




INTEROFFICE MEMORANDUM

TO: MAYOR AND TOWN COUNCIL
FROM: ROLANDO VELA, CITY MANAGER 
SUBJECT: REVISED BOARD AND COMMISSION HANDBOOK
DATE: AUGUST 5, 2011
CC: RAMON VELA, INTERIM TOWN ATTORNEY

I've attached a copy of the revised Board Handbook that I've updated.

It's been revised so it can be reflective of the recently adopted Home Rule Charter and include the following highlights:

- a. Clean up the terminology from Board of Aldermen to Town Council, etc.
- b. Update Section 2, which pertains to attendance of meetings of advisory board members, to reflect that a board member will be considered unexcused if he/she fails to attend a regularly scheduled meeting. Also in that same section removed reference to a city representative serving in the CDC Board.
- c. Update Section 7.3.1, which pertains to the deadline for submittal of agenda items.

Please let me know if you have any questions as you start to review it.

Town of Laguna Vista



Board and Commission Handbook

REVISED 7/25/11

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Board & Commission Handbook

Section 1. Introduction

Welcome and thank you for accepting this appointment to your Town of Laguna Vista Board or Commission. Because your time and talents are valuable, Staff has put together this handbook to make the transition to your Board as informative and efficient as possible.

Town Council consists of the Mayor, and six Council Members elected at large by the voters of Laguna Vista.

City Secretary is responsible for generation and maintenance of all records, elections, certifications, and postings of the Town.

City Manager is appointed by the Town Council to oversee the daily operations and implement the policies established by the Town Council.

Municipal Judge is appointed by the Town Council and presides over all court proceedings based on Town ordinances and as prescribed by laws of the State of Texas.

SECTION 2. Membership Board and Commission Summary

2.1 Membership on City Boards and Commission (FAQ)

A. How many boards or commissions can I serve on?

A person is limited to serving on one permanent Town board or commission at a time. A person may serve at the same time, however, on a permanent Town board or commission and on a temporