more, of the fair market value of the business entity;¹⁶
3. **Income interest:** If the official received more than 10 percent of his or her gross income for the previous year from the business entity;¹⁷
4. **Close family member with any of the above interests:** If a close relative of the local official has any of the above types of interest in a business entity. A local official is considered to have the same interest in a business entity that his or her close relatives have in that business entity. In this context, close relatives of an official would include persons who are related to the official within the first degree by consanguinity (blood) or affinity (marriage).¹⁸ Such relatives would include an official’s father, father-in-law, mother, mother-in-law, daughter, daughter-in-law, son, son-in-law and the spouse of the official.

7. *Is the fact that a local official is employed by a business entity sufficient to create a potential conflict?*

Being employed by a business entity will prevent a local official from discussing or voting on a matter involving that business, provided more than 10 percent of the official’s previous year’s gross income came from his or her employment with that business.

8. *What is the test for conflict of interest regarding a business entity?*

State law provides a two-part test for ascertaining whether a local official has a conflict of interest regarding a business entity that would prevent the official from participating in a vote or discussion on that item.¹⁹ To determine whether a conflict exists that would prevent that official’s participation in a vote or a discussion, one should apply the following two-step analysis:

1. **Step one (substantial interest analysis):** First, the official must determine if he or she received more than 10 percent of his or her gross income in the previous year from that business entity or if he or she owns 10 percent or more of the voting stock or shares of the business entity or has some other substantial ownership interest in the business entity.²⁰ (See Question 6, part 2, above.) If the official has such an interest or a close

¹⁵ TEX. LOC. GOV’T CODE ANN. § 171.002(a)(1) (West 2008).

¹⁶ *Id.*

¹⁷ *Id.* § 171.002(a)(2).

¹⁸ *Id.* § 171.002(c).

¹⁹ *Id.* § 171.004.

²⁰ *Id.* § 171.002(a)(2).

relative of the official has such an interest,²¹ the official must consider the second part of the test for determining if a conflict of interest exists.

2. **Step two (special economic effect analysis):** The official must determine whether the action that the local entity is considering would have a special economic effect on the business entity that is distinguishable from its general effect on the public.²²

If it is determined that the official has a substantial interest in the business entity and it is likely that the action would have a special economic effect on the business entity that is distinguishable from its effect on the general public,²³ a conflict of interest would exist. If a conflict of interest exists, the official is prevented from discussing or voting on an issue involving that business entity.²⁴

9. *May an indirect benefit from a contract with a business constitute a possible conflict of interest?*

In certain situations, an indirect benefit that a local official may receive regarding a business entity may be sufficient to constitute a conflict of interest. For example, the Dallas Court of Appeals concluded that the definition of “substantial interest” did not distinguish between funds received directly from a business entity and funds received indirectly. Whether a particular interest is a “substantial interest” is a question of fact.²⁵

10. *What is considered a “substantial interest” in real property (such that it would amount to a potential conflict of interest)?*

There are two ways that a person could be deemed to have a “substantial interest” in real property (such that it would amount to a potential conflict of interest).²⁶ A person has a substantial interest in real property if he or she has:

1. **A \$2,500 ownership interest in the real property:** If the official has a legal or equitable ownership interest in real property worth \$2,500 or more²⁷ or
2. **A close family member with a \$2,500 ownership interest in the real property:** If a close relative of the local official has a legal or equitable ownership interest in real property worth \$2,500 or more then the official is considered to have the same interest in the piece of real property that his or her close relative has in the real property. In this context, close relatives of an official would include persons who are related to the official within the first degree by consanguinity (blood) or affinity (marriage).²⁸ Such relatives would include an official’s father, father-in-law, mother, mother-in-law, daughter, daughter-in-law, son, son-in-law and the spouse of the official.

²¹ *Id.* § 171.002(c).

²² *Id.* § 171.004(a)(1).

²³ *Id.*

²⁴ *Id.* § 171.004(a).

²⁵ *Dallas County Flood Control Dist. No. 1 v. Cross*, 773 S.W.2d 49, 55 (Tex. App.—Dallas 1989, no writ).

²⁶ TEX. LOC. GOV’T CODE ANN. § 171.002(b)-(c) (West 2008).

²⁷ *Id.*

²⁸ *Id.* § 171.002(c).

11. What is the test for conflict of interest regarding real property?

State law provides a two-part test for ascertaining whether a local official has a conflict of interest regarding real property that would prevent the official from participating in a vote or discussion on that item.²⁹ To determine whether a conflict exists that would prevent that official's participation in a vote or discussion, one should apply the following two-step analysis:

1. **Substantial interest analysis:** The official must determine if the official has a legal or equitable ownership interest in real property worth \$2,500 or more. If the official has such an interest or a close relative of the official has such an interest,³⁰ the official must consider the second part of the test for determining if a conflict of interest exists.
2. **Special economic effect analysis:** The official must determine whether it is reasonably foreseeable that the action the local entity is considering would have a special economic effect on the value of the property that is distinguishable from its general effect on the public.³¹

If it is determined that the official has a substantial interest in the real property and it is reasonably foreseeable that the action would have a special economic effect on the value of the property that is distinguishable from its effect on the general public,³² a conflict of interest would exist. If a conflict of interest exists, the official is prevented from discussing or voting on an issue involving that business entity.³³

The fact that an action would affect property physically close to an official's own property does not, in and of itself, establish a conflict of interest that would prevent an official from discussing or voting on that item. The official must consider whether the proposed governmental action would have a special economic effect on the value of his or her own property that is distinguishable from its effect on the general public.³⁴ For example, if a zoning, variance or platting request would have a special economic effect on a city official's own property or the real property of a close relative of the official, the official could not participate in the discussion or vote on that matter.

12. Might the part-time or summer job of an official's child create a conflict of interest?

If a local official's child worked at a job that constituted more than 10 percent of the child's income for the previous year, that might create a potential conflict of interest for the parent. If the child had such an interest, the parent could not vote on or discuss local governmental business that would have a special economic effect on the child's employer.³⁵

²⁹ *Id.* § 171.004.

³⁰ *Id.* § 171.002(c).

³¹ *Id.* § 171.004(a)(2).

³² *Id.*

³³ *Id.* § 171.004(a).

³⁴ *Id.* § 171.004(a)(2); Tex. Att'y Gen. Op. No. GA-796 (2010).

³⁵ Tex. Att'y Gen. Op. No. JC-63 (1999).

13. *May a local official discuss or vote on an item if the effect of the vote on the official's business or property interest is no different than its effect on the general public?*

Yes, an official may discuss and vote on an item if there is no distinguishable difference between the item's effect on the local official and its effect on the general public.³⁶ For example, a city may be considering the adoption of a setback requirement that would apply to all residential lots. Such a requirement arguably would not impact a city official's property in a more significant manner than it would impact the property of other members of the general public. In such a situation, the official could fully participate in the discussion and vote. Of course, if the official's property would be specially enhanced by a change in the setback requirement, then it would be more likely to present a conflict of interest issue for the official.

14. *What actions must a local official take if the official has a conflict of interest under chapter 171?*

If a local official has a conflict of interest under the two-part test of chapter 171, the official must take three actions:

1. **File an affidavit:** The official must file an affidavit with the local unit's official record keeper stating the nature and extent of the official's interest in the matter.³⁷ This affidavit must be filed before any vote or decision on the matter is made by the entity.³⁸ A sample conflict of interest affidavit is attached at the end of this article;
2. **Abstain from discussion on the item:** The official must abstain from discussions or other proceedings regarding the item;³⁹ and
3. **Abstain from voting on the item:**⁴⁰ The official must not vote on the item.

15. *May a local official deliberate about an issue with which the official has a conflict of interest if the official abstains from voting on the issue?*

No, a local official may not discuss an issue with which he or she has a conflict of interest even if he or she abstains from voting on the item.⁴¹ The statute prohibits "further participation" in a matter if a conflict exists.⁴² If a conflict of interest exists, the official must file the required affidavit and abstain from both discussing and voting on the item.⁴³

The attorney general has opined that a member of a governmental body does not "participate in a matter" for purposes of the conflict of interest laws by merely attending an executive session on the matter and remaining silent during the deliberations.⁴⁴ However, it may be wise, the opinion noted, for the interested public officer to refrain from attending open or closed meetings that address the matter in which he or she is interested.

³⁶ TEX. LOC. GOV'T CODE ANN. § 171.004 (West 2008).

³⁷ *Id.* § 171.004(a)-(b).

³⁸ *Id.* § 171.004(a).

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* § 171.004(a)-(b).

⁴⁴ Tex. Att'y Gen. Op. No. GA-334 (2005).

16. *May a local entity separate out an item from a budget to allow the official with the conflict to vote on the budget?*

Yes, a governing body of a local entity shall take a separate vote on any budget item involving a business entity in which a local official has a substantial interest.⁴⁶ The remaining officials without a conflict may separately discuss and vote on the item involving that business entity. The official with the conflict may then vote on the final overall budget once the matter for which there was a conflict is resolved.⁴⁷ The official with the conflict must also have filed the required affidavit with the official record keeper regarding the conflict.⁴⁸

17. *What may a local entity do if a majority of the members of the governmental body have a conflict of interest regarding an item to be considered?*

Chapter 171 conflict of interest laws do not prevent discussion or voting on the item if a majority of the members of a governmental body have similar conflicts of interest on the same item.⁴⁹ However, prior to any deliberations on the matter, each of the members of the governmental body with a conflict must have filed the required affidavit noting their interest in the item.⁵⁰

18. *May a home rule city provide further conflict of interest limitations on its city officials and employees?*

Yes, a home rule city (a city with a population of 5,000 or more that has adopted a city charter) may provide further and more restrictive conflict of interest limitations on its officials and employees.⁵¹ Such restrictions may be contained in a city ordinance, city policy or within the city charter. For example, some cities have ethics ordinances or city charter provisions that prevent their city officials from discussing or voting on items if the official has any financial interest in the item.

19. *Are there state statutes that provide stricter conflict of interest restrictions for particular situations or for certain public officials or that contain additional reporting requirements?*

Yes, there are certain state statutes that provide stricter conflict of interest restrictions in particular areas. For example, there are conflict of interest statutes within chapter 312 of the Tax Code that completely prohibit a local entity's governing body from approving a tax abatement if a member of that body owns the property that is the subject of the tax abatement.⁵² If a local official has some type of interest in the item before the governing body, the official will want to visit with local counsel as to whether the interest constitutes a chapter 171 conflict of interest or presents a conflict pursuant to some other state law.

Chapter 176 of the Local Government Code requires members of the governing body and executive officers of local government entities to file a conflicts disclosure statement relating to a person that the governmental entity has contracted with or is considering contracting with if the

⁴⁶ TEX. LOC. GOV'T CODE ANN. § 171.005(a) (West 2008).

⁴⁷ *Id.* § 171.005(b).

⁴⁸ *Id.* § 171.004(b).

⁴⁹ *Id.* § 171.004(c).

⁵⁰ *Id.*

⁵¹ *Id.* § 171.007(b); Tex. Att'y Gen. Op. No. GA-68 (2003).

⁵² TEX. TAX CODE ANN. § 312.204(d) (West 2008).

local officer or his or her family member has a certain business relationship or gift history with that person exceeding certain threshold amounts.⁵³ It also requires a person who contracts or seeks to contract with the local governmental entity to file a completed questionnaire disclosing the person's affiliation and business relationship with each member of the governing body and executive officers of the entity.⁵⁴ The disclosure forms are prepared by the Texas Ethics Commission, available at www.ethics.state.tx.us/whatsnew/conflict_forms.htm. These must be filed with the entity's records administrator and, in certain instances, posted on the Internet.⁵⁵

20. Are there special conflict of interest provisions that apply to the selection of a local depository?

Yes, there are special conflict of interest provisions that apply to the selection of a local depository. Prior to 1967, local entities were prohibited from using a bank as a depository if a member of the governing body was an officer, director or shareholder of the bank.⁵⁶ However, this prohibition has been substantially diminished under current law.⁵⁷ Local units can now contract with a depository even if a local official or employee with the duty to select the depository is also an officer, director or shareholder of the bank, unless the official or employee, either individually or collectively, owns more than 10 percent of the bank's stock.⁵⁸ In such a situation, the entity is required to have the interested official or employee follow all of the procedures required for a chapter 171 conflict of interest. These procedures would include filing an affidavit, abstaining from deliberations and abstaining from the vote regarding the depository.⁵⁹ If a majority of the remaining members of the governing body vote to select the bank as a depository, it may serve as the local entity's depository.

A home rule city may adopt stricter conflict of interest provisions that would be applicable to the selection of a city depository. For example, a city ordinance or city charter provision may prohibit the selection of a city depository if a city official or employee has any financial interest in the bank.

21. Are there special conflict of interest laws that apply to judges?

Chapter 171 of the Local Government Code does not contain special conflict of interest laws that apply to judges. However, judges are subject to the Code of Judicial Conduct.⁶⁰ In basic terms, these rules require that judges avoid actions that would suggest even the appearance of impropriety.⁶¹ They also prohibit judges from having any financial interest in any aspect of a case that they handle as judges. Furthermore, Article V, Section 11 of the Texas Constitution prohibits a judge from presiding over any case where he or she may have either a direct personal or pecuniary interest. Additionally, a judge may not preside over any case where he or she is

⁵³ TEX. LOC. GOV'T CODE ANN. § 176.003 (West 2008). *See also* Tex. Att'y Gen. Op. No. GA-446 (2006).

⁵⁴ TEX. LOC. GOV'T CODE ANN. § 176.006 (West Supp. 2011).

⁵⁵ *Id.* §§ 176.003(b), 176.009 (West 2008).

⁵⁶ Tex. Att'y Gen. Op. Nos. V-640 (1948); WW-957 (1960).

⁵⁷ TEX. GOV'T CODE ANN. § 404.0211 (state agencies) (West 2005); TEX. LOC. GOV'T CODE ANN. § 131.903 (other political subdivisions) (West 2008).

⁵⁸ TEX. LOC. GOV'T CODE ANN. § 131.903(a)(2) (West 2008).

⁵⁹ *Id.* § 171.004.

⁶⁰ TEX. CODE JUD. CONDUCT, *reprinted in* TEX. GOV'T CODE ANN., tit. 2, subtit. G app. B (West 2005 & Supp. 2010).

⁶¹ TEX. CODE JUD. CONDUCT, Canon 2 (West 2005).

related to either party by affinity or consanguinity.⁶² For further information on the conflict of interest provisions that apply to judges, contact the State Commission on Judicial Conduct. The staff of the Commission can be reached at (512) 463-5533 or (877) 228-5750. If the judge is a lawyer, the judge would also be subject to the canons of ethics applicable to lawyers as described in the following question.

22. Are there special conflict of interest laws that apply to lawyers (e.g., city attorneys)?

Lawyers are subject to a special canons of ethics, the Texas Disciplinary Rules of Professional Conduct, as a part of their state licensing as attorneys.⁶³ In basic terms, these rules require that a lawyer advise his or her clients of any potential conflict of interest that the lawyer may have in his representation of a client. The lawyer must also avoid any action that would compromise the interests of his or her client.⁶⁴ For further information on the conflict of interest provisions that apply to lawyers, contact the State Bar of Texas. The staff of the State Bar can be reached at (512) 427-1463 or (800) 204-2222.

23. If an official's vote on a contract violates the conflict of interest laws, is the contract illegal and void?

Not automatically and not necessarily. It is important to note that the term "void" is not the same thing as the term "voidable." The law says that an action taken in violation of the conflict of interest laws is voidable, meaning that it could be declared void by a court but that the action is not void automatically. If a court finds that an official's vote or other action on a matter violated the conflict of interest laws, the violation would not render the ultimate action or contract voidable unless it would not have passed without the vote of the official who violated the conflict of interest law.⁶⁵

24. Must a local official be removed from office if the official violates the conflict of interest laws?

State law does not provide for an automatic removal of a local official from office due to an alleged or proven violation of a conflict of interest law.⁶⁶ However, if such a violation is proven, it may be used as the basis for a removal of a member of a governing body for misconduct under state law or other statutory or city charter criteria that allow a local official to be removed for cause.⁶⁷

⁶² TEX. CONST. art. V § 11; *City of Oak Cliff v. State*, 79 S.W. 1068, 1069 (Tex. 1904); Tex. Att'y Gen. Op. No. DM-109 (1992).

⁶³ TEX. DISCIPLINARY R. PROF'L CONDUCT 1.01 - 9.01, *reprinted in* TEX. GOV'T CODE ANN. tit. 2, subtitle. G app. A (West 2005 & Supp. 2011).

⁶⁴ *Id.* 1.06 - 1.09.

⁶⁵ TEX. LOC. GOV'T CODE ANN. § 171.006 (West 2008); Tex. Att'y Gen. Op. No. JC-155 at 3 (1999).

⁶⁶ TEX. LOC. GOV'T CODE ANN. § 171.003 (West 2008).

⁶⁷ *Id.* §§ 21.025, 22.077.

25. *May a person be charged with a crime if the official violates the conflict of interest laws?*

Yes, chapter 171 of the Local Government Code provides four situations in which a public official may be prosecuted for his or her actions or inaction regarding a conflict of interest.⁶⁸ Specifically, a local official can be prosecuted for:

1. **Failure to File an Affidavit Noting a Conflict:** Failing to file an affidavit with the official record keeper noting the official's substantial interest in an item if such a filing is required by Local Government Code section 171.004;⁶⁹
2. **Participating in Discussions Regarding an Item for Which There is a Conflict:** Discussing or otherwise participating on an item if such participation is prohibited under Local Government Code section 171.004 due to a conflict of interest on that item;⁷⁰
3. **Serving as a Surety for Certain Businesses:** Acting as a surety for any business entity that has work, business or a contract of any amount with the local entity;⁷¹ or
4. **Serving as a Surety for Local Official Bonds:** Acting as a surety on any official bond that is required for an official of a governmental body of the local entity.⁷²

Violation of any of the above four items can be prosecuted as a class A misdemeanor⁷³ and is punishable by a fine not to exceed \$4,000 and/or up to one year in jail.⁷⁴ Whether to prosecute an alleged violation of the conflict of interest laws is subject to the prosecutorial discretion of the local district attorney or prosecuting criminal county attorney. The attorney general does not have original jurisdiction to prosecute violations of conflict of interest laws by public officials.

26. *Does the conflict of interest law apply to directors of an economic development corporation?*

Chapter 171 of the Local Government Code does not apply to the directors of an economic development corporation created under the Development Corporation Act of 1979 because such corporations are not considered to be governmental entities.⁷⁵ However, state laws governing corporations may have their own provisions governing certain conflicts. For instance, state law governing nonprofit corporations prohibits loans being made by the corporation to its director.⁷⁶ "If a loan is made to a director, the directors who vote for making the loan and any officers participating in making the loan 'shall be jointly and severally liable to the corporation for the amount of such loan until repayment thereof.'"⁷⁷ A corporation's board members should also check the corporate bylaws for any discussion of board conflicts.

⁶⁸ *Id.* § 171.003.

⁶⁹ *Id.* § 171.003(a)(1).

⁷⁰ *Id.*

⁷¹ *Id.* § 171.003(a)(2).

⁷² *Id.* § 171.00(a)(3).

⁷³ *Id.* § 171.003(b).

⁷⁴ TEX. PEN. CODE ANN. § 12.21 (West 2011).

⁷⁵ Tex. Att'y Gen. Op. No. JC-338 (2001).

⁷⁶ TEX. BUS. ORGS. CODE ANN. § 22.225(a) (West Supp. 2011).

⁷⁷ *Id.* § 22.225(b); Tex. Att'y Gen. Op. No. JC-338 (2001).

27. Do the conflict of interest laws apply to board members of a municipal utility district?

Yes, Chapter 171 of the Local Government Code does apply to members of a municipal utility district (MUD).⁷⁸ MUD board members may not participate in a discussion or vote on a matter involving a business entity or real property if they have substantial interests in the matter and it is reasonably foreseeable that action on the matter would confer an economic benefit on the business entity or real property.⁷⁹ Chapter 171 also imputes to a MUD board member the substantial interests of certain near relatives in a business entity or real property.⁸⁰

28. Do the conflict of interest laws apply to members of a local governing body who have a direct, personal matter pending before the governing body?

Chapter 171 of the Local Government Code does not apply to direct, personal matters of a member of a local governing body. It only applies to public officials who have a substantial financial interest in a business entity or real property. However, public policy in Texas bars public officials from casting a deciding vote in a matter concerning an issue in which the official has a direct, personal interest.⁸¹ For example, a member of a governing body would be disqualified from voting on a resolution to pay his or her legal fees or the legal fees of another member indicted on charges for Open Meetings Act violations.⁸²

⁷⁸ Tex. Att'y Gen. Op. No. JC-184 (2000).

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ Tex. Att'y Gen. Op. No. JC-294 (2000); *Hager v. State ex rel. TeVault*, 446 S.W.2d 43, 49 (Tex. Civ. App.—Beaumont 1969, writ ref'd n.r.e.).

⁸² Tex. Att'y Gen. Op. No. JC-294 (2000).

Sample Affidavit

THE STATE OF TEXAS

COUNTY OF _____

I, _____, as a member of the
(Name)

_____, make this affidavit
(governing body, board, commission)

and hereby under oath state the following:

I have a substantial interest in a business entity or real property that may receive a special economic effect by a vote or decision of the _____, and the
(governing body, board, commission)

economic effect on my business entity or real property is distinguishable from its effect on the general public. What constitutes a "substantial interest," "business entity," "real property" and a "special economic effect" are terms defined in chapter 171 of the Texas Local Government Code. The business entity or real property is *(name/address of business or description of property)*:

The nature of my substantial interest in this business entity or real property is:

- an ownership interest of 10 percent or more of the voting stock or shares of the business entity;
- an ownership interest of 10 percent or \$15,000 or more of the fair market value of the business entity;
- funds received from the business entity exceed 10 percent of _____ (my, his, her) gross income for the previous year;
- real property is involved and _____ (I, he, she) have/has an equitable or legal ownership with a fair market value of at least \$2500;

- a person who is related to me within the first degree of consanguinity (blood) or affinity (marriage) has a substantial interest in the involved real property or business entity. I have also checked which of the above types of interests my relative has in the item.

Upon the filing of this affidavit with the official record keeper for the local governmental entity, I affirm that I shall abstain from any discussion, vote, or decision involving this business entity or real property and from any further participation in this matter whatsoever.

Signed this the _____ day of _____, 20____.

Signature of public official

Title

BEFORE ME, the undersigned authority, this day personally appeared _____ and by oath swore that the facts herein above
(Name of affiant)

stated are true and correct to the best of his/her knowledge or belief.

Sworn to and subscribed before me on this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

My commission expires: _____

OPEN RECORDS
AND
PUBLIC INFORMATION



**CITY OF COLLEGE STATION
PUBLIC INFORMATION ADMINISTRATIVE POLICY/PROCEDURE**

I. POLICY AND PURPOSE

The City's policy is to make available complete public information as allowed by law. The City shall treat all requests for public information in a uniform manner. The following procedures shall apply to written requests for public information to the City according to the Texas Public Information Act, Texas Government Code, Chapter 552. This establishes an administrative policy and procedure for handling all requests for public information in accordance with state law.

II. DEFINITIONS

1. **Public Information:** Information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body, or for a governmental body and the governmental body owns the information or has a right of access to it.
2. **Public Information Requests:** All written requests for public information, which includes any correspondence, form, or other writing that requests information sent to the Public Information Officer.
3. **Non-routine requests:** Includes, but is not limited to, requests that are comprehensive, inclusive, involve large amounts of materials, are controversial materials that could be involved in litigation, criminal matters, unresolved issues, or focus on individual persons.
4. **Routine requests:** Information that is clearly public, including resolutions, forms, executed contracts, agreements, and adopted ordinances. These documents may be released with a verbal request through procedures established by the individual departments.

III. RESPONSIBILITY

1. **City Manager's Office:** As the officer for public information, the City Manager is responsible for the accessibility, preservation, protection and maintenance of public information. Acting on behalf of the City Manager, the City Secretary's Office serves as the point of contact for public information requests.
2. **City Secretary's Office:** The City Secretary's Office logs in all requests and will forward the requests to departments that need to respond to the request and to the City Attorney's Office. Upon receiving the request, the Department must reply back within two (2) business days to the City Secretary's Office and City Attorney if it has responsive documents.

The City Secretary's Office is responsible for informing the City Manager's Office of all non-routine requests. If a request requires information from more than one department, the City Secretary's Office is responsible for coordinating the departments' responses to the City attorney's Office for review.



All requests for Public Information must go through the City Secretary's Office for tracking purposes, including those routine requests handled at the departmental level and will enter the request into the Open Records tracking system and assign a Public Information Coordinator (PIC) tracking number.

3. City Attorney's Office: The City Attorney's Office reviews all written requests for Public Information forwarded by the City Secretary's Office and other departments to determine if any portion of the requested material should be withheld. Legal will be responsible for maintaining the record copy of the Non-Routine Request in accordance with the retention period prescribed by law. The City Attorney's Office may request the Texas Attorney General for decisions on Public Information Requests that are thought to be confidential as defined in the Act or that may be exceptions to disclosure under the Act.

The City Attorney's Office provides legal advice to the City Manager's Office, the City Secretary's Office and other City departments on all requests for Public Information. The City Attorney's Office, with assistance from the City Secretary's Office, will provide training to staff on a regular basis, particularly after legislative changes have been made.

The City Attorney's Office will notify the requestor, relevant department and the City Secretary's Office upon determination that the requested information is subject to exception from disclosure or release.

4. Fire and Police Departments: Department Custodian of Records will carry out the responsibilities assigned to the City Secretary in conforming to the policy.

5. Departments: Each department director is an agent of the officer (City Manager) for public information and complying with the Texas Public Information Act. The director is responsible for the department's public information and for ensuring that all requests for public information are handled in accordance with City procedure and state law.

Each department must post a sign regarding this law. All department procedures and forms must be approved by the City Attorney's Office before being implemented. Departments are responsible for being up to date and knowledgeable of the Public Information Act and any changes made each legislative session.

Departments are responsible for responding immediately to any inquiries regarding public information requests from the City Manager's Office, City Secretary's Office or the City Attorney's Office. If any information in the response is believed to be confidential or excepted from disclosure under the law, the department must request the City Attorney's Office to review the information and request immediately.

IV. TYPES OF REQUESTS

An individual may request public information the following ways:

1. Public Information Request Form: The form is available at the City Secretary's Office or online. The City of College Station's request form for public information can be found at www.cstx.gov on the City Secretary's page, but no form is required. It is the City of College Station's policy and state law to require the requestor to submit a request for public information in writing; however it is not the intent of this procedure to prohibit providing routine information when requested verbally.



2. **Written Correspondence:** While most requests should be received by the City Secretary's Office, certain routine requests for information can be handled by the department of record in order to expedite the request; however, any request for public information made in writing must be immediately forwarded to the City Secretary for processing.

3. **Email or Fax:** The only designated e-mail address to receive requests for public information is pubrequest@cstx.gov. The only designated fax to receive requests for public information is (979) 764-6377. If an employee receives an email requesting information, the employee should reply to the requestor informing him/her that the request shall be considered only upon receipt by the appropriate official as stated above. If an employee receives a fax for records of the city, they should immediately forward to the City Secretary for processing.

4. **Verbal Requests:** In the event the City receives a verbal request for information, the department head shall determine if a written request is necessary because the Public Information Act is not triggered until a written request is submitted. Therefore, it may be prudent to require all requests to be in writing for the protection of the requestor and the City. A written request is required if the City intends to seek an Attorney General's opinion on whether the information must be disclosed; so, except for the requests for the identified routine records released every day by each department, requiring the request be in writing safeguards the city's ability to seek this opinion.

Requests that are considered general information to the public and are available in publications, pamphlets, public information brochures, handbooks, blank forms, and other documents that are provided in mass quantities for public information purposes will be promptly produced usually without the necessity of a written request.

V. PROCEDURES

1. No employee shall inquire into the reason or purpose of a request.
2. All public information maintained by the City at the time of a request that is not otherwise excepted by law, must be copied and/or made available for inspection promptly. The Act requires governmental bodies to promptly release public information within a reasonable time, without delay. If the city cannot provide the information or intends to seek an Attorney General's opinion on disclosing the records, the City must notify the requestor in writing within ten business days of receiving the request or provide the records.
3. No records shall be disclosed or made available which are not public records. Only the City Attorney's Office will determine if records are confidential or may be excepted from required public disclosure by seeking an opinion from the Texas Attorney General's Office. If the City Attorney's Office determines that seeking an opinion from the Attorney General is necessary, the City only has ten (10) business days to seek the opinion. All requests for information when it is not clearly public information must be sent to the City Attorney's Office immediately.
4. Staff will not remove or allow any original documents to be removed. Inspection of information shall take place on-site in City offices in the presence of department staff, and the City Attorney will produce any requested copies of inspected materials.



5. Any questions regarding the nature or handling of public information requests shall be referred to the City Secretary's Office or City Attorney's Office.

6. Compliance with the Open Records Request will be proved to the City Secretary's Office for final close out of the request. The City Secretary's Office will keep the record copy of communications and materials prepared after a final decision is made on the request in accordance with the Texas Local Records Act.

APPROVED:



David Neeley
Interim City Manager

Date: 2-8-11

**COUNCIL MEETING
PROCEDURES**



CITY OF COLLEGE STATION

COUNCIL MEETING PROCEDURES

Upon adoption of this policy by the City Council, the following rules and order of business will be adhered to. Such action is in accordance with Section 32 of the Charter of the City of College Station, which states that the Council shall determine its own rules and order of business.

MEETINGS

Regular Meetings will be held on the second and fourth Thursday of each month. Such meeting will be held at City Hall in the Council Chambers commencing at 7:00 pm. Special meetings shall be called, upon request of the Mayor or a majority of the members of the City Council as prescribed by the City Charter Section 31. Should the City Manager identify a need for a special meeting, he shall consult with the Mayor to schedule said meeting. All meetings shall be subject to the provisions of the Texas Open Meetings Act, V.T.C.A., Government Code, Ch. 551, Open Meetings, as amended.

Workshop Meetings will generally commence the 2nd and 4th Thursday of each month at 6:00 p.m. This time is subject to change at the discretion of the City Council. Items presented at this meeting will relate to Council Strategic Initiatives. Periodic retreat sessions will also be scheduled to provide City Council time to discuss short term and long term goals. The general public can, of course, attend such meetings, but may not participate in the proceedings unless invited to do so by the Mayor.

Executive Sessions are an exception to the general rule that all meetings are open to the public. Executive Sessions shall be held on the 2nd and 4th Thursday of each month. Special executive sessions may also be called by the Mayor and the City Manager. The Open Meetings Act allows closed meetings in a few specific instances where privacy serves the public interest - i.e. to discuss real estate, economic development, personnel matters. The Council must keep a record of the meeting and it shall be certified by the Mayor to assure that all matters discussed in executive session were properly recorded. The executive session will recess or conclude at a time convenient for the Council to prepare for regular meeting.

These procedures shall apply to all meetings of the City Council. The Mayor shall be the presiding officer at all meetings of the City Council and have a

voice in all of its proceedings. Council members shall speak only upon being recognized by the presiding officer whose recognition shall not be unreasonably withheld. In the event of the absence of the Mayor and Mayor Pro Tem, the Mayor shall designate the presiding officer. In the event the Mayor has failed to designate the presiding officer, the council member with the most seniority shall serve as presiding officer. In the event of equal seniority, the council member with the lowest numbered place shall preside

AGENDA

Agendas are prepared and posted for every meeting of the governmental body. The Workshop agenda provides for Council members to submit future agenda items. Notice on the Workshop agenda shall read as follows: A Councilmember may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. A Council member may make a motion to recommend an issue be placed on a future agenda. Upon seconded and passed by a majority, the City Manager will assign the item to a future agenda.

A three-month planning agenda calendar shall be provided to the Council by the City Manager's office.

The Mayor, working in conjunction with the City Manager, will exercise the best judgment in determining what other items of business should come before the Council. Any member of the city staff wishing to have an item placed on the agenda shall submit that item to the City Manager's office for approval.

Staff will deliver agenda packets for all Workshop and Regular Meetings on the Friday afternoon preceding the week of scheduled meetings. This should afford ample time for all Council members to inquire into the nature of each matter to be discussed or to personally investigate the matter so as to be better informed before a Council meeting.

The Public Communications and Marketing Department assumes the responsibility for issuing a copy of the agenda to local media.

The City Secretary's office assumes the responsibility for compliance with the Open Meetings Act.

First two items on the regular Council agenda shall be to recite the Pledge of Allegiance and the invocation.

These procedures shall apply to all meetings of the City Council. The Mayor shall be the presiding officer at all meetings of the City Council and have a voice in all of its proceedings. Council members shall speak only upon being recognized by the presiding officer whose recognition shall not be unreasonably withheld. In the event of the absence of the Mayor and Mayor Pro Tem, the Mayor shall designate the presiding officer. In the event the Mayor has failed to designate the presiding officer, the council member with the most seniority shall serve as presiding officer. In the event of equal seniority, the council member with the lowest numbered place shall preside.

PARLIAMENTARY PROCEDURE

In regular and special meetings, Robert's Rules of Order **Newly Revised 11th Edition (2011)** will be followed. The following are commonly used procedures:

1. MAIN MOTION: A formal proposal that certain action be taken.

Step 1. Addressing the Chair. (Begin the discussion by having a member make the motion. Motion should be made and seconded. After this, debate can be conducted. (Ex: "Mayor, I move the following...").

SECOND REQUIRED	Yes
DEBATABLE	Yes
AMENDABLE	Yes
VOTE REQUIRED	Majority

Step 2. Assigning the floor (Mayor recognizes the member)

Step 3. Making the motion.

Step 4. Seconding the motion.

Step 5. Stating the motion. (Mayor states the motion)

Step 6. Debating the question. (Mayor allows debate, with maker of motion speaking first in debate).

Step 7. Putting the question. (Mayor takes the vote after debate is complete)

Step 8. Announcing the result of vote. (Mayor announces the vote, members for and against).

2. TO TAKE FROM THE TABLE. To enable an assembly to take up and consider a motion that was postponed temporarily during the same meeting. Maybe used at a future meeting if the item that was tabled was posted.

SECOND REQUIRED	Yes
DEBATABLE	No
AMENDABLE	No
VOTE REQUIRED	Majority

3. AMENDING A MOTION. Any motion may be amended as follows: "Mayor, I move that we amend the motion by (adding, striking out, etc. the words...)." The amendment must be seconded and then it can be discussed. When

discussion ends, the amendment is voted on first. If the amendment passes, the original motion is then put to a vote as amended. If the amendment fails, the original motion is put to a vote.

SECOND REQUIRED Yes
 DEBATABLE Yes
 AMENDABLE Yes
 VOTE REQUIRED Majority

4. TO OFFER A SUBSTITUTE AMENDMENT. Another way to change an original motion is by use of the Substitute Motion. A substitute motion is just an amendment that changes an entire sentence or paragraph. It must be seconded and then discussed. It may be amended and differs only from an amendment in that if the substitute motion passes it does away with the original motion.

SECOND REQUIRED Yes
 DEBATABLE Yes
 AMENDABLE Yes
 VOTE REQUIRED Majority

5. LAY A MOTION ON THE TABLE. Sometimes a board or committee may wish to defer action on a motion. One way to accomplish this is to lay a motion on the table. It is in order to move that a main motion be laid on the table when discussion on the main motion has or is about to end. A tabled motion can be brought from the table during the same meeting but is usually done so at a later meeting when unfinished business is being considered.

SECOND REQUIRED Yes
 DEBATABLE No
 AMENDABLE No
 VOTE REQUIRED Majority

6. MOTION TO CLOSE DEBATE (call for question). To prevent or stop discussion on the pending question, and to bring the pending question or questions to an immediate vote.

SECOND REQUIRED Yes
 DEBATABLE No
 AMENDABLE No
 VOTE REQUIRED 2/3 (5 of 7 members present)

7. POINT OF ORDER. Anytime a member feels an incorrect procedure is being used, he can interrupt with a point of order request that requires the mayor to decide what the correct procedure is. Can have no motion applied to it except the motion to withdraw.

SECOND REQUIRED No
 DEBATABLE No
 AMENDABLE No
 VOTE REQUIRED Mayor must concede or deny.

RIGHTS IN DEBATE

Robert's says that debate is the discussion regarding a motion that occurs after the presiding officer has restated the motion and before putting it to a vote.

When a pending question is presented for consideration to the Council, the presiding officer shall recognize the member who made the motion to speak first and the member who seconded the motion to speak second. When two or more members wish to speak, the presiding officer shall name the member who is to speak first. No member of the Council shall interrupt another while speaking except to make a point of order or to make a point of personal privilege. No member shall speak more than five minutes on any amendment to the question except as further provided in this rule.

No member shall speak more than the time limits provided herein on any subject or amendment, and such member may use his or her time in any combination, in separate speech or comments totaling the number of minutes permitted. The Mayor shall not be obligated to recognize any Council member for a second comment on the subject or amendment until every Council member wishing to speak has been allowed a first comment.

Council members shall also have the right to yield a portion of time to another member.

Any member deciding to speak more than five minutes on any question or more than five minutes on any amendment to the question shall be accorded the privilege without objection upon motion supported by two-thirds of the Council. No member shall be permitted to interrupt while another member is speaking.

No Council member shall be permitted to indulge in personalities, use language personally offensive, arraign motives of members, charge deliberate misrepresentation, or use language tending to hold a member of the City Council up to contempt.

If a member is speaking or otherwise transgressing the rules of the Council, the presiding officer shall or any Council member may call him or her to order in which case he or she shall immediately be quiet unless permitted to explain. The Council shall, if appealed to, decide the case without debate. If the decision is in favor of the member call to order, he or she shall be at liberty to proceed, but not otherwise.

CONFLICT OF INTEREST

Each Council member should be aware of the conflict of interest regulations, including Charter provisions and state statutes.

When a Council member has a conflict of interest with an agenda item, he or she should submit the required affidavit (if required) prior to the beginning of the meeting at which the agenda item is scheduled. Upon introduction of the agenda item, the Council member with the conflict of interest should announce that he or she has a conflict of interest and will not participate in discussion or consideration of the agenda item. It is not necessary that the Council member leave the meeting room.

CITIZEN PARTICIPATION**GENERAL**

Staff will assist the public as they arrive to a Council meeting to briefly explain the meeting procedures and direct citizens who want to address the Council on a city related subject or an agenda item. The public attending any called meeting will be invited to sign a guest register. The City Secretary as a matter of record will add their names to the minutes of said meeting.

If an individual does not wish to address the City Council, but still wishes to be recorded in the official minutes as being in support or opposition to an agenda item, the individual may complete the registration form provided in the lobby by providing the name, address, and comments about a city related subject. These comments will be referred to the City Council and City Manager.

The following rules will be enforced by the Mayor during any called meeting of the City Council.

HEAR VISITORS

The Hear Visitors section is listed on the Regular Meeting Agenda to give the public the opportunity to address the City Council on any item which does not appear on the posted Agenda. Registration forms are available in the lobby and at the desk of the City Secretary. This form should be completed and delivered to the City Secretary prior to regular meeting. Limit remarks to three minutes. A timer alarm will sound after 2 1/2 minutes to signal that you have thirty seconds remaining so that you may conclude your remarks. The City Council will receive the information, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager.

PUBLIC HEARINGS

Individuals who wish to address the City Council on an item posted as a public hearing shall register with the City Secretary prior to the Mayor's announcement to open the public hearing. Registration forms are available in the lobby and at the desk of the City Secretary. The Mayor will open the public hearing and recognize individuals who wish to come forward to speak for or against the item. The speaker will state their name and address for the record and allowed three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining so that the speaker may conclude your remarks. After a public hearing is closed, there shall be no additional public comments. If Council needs additional information from the general public, some limited comments may be allowed at the discretion of the Mayor.

The Development Services staff shall make a report on all zoning cases and development issues including recommendations. The applicant will then present a brief overview of the project responding to suggested topics provided by Development Services. Council will ask questions of the applicant and staff, if necessary.

When a large number of participants have indicated an interest in addressing the council on a zoning case or another regular agenda item, the Mayor or Mayor Pro Tem may set a maximum time limit for the proponents and opponents and a time limit for rebuttal, if necessary.

CONSENT AND REGULAR AGENDA ITEMS

Individuals who wish to address the City Council on a consent or regular agenda item not posted as a public hearing shall register with the City Secretary prior to the Mayor's reading of the agenda item. Registration forms are available in the lobby and at the desk of the City Secretary. The Mayor will recognize individuals who wish to come forward to speak for or against the item. The speaker will state their name and address for the record and allowed three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining so that the speaker may conclude your remarks.

WORKSHOP AGENDA ITEMS

Generally workshop meetings are held for the Council to discuss strategic policies. If the Mayor and Council believe public input is needed, the Council may allow public input.

APPROVED BY THE CITY COUNCIL, 7/25/66
REVISED BY THE CITY MANAGER'S OFFICE, 4/3/80
REVISED BY CITY COUNCIL 6/11/81
REVISED BY THE CITY MANAGER'S OFFICE, 2/86
REVISED BY THE CITY COUNCIL, 11/10/88
REVISED BY THE CITY COUNCIL, 2/7/90
REVISED BY THE CITY COUNCIL, 5/23/96
REVISED BY THE CITY COUNCIL, 8/13/98
REVISED BY THE CITY COUNCIL, 6/24/99
REVISED BY THE CITY COUNCIL, 7/12/01
REVISED BY THE CITY COUNCIL, 6/13/02
REVISED BY THE CITY COUNCIL, 4/8/04
REVISED BY THE CITY COUNCIL, 7/28/2005
REVISED BY THE CITY COUNCIL, 12/13/2008

o:council/meeting procedures/meeting procedures2008used in 2013 orientation

COUNCIL RELATIONS
POLICY &
CODE OF ETHICS



Council Relations Policy and Code of Ethics

The College Station City Council is the governing body for the City of College Station; therefore, it must bear the initial responsibility for the integrity of governance. The council is responsible for its own development (both as a body and as individuals), its responsibilities, its own discipline, and its own performance. The development of this policy is designed to ensure effective and efficient governance.

This policy will address mayor and council relations, council and staff relations, and council and media relations. By adopting these guidelines for elected officials, we acknowledge our responsibility to each other, to our professional staff, and to the public. The city council will govern the city in a manner associated with a commitment to the preservation of the values and integrity of representative local government and democracy, and a dedication to the promotion of efficient and effective governing. The following statements will serve as a guide and acknowledge the commitment being made in this service to the community:

1. The council has as high priorities the continual improvement of the member's professional ability and the promotion of an atmosphere conducive to the fair exchange of ideas and policies among members.
2. The council will endeavor to keep the community informed on municipal affairs; encourage communication between the citizens and the city council; strive for strong, working relationships among College Station, Brazos County, Bryan, TAMU, and College Station Independent School District elected officials.
3. In its governance role, the council will continue to be dedicated to friendly and courteous relationships with staff, other council members, and the public, and seek to improve the quality and image of public service.
4. The council will also strive to recognize its responsibility to future generations by addressing the interrelatedness of the social, cultural, and physical characteristics of the community when making policies.
5. And finally, each council member will make a commitment to improve the quality of life for the individual and the community, and to be dedicated to the faithful stewardship of the public trust.

Statement of Mission

In order to ensure proper discharge of duties for the improvement of democratic local government, College Station City Council members should display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of College Station and to each other in their relationships.

Section I: Mayor-City Council Relations

A. Mayor's Responsibilities

1. The mayor shall be the presiding officer at all meetings. The mayor pro-tem shall preside in his/her absence.
2. The mayor shall have a voice in all matters before the council and may vote on all agenda items requiring council action.
3. The mayor shall preserve order and decorum and shall require council members engaged in debate to limit discussion to the question under consideration.
4. The mayor is the spokesperson for the council on all matters unless absent, at which time his/her designee will assume the role.
5. The mayor will encourage all council members to participate in council discussion and give each member an opportunity to speak before any member can speak again on the same subject. The mayor may limit each speaker to five minutes to ensure efficient use of time.
6. The mayor is responsible for keeping the meetings orderly by recognizing each member for discussion, limiting speaking time, encouraging debate among members and keeping discussion on the agenda item being considered.
7. Should a conflict arise among council members, the mayor serves as mediator.
8. The mayor is responsible for the orientation of all new council members after an election. The orientation shall include council procedures, staff and media relations, current agenda items and municipal leadership training programs.

B. Council Responsibilities

1. Any council member may request the mayor to place an item on the agenda for discussion. Should staff time be required to address this item, the mayor will canvass all council members to determine the support for commitment of staff time and resources. The same action should be taken by the mayor when council concerns require staff time and budget.
2. Each council member is encouraged to attend at least one Texas Municipal League sponsored conference each year in order to stay informed on issues facing municipalities.

3. It is the responsibility of council members to be informed about previous action taken by the council in their absence. In the case of absence from a workshop session where information is given, the individual council member is responsible for obtaining this information prior to the council meeting when said item is to be voted upon.
4. When addressing an agenda item, the council member shall first be recognized by the mayor, confine himself/herself to the question under debate, avoid reference to personalities, and refrain from impugning the integrity or motives of any other council member or staff member in his/her argument or vote.
5. In the absence of a ruling by the mayor on any procedural matter, a council member may move to change the order of business or make any other procedural decision deemed appropriate. The affirmative vote of a majority of the council members present and voting shall be necessary to approve the motion.
6. Any council member may appeal to the council as a whole from a ruling by the mayor. If the appeal is seconded, the person making the appeal may make a brief statement and the mayor may explain his/her position, but no other member may speak on the motion. The mayor will then put the ruling to a vote of the council.
7. Any council member may ask the mayor to enforce the rules established by the council. Should the mayor fail to do so, a majority vote of the council members present shall require him/her to do so.
8. When a council member is appointed to serve as liaison to a board, the council member is responsible for keeping all council members informed of significant board activities; therefore, regular attendance to the assigned board is of great importance. In the event a council member is absent from three meetings in a twelve month period that are considered unexcused as defined in Ordinance 2406, the City Secretary shall notify the council member by letter requesting an explanation for the absences. After reviewing the explanation for absences, if the City Council finds that the absences are unexcused, the City Council may choose to remove the council member from the assigned board for non-attendance at the board meetings.

C. Code of Conduct for Mayor and Council Members

1. During the council meetings, council members shall preserve order and decorum, shall not interrupt or delay proceedings, and shall not refuse to obey the orders of the mayor or the rules of the council. Council members shall demonstrate respect and courtesy to each other, to city staff members, and to members of the public appearing before the council. Council members shall refrain from rude and derogatory remarks and shall not belittle staff members, other council members, or members of the public.

2. They should not use their position to secure special privileges and should avoid situations that could cause any person to believe that they may have brought bias or partiality to a question before the council.
3. Members of the council will not condone any unethical or illegal activity. All members of the council agree to uphold the intent of this policy and to govern their actions accordingly.

Section II: Council and Staff Relations

No single relationship is as important as that of the council and their city manager in effectively governing the City of College Station. It is for this reason that the council and the city manager must understand their respective roles in that process. The city manager is the primary link between the council and the professional staff. The council's relationship with the staff shall be through the city manager.

1. In order to ensure proper presentation of agenda items by staff, questions arising from council members after receiving their information packet should be whenever possible, presented to the city manager for staff consideration prior to the council meeting. This allows staff time to address the council member's concern and provide all council members with the additional information.
2. The city manager shall designate the appropriate staff member to address each agenda item and shall see that each presentation is prepared and presented in order to inform and educate the council on the issues which require council action. The presentation should be professional, timely, and allow for discussion of options for resolving the issue. The staff member making the presentation shall either make it clear that no Council action is required, present the staff recommendation, or present the specific options for council consideration.
3. The city manager is directly responsible for providing information to all the council concerning any inquiries by a specific council member. If the city manager or his/her staff's time is being dominated or misdirected by a council member, it is his/her responsibility to inform the mayor of the concern (any action necessary is covered under Section I A:7).
4. The city manager will be held responsible for the professional and ethical behavior of himself/herself and the discipline of his/her staff. The city manager is also responsible for seeing that his/her staff also receives the education and information necessary to address the issues facing municipal government.
5. Any conflicts arising between the city staff and the council will be addressed by the mayor and the city manager.
6. All staff members shall show each other, each council member, and the public respect and courtesy at all times. They are also responsible for making objective, professional presentations to ensure public confidence in the process.

7. The city manager, after an election, will make sure that staff has prepared information needed for the orientation of new council members and inform them of any Texas Municipal League conferences and seminars available. The city manager will also be responsible for meeting personally with new members and informing them about city facilities and procedures.

Section III: Council and Media Relations

Since the democratic form of government is only successful when the citizens are kept informed and educated about the issues facing their municipality, it is imperative the media play an important role in the council-manager-media relations. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure fair relationships with print, radio, and television reporters. The council and the city manager recognize that the news media provide an important link between the council and the public. It is the council's desire to establish a professional working relationship to help maintain a well informed and educated citizenry.

1. During the conduct of official business, the news media shall occupy places designated for them or the general public.
2. All reporters will receive an agenda in advance and will be furnished support material needed for clarification if requested.
3. In order to preserve the decorum and professionalism of council meetings, the media are requested to refrain from conversing privately with other people in the audience and to conduct any interviews with the public outside the council chambers while council is in session.
4. Since the government body conducts business differently, it is requested that all reporters new to city council meetings meet with the city manager, mayor, or the media relations representative prior to covering their first meeting to be informed of policies and procedures to help ensure a professional working relationship between the media reporter and the city.
5. On administrative matters, the city manager is the spokesperson, unless he/she has appointed a media relations person to present staff information on the agenda.
6. The mayor, or his/her designee, is the primary spokesperson for the city on matters regarding policy decisions or any council information pertaining to issues on the agenda. In order to ensure fair treatment of an issue, any clarifications requested by the media on the issue should be addressed after the meeting. When opposing positions have been debated, regardless of the outcome, the public is better informed when all sides have adequate coverage by the media. This lets the public know that the item was seriously debated and options discussed before a vote was taken, and helps build confidence in the democratic process.

7. The College Station City Council is made up of six council members and a mayor, each elected by the citizens of College Station. In respect to each council member and his/her constituents, his/her views as presented on an issue before the council should provide equitable representation from all seven members. Even though council members may express differing ideas, equitable representation helps promote unity of purpose by allowing the public to be informed of each member's position during his/her term of office and not only during an election campaign.

We all have the responsibility to protect the integrity of our governing process and therefore, have read and agreed to the above guidelines.

College Station City Council Code of Ethics

The office of elected officials is one of trust and service to the citizens of College Station. This position creates a special responsibility for the College Station city council member. In response to this, the College Station city council is expected to govern this city in a manner associated with a commitment to the preservation of the values and integrity of representative local government and local democracy and a dedication to the promotion of efficient and effective governing. To further these objectives, certain ethical principles shall govern the conduct of every council member, who shall:

1. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the citizens of College Station;
2. Recognize that the chief function of local government at all times is to serve the best interests of all of the people;
3. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;
4. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the council. Do not seek nor accept gifts or special favors; believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest;
5. Recognize that public and political policy decisions, based on established values, are ultimately the responsibility of the city council, and
6. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of College Station. It is recognized that certain exceptions are made by the State for executive sessions; however, any action as a result of that type of meeting will be handled later in open session.

CITY POLICIES

Section:	Employee Conduct
Item:	City Procurement Card
Policy No.:	9.18.
Initial Effective Date:	September 2004
Revision History:	09/2004

9.18. City Procurement Card

The purchasing card is provided to the City of College Station employees based on their need to purchase business related goods and services. This card is not an entitlement nor reflective of title or position and may be revoked at any time. A Department Director must approve the card. The card shall be used for business related purchases only. Personal charges shall not be made on the card. The employee whose name appears on a card is the only person entitled to use the card. Improper use of the card may be considered misappropriation of City funds, which may result in disciplinary action, up to, and including termination. Cardholders must comply with internal control procedures in order to protect the City's assets. These procedures include keeping receipts, reconciling transactions at least weekly, reviewing monthly statements and following proper security measures. A cardholder must surrender his/her card upon termination of employment (i.e. retirement, voluntary or involuntary termination). All related purchasing policies and procedures must be followed when using the procurement card. These procedures are found in the City's Purchasing Manual.

**CITY OF COLLEGE STATION
ELECTRONIC MAIL RECORDS RETENTION AND DESTRUCTION POLICY**

I. PURPOSE

The purpose of this policy is to guide City staff to appropriately and effectively use electronic mail or email. Email communication is an integral part of the City of College Station's business and with technology rapidly changing; this policy does not address every situation. The purpose of the City's policy is to set forth general principles for the use of email.

II. SCOPE

This policy covers email systems used by the City of College Station in terms of record retention and storage. The City's records are created and received in both paper and electronic formats. Management of paper and electronic records must be coordinated and controlled to reduce liability, avoid gaps in documentation, eliminate inconsistencies, and avoid unnecessary duplication. It is the City's policy to provide for efficient retention and disposition of email communications. The City's goal is for effective email management and to ensure compliance with laws concerning the creation, retention, and access to public records regarding email.

III. DEFINITIONS

Information created or received by the City is a local government record if it meets the definition in the Local Government Records Act:

1. Local Government Record means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business.

a. The term does not include: This definition does not include extra identical copies of documents created only for convenience of reference or research by employees.

Two types of records commonly written in email transactions relate to the following record series: Routine Correspondence and Administrative Correspondence.

2. Routine Correspondence means correspondence and internal memoranda such as letters of transmittal, requests for publications, internal meeting notices, and similar routine matters. **Records Retention: Administratively Valuable.**

a. Administratively Valuable means a record should be retained as long as the record is valuable to the employee in their daily use. This type of record shall be deleted when the record is no longer useful to the employee. A destruction request is not required for these records.

3. Administrative Correspondence means correspondence and internal memoranda pertaining to or arising from the routine administration or operation of the policies, programs, services, and projects of a local government. **Records Retention: Two (2) years.**

a. This type of record should be deleted when it meets the retention period. A destruction request is required for these records.

IV. EMAIL RECORDS RETENTION POLICY

The use of electronic media such as email and other forms of electronically stored information (ESI) has replaced paper as the predominant method to capture and store information for most city departments. Due to the volume of email correspondence sent and received it is unrealistic and inefficient to expect employees to make individual decisions regarding the retention requirements of each email.

The City establishes the email retention policy shown in the table below, based on employee level effective from the date of this policy:

<p style="text-align: center;"><u>Two Year Category</u></p> <ol style="list-style-type: none">1. Mayor and City Council Members2. City Manager's Office employees3. Directors and Assistant Directors4. Legal Department	<p>All email retained for a period of two years and for a period of one year after leaving office or city employment.</p>
<p style="text-align: center;"><u>Six Month Category</u></p> <ol style="list-style-type: none">1. All other employees not listed above	<p>All email retained for a period of six months, and for 90 days after leaving city employment.</p>

The above retention periods refer to email, message, text and include all attachments. Attachments to email that meet the definition of Local Government Record as defined in this policy document (i.e. Citizen correspondence or vendor price quotes received in the form of an attachment) are required to be maintained for their established retention period. It is the email originator's or initial City recipient's responsibility to ensure that these documents are moved from the email system to electronic storage for the required retention period. Note: Enforcement of the above email retention periods is based solely on the date the email first entered the system.

As mentioned above, email must be maintained according to the approved retention period. Electronic mail may not fit in the above categories and use of the records retention schedules shall be utilized to define the appropriate retention.

V. RESPONSIBILITY

This policy applies to all employees and Council members that are permitted to use the City's electronic mail system for sent and received emails.

Electronic documents meeting the legal definition of a Local Government record are subject to all records management requirements set forth in the City's Records Retention Program for sent and received emails. For messages received from outside the city, the receiver should maintain the official record according to the retention period for that record series.

VI. MAINTENANCE AND RECORDKEEPING REQUIREMENTS

Local Government records created using an email system will be stored in accordance with the guidelines established by documents as amended from time to time by the Texas State Library and Archives Commission.

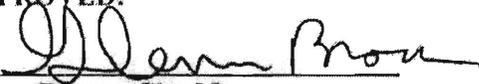
VII. DISPOSITION

Local Government records may be destroyed with the approval of the Department Head, City Secretary and City Attorney pursuant to the State and City regulations governing records retention.

Security measures should be taken to protect email records from unauthorized alterations or deletions. Destruction of convenience copies should not be kept longer than the record copies. Backup of email is for security purposes and disaster recovery purposes only. Backup systems are retained offsite and managed by Information and Technology Services.

Destruction of local government records that violates the provisions of the Local Government Records Act is a Class A misdemeanor. Anyone destroying local government records without authorization may also be subject to criminal penalties and fines under the Public Information Act.

APPROVED:



Glenn Brown, City Manager

Date: 12/16/09

Section:	Employee Conduct
Item:	Wireless Communication Policy
Policy No.:	9.14.
Initial Effective Date:	December 2008
Revision History:	12/2008, 10/2012

9.14. Wireless Communication Policy

The City of College Station's policy is to provide access to a wireless communication device to a City employee when and if the Department Director determines the use of the device is required and necessary for the performance of the employee's job duties. The Department Director will determine each year the appropriate device and allowance for the employee. A wireless communication device allowance may be withdrawn by the department at any time.

I. Eligibility. In general, employees will be required to have a wireless communication device that is compatible with the City's network and E-Mail system if job duties or operational requirements:

- a. Involve frequent travel or will routinely take the employee into the field to conduct business, but have a need to remain in communication with others for City business purposes;
- b. Present a need for constant and immediate communications through the day if the position requires the employee to be away from the office or their desk frequently.
- c. Presents a need after hours for an employee that significantly supports or is responsible for programs, services, or systems;
- d. Require an employee to be available for emergency or business-related contact on a 24/7 basis;
- e. Deem there are no other practical alternatives for cost effective and timely communications using landlines or other communications methods;
- f. Simple convenience may not serve as a criterion for requiring an employee to possess a wireless communication device that is compatible with City software. Additionally, supervisors must ensure that requirements for hourly employees to check E-mail or be available after normal working hours are clearly understood and explained to employees and that such requirements are in accordance with the Fair Labor Standards Act. Please reference Policy 4.07: Overtime Pay/Compensatory Time

II. Security. The City reserves the right to load City supplied software on the device. The software will assist in maintaining network and data security and integrity, including, but not limited to, antivirus and device management products. The software may restrict access to sensitive or confidential information from the device, manage City data on a device used for both City and personal use, or delete or remove City data from the device. The City is not

responsible for any decrease in functionality or damage to the device that may result from the use of these software products.

III. Notification Requirements. The employee is responsible for immediately notifying the IT Department and their direct supervisor should their equipment become lost, stolen, or otherwise inoperable. Department Directors must immediately notify both the IT Department and the Human Resources department should an employee under this policy separate from City employment.

IV. Wireless Device Options. Employees eligible for a wireless device under this policy will work with their Department Director to determine which of the following wireless device options is best suited to their individual situation:

a. **City Owned Equipment/City Sponsored Service Plan.** The City may provide wireless equipment and appropriate voice/data service for use by City employees eligible for a wireless device under this policy.

1. **Use of Equipment.** Any use of City owned equipment, including long distance phone calls will only be for City business. All City owned wireless communications devices are a public resource. The city reserves the right to reinstate a requirement that all employees reimburse for personal use of any City owned equipment. The City will monitor usage reports and may audit billing amounts to ensure that employees are limiting their use of any personal calls. It is understood that occasional personal use may be necessary (i.e. in an emergency), but the use of a City device is for the purpose of ensuring an employee is able to conduct City business. Any abuse of this policy may result in disciplinary action.

b. **Wireless Communication Allowance.** Employees may submit a completed Wireless Communication Device Allowance Request Form to their supervisor for approval and to the Department Director for review and final approval.

1. **Contracting of Services.** Employees who receive approval for a wireless communication device allowance are responsible for selecting and contracting with a service provider in their own name for approved voice/data service or voice only service.

2. **Amount of Allowance.** At the beginning of each fiscal year, the Fiscal Services Department will publish the monthly allowance for payment toward the cost of service for voice/data and for voice only. The allowance is provided to reduce expenses associated with City business. The allowance is not intended to cover the total cost of the fees and service charges incurred under an individual plan. Any charges by the employee's service provider in excess of the allowance are

the personal responsibility of the employee and not the City.

3. **Payment of Allowance.** The taxable allowance will be processed through the payroll system and paid to the employee on each pay check. The allowance is supplemental income and considered taxable income to the employee. The taxable allowance will be subject to required deductions such as FICA and TMRS. The monthly allowance will not constitute an increase in base pay and will not be included in any percentage calculations for an increase to base pay.

4. **Compatibility.** To be eligible to receive this allowance, employees must purchase a wireless data communication device that is compatible with the City's network and E-mail system. The City will provide, and retain rights and ownership to, the Client Access License (CAL), if required, that allows the device to connect to the city E-mail system. From time to time, system updates and modifications may be necessary. To install these updates, the city may call for the device, or may "push" updates remotely to the unit, without notice to employees. The City is not responsible for any decrease in functionality or damage to the device that may result from device maintenance or updates necessary to maintain compatibility with the City E-mail or network systems.

5. **Use of Equipment.** Because the equipment is owned personally by the employee and the allowance is provided as taxable income, the employee may use the communication device for both business and personal purposes. Maintenance and service of the equipment is the personal responsibility of the employee. Use of the equipment in any manner contrary to local, state, or federal law may result in termination of the allowance.

6. **Additional Details.** Additional information and details may be found on the Wireless Device Allowance Request Form and its related documentation.

V. City Access for Legitimate Business Purposes. Employees using a Wireless Communication Device under this policy, utilizing either a City or privately owned device, consent to permit access to the device. The device may be examined by an authorized City employee for legitimate City business purposes. Refusal to comply with a reasonable request for access to information on a Wireless Communication Device in accordance with this policy could result in disciplinary action. Legitimate City business purposes may be defined as a workplace investigation or a litigation hold.

a. **Privacy when utilizing City owned equipment.** There can be no expectation of privacy related to the use of a city provided cell phone or wireless device. All call records, logs, and any other information associated with the use of a city owned cell phone is the property of the city. Text messages, email messages, or any other electronic communications sent or received on a city owned cell phone are subject to monitoring and retrieval by the city.

b. Privacy when utilizing privately owned equipment. There can be no expectation of privacy related to City business conducted utilizing a privately owned cell phone or wireless device. City business related call records, logs, and any other information associated with the business use of a privately owned cell phone is the property of the City, and may be subject to disclosure.

VI. Exceptions. Special circumstances regarding an employee's position or duties may justify exceptions to this policy. Such exceptions must be approved by the City Manager or designee.

FORMS

CITY OF COLLEGE STATION

Absence Request Form
For Elected and Appointed Officers

Name :

Board or Committee: City Council

I will NOT be in attendance at:

for the reason(s) specified:

Signature of officer

Date

This request shall be submitted to the office of the City Secretary or Board Secretary one week prior to meeting date.

AFFIDAVIT OF CONFLICT OF INTEREST

STATE OF TEXAS
COUNTY OF BRAZOS

I, _____ as a member of the City of _____
_____ make this affidavit and hereby, on oath, state the
following: I, and/or a person or persons related to me, have a substantial interest in a
business entity that would be peculiarly affected by a vote or decision of the City
_____ as those terms are defined in Chapter 171, *Texas Local*
Government Code.

The business entity is: _____

_____ (have/has) a substantial interest in this business
entity for the following reasons: (Check all that are applicable.)

- I own 10% or more of the voting stock or shares of the business entity;
- I own either 10% or more or \$5,000 or more of the fair market value of the
business entity;
- Funds received by me from the business entity exceed 10% of my gross
income for the previous year;
- Real property is involved and (I/we) have an equitable or legal ownership with
a fair market value of \$2,500 or more;
- A relative of mine has a substantial interest in the business entity or property
that would be affected by a decision of the public body of which I am a
member.

Upon the filing of this affidavit with the City Secretary, I affirm that I will abstain from
voting on any decision involving this business entity and from any further participation
on this matter whatsoever.

Signed this _____ day of _____, 20____.

Signature of Official

Title

BEFORE ME, the undersigned authority, on this day personally appeared
_____, who after being by me duly sworn and on his oath
deposed and says that he/she has ready the above and foregoing and that every statement
contained therein is with his/her personal knowledge and is true and correct.

(stamp)

Notary Public, State of Texas

POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS

SCHEDULE A

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A:	
2 FILER NAME		3 ACCOUNT # (Ethics Commission Filers)	
4 Date	5 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) 6 Contributor address; City; State; Zip Code	7 Amount of contribution (\$)	8 In-kind contribution description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
9 Principal occupation / Job title (See Instructions)		10 Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED
 If contributor is out-of-state PAC, please see instruction guide for additional reporting requirements.

PLEGGED CONTRIBUTIONS

SCHEDULE B

The Instruction Guide explains how to complete this form.		1 Total pages Schedule B:	
2 FILER NAME		3 ACCOUNT # (Ethics Commission Filers)	
4 TOTAL OF UNITEMIZED PLEDGES: ⇨ ⇨ ⇨ ⇨ ⇨ ⇨			\$
5 Date	6 Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) 7 Pledgor address; City; State; Zip Code	8 Amount of pledge (\$)	9 In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
10 Principal occupation / Job title (See Instructions)		11 Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED If contributor is out-of-state PAC, please see instruction guide for additional reporting requirements.			

LOANS

SCHEDULE E

The Instruction Guide explains how to complete this form.		1 Total pages Schedule E:
2 FILER NAME		3 ACCOUNT # (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED LOANS: ⇨ ⇨ ⇨ ⇨ ⇨ ⇨		\$
5 Date of loan	7 Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	9 Loan Amount (\$)
6 Is lender a financial Institution? Y N	8 Lender address; City; State; Zip Code	10 Interest rate
		11 Maturity date
12 Principal occupation / Job title (See Instructions)		13 Employer (See Instructions)
14 Description of Collateral <input type="checkbox"/> none		15 Check if personal funds were deposited into political account <input type="checkbox"/>
16 GUARANTOR INFORMATION <input type="checkbox"/> not applicable	17 Name of guarantor	19 Amount Guaranteed (\$)
	18 Guarantor address; City; State; Zip Code	
20 Principal Occupation (See Instructions)		21 Employer (See Instructions)
Date of loan	Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	Loan Amount (\$)
Is lender a financial Institution? Y N	Lender address; City; State; Zip Code	Interest rate
		Maturity date
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Description of Collateral <input type="checkbox"/> none		Check if personal funds were deposited into political account <input type="checkbox"/>
GUARANTOR INFORMATION <input type="checkbox"/> not applicable	Name of guarantor	Amount Guaranteed (\$)
	Guarantor address; City; State; Zip Code	
Principal Occupation (See Instructions)		Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED
 If lender is out-of-state PAC, please see instruction guide for additional reporting requirements.

POLITICAL EXPENDITURES

SCHEDULE F

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Gift/Awards/Memorials Expense	Salaries/Wages/Contract Labor	Loan Repayment/Reimbursement
Accounting/Banking	Legal Services	Solicitation/Fundraising Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Travel In District	Contributions/Donations Made By
Event Expense	Polling Expense	Travel Out Of District	Candidate/Officeholder/Political Committee
Fees	Printing Expense	Office Overhead/Rental Expense	OTHER (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F:	2 FILER NAME	3 ACCOUNT # (Ethics Commission Filers)
----------------------------------	---------------------	---

4 Date	5 Payee name
---------------	---------------------

6 Amount (\$)	7 Payee address; City; State; Zip Code
----------------------	---

8 PURPOSE OF EXPENDITURE	(a) Category (See categories listed at the top of this schedule)	(b) Description (If travel outside of Texas, complete Schedule T)
---------------------------------	---	--

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
-------------	--------------------------------------

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
-------------	--------------------------------------

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
-------------	--------------------------------------

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Gift/Awards/Memorials Expense	Salaries/Wages/Contract Labor	Loan Repayment/Reimbursement
Accounting/Banking	Legal Services	Solicitation/Fundraising Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Travel In District	Contributions/Donations Made By
Event Expense	Polling Expense	Travel Out Of District	Candidate/Officeholder/Political Committee
Fees	Printing Expense	Office Overhead/Rental Expense	OTHER (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule G:	2 FILER NAME	3 ACCOUNT # (Ethics Commission Filers)
----------------------------------	---------------------	---

4 Date	5 Payee name
---------------	---------------------

6 Amount (\$)	7 Payee address; City; State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended	

8 PURPOSE OF EXPENDITURE	(a) Category (See categories listed at the top of this schedule)	(b) Description (If travel outside of Texas, complete Schedule T)
---------------------------------	--	---

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended	

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
------------------------	--	---

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended	

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
------------------------	--	---

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended	

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
------------------------	--	---

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

SCHEDULE H

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Gift/Awards/Memorials Expense	Salaries/Wages/Contract Labor	Loan Repayment/Reimbursement
Accounting/Banking	Legal Services	Solicitation/Fundraising Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Travel In District	Contributions/Donations Made By
Event Expense	Polling Expense	Travel Out Of District	Candidate/Officeholder/Political Committee
Fees	Printing Expense	Office Overhead/Rental Expense	OTHER (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule H:	2 FILER NAME	3 ACCOUNT # (Ethics Commission Filers)
----------------------------------	---------------------	---

4 Date	5 Business name
---------------	------------------------

6 Amount (\$)	7 Business address; City; State; Zip Code
----------------------	--

8 PURPOSE OF EXPENDITURE	(a) Category (See categories listed at the top of this schedule)	(b) Description (If travel outside of Texas, complete Schedule T)
---------------------------------	---	--

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Business name
------	---------------

Amount (\$)	Business address; City; State; Zip Code
-------------	---

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Business name
------	---------------

Amount (\$)	Business address; City; State; Zip Code
-------------	---

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Business name
------	---------------

Amount (\$)	Business address; City; State; Zip Code
-------------	---

PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

The Instruction Guide explains how to complete this form.

1 Total pages Schedule I:	2 FILER NAME	3 ACCOUNT # (Ethics Commission Filers)
4 Date	5 Payee name	
6 Amount (\$)	7 Payee address; City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories)	(b) Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories)	(b) Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories)	(b) Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories)	(b) Description (See instructions regarding type of information required.)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

INTEREST EARNED, OTHER CREDITS/GAINS/ REFUNDS, AND PURCHASE OF INVESTMENTS

SCHEDULE K

The Instruction Guide explains how to complete this form.

1 Total pages Schedule K:

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

4 Date

5 Name of person from whom amount is received

8 Amount (\$)

6 Address of person from whom amount is received; City; State; Zip Code

7 Purpose for which amount is received

Date

Name of person from whom amount is received

Amount (\$)

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

Date

Name of person from whom amount is received

Amount (\$)

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

Date

Name of person from whom amount is received

Amount (\$)

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

IN-KIND CONTRIBUTION OR POLITICAL EXPENDITURE FOR TRAVEL OUTSIDE OF TEXAS

SCHEDULE T

The Instruction Guide explains how to complete this form.		1 Total pages Schedule T:
2 FILER NAME		3 ACCOUNT # (Ethics Commission Filers)
4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
5 Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule C <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule N <input type="checkbox"/> COH-UC <input type="checkbox"/> COH-T <input type="checkbox"/> PAC-C <input type="checkbox"/> PAC-E		
6 Dates of travel	7 Name of person(s) traveling	
	8 Departure city or name of departure location	
	9 Destination city or name of destination location	
10 Means of transportation	11 Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule C <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule N <input type="checkbox"/> COH-UC <input type="checkbox"/> COH-T <input type="checkbox"/> PAC-C <input type="checkbox"/> PAC-E		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule C <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule N <input type="checkbox"/> COH-UC <input type="checkbox"/> COH-T <input type="checkbox"/> PAC-C <input type="checkbox"/> PAC-E		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.
 ** Complete only if "Report Type" on page 1 is marked "Final Report" **

1 C/OH NAME

2 ACCOUNT # (Ethics Commission Filers)

3 SIGNATURE

I do not expect any further political contributions or political expenditures in connection with my candidacy. I understand that designating a report as a final report terminates my campaign treasurer appointment. I also understand that I may not accept any campaign contributions or make any campaign expenditures without a campaign treasurer appointment on file.

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

** Complete A & B below *only* if you are not an officeholder. **

A. CAMPAIGN FUNDS

Check only one:

- I do not have unexpended contributions or unexpended interest or income earned from political contributions.
- I have unexpended contributions or unexpended interest or income earned from political contributions. I understand that I may not convert unexpended political contributions or unexpended interest or income earned on political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain unexpended contributions or unexpended interest or income earned on political contributions longer than six years after filing this final report. Further, I understand that I must dispose of unexpended political contributions and unexpended interest or income earned on political contributions in accordance with the requirements of Election Code, § 254.204.

B. ASSETS

Check only one:

- I do not retain assets purchased with political contributions or interest or other income from political contributions.
- I do retain assets purchased with political contributions or interest or other income from political contributions. I understand that I may not convert assets purchased with political contributions or interest or other income from political contributions to personal use. I also understand that I must dispose of assets purchased with political contributions in accordance with the requirements of Election Code, § 254.204.

Signature of Candidate

5 OFFICEHOLDER

** Complete this section *only* if you are an officeholder **

- I am aware that I remain subject to filing requirements applicable to an officeholder who does not have a campaign treasurer on file. I am also aware that I will be required to file reports of unexpended contributions if, after filing the last required report as an officeholder, I retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.

Signature of Officeholder

TRAVEL EXPENSE REPORT FORM

PRE-APPROVAL

Name: _____ Account Code: _____

Purpose of Travel/Destination: _____ Dates: _____

Department Head Approval _____

Date _____

City Manager Approval
(Travel Outside Continental U.S.) _____

Date _____

CITY EXPENSES--paid by:

EXPENSES (receipts required)

Employee
Out of Pocket

City P-Card

Registration Fee	\$ _____	\$ _____
Lodging: nights @ \$ _____ (single rate: Yes / No)	\$ _____	\$ _____
Business Phone Calls:	\$ _____	\$ _____
Airfare	\$ _____	\$ _____
Rental Car	\$ _____	\$ _____
Taxi	\$ _____	\$ _____
Parking/Tips (reimbursed up to \$10 without receipts)	\$ _____	\$ _____
Personal Vehicle: _____ miles @ \$0.565	\$ _____	\$ _____
Miscellaneous _____	\$ _____	\$ _____

Was this a day trip: Yes / No

The meal expenses that were not part of an overnight travel stay will be included on employee paychecks. IRS rules require employers to withhold federal income tax and FICA taxes on these kinds of payments to employees.

Maximum Meal Allowance	Date			
Up to \$60.00 per day	_____	\$	_____	\$
Do not include meals paid for in registration.	_____	\$	_____	\$
	_____	\$	_____	\$
	_____	\$	_____	\$
	_____	\$	_____	\$
	_____	\$	_____	\$
	_____	\$	_____	\$
	_____	\$	_____	\$

Total City Expenses: \$ _____ \$ _____

NO PERSONAL CHARGES ON CITY P-CARD.

Balance Owed Employee/City (circle one) \$ _____

Employee's Signature _____ Date _____

Supervisor's Signature _____ Date _____



WIRELESS COMMUNICATION DEVICE ALLOWANCE REQUEST AND APPROVAL FORM

REQUEST	
Employee Name	Department
Position/Current Title	Date
ELIGIBILITY (check all that apply)	
<input type="checkbox"/> My position requires frequent travel and/or routine field work to do business where I have to remain in touch with others for business purposes.	
<input type="checkbox"/> My position requires constant and immediate communications throughout the day or after hours, the significant portion of which, supports or is otherwise responsible for programs, services or systems.	
<input type="checkbox"/> My position requires me to be available for business or emergency related contact on a 24/7 basis.	
<input type="checkbox"/> A determination has been made that there are no other practical alternatives in my position for cost effective and timely communication using landlines or other communication methods.	
ACCEPTANCE	
<p>I have read and understand the Wireless Communication Device Allowance Policy. I acknowledge that it is my responsibility to retain an active service provider contract as long as required by my job duties or the operational requirements of my department. It is also my responsibility to report any service change or interruption to my supervisor.</p>	
Employee Signature	Date
APPROVAL	
<input type="checkbox"/> Voice Only (\$20)	Account Number: Fund/Dept/Cost Center/1163
<input type="checkbox"/> Voice/Data (\$30)	Effective Date:
<small>Employees are not eligible for voice/data if they have been issued a City iPad</small>	
Supervisor Signature	Date
Director Signature	Date
NOTIFICATION (original to payroll; copies to IT & HR)	
<input type="checkbox"/> Payroll	<input type="checkbox"/> Human Resources
<input type="checkbox"/> Information Technology	<input type="checkbox"/>

LINKS

Important Links

Open Government (Texas Attorney General)

<https://www.oag.state.tx.us/open/index.shtml>

Elections Information (Texas Secretary of State)

<http://www.sos.state.tx.us/elections/index.shtml>

Filing Information for Officeholders (Texas Ethics Commission)

<http://www.ethics.state.tx.us/main/coh.htm>

Texas Municipal League Resources

<http://www.tml.org/resources.asp>

TML *Handbook for Mayors and Councilmembers* (2011)

http://www.tml.org/pub_handbooks.asp

TML *How Cities Work*

<http://www.tml.org/HowCitiesWork.asp>

College Station Code of Ordinances

<http://library.municode.com/index.aspx?clientid=15047>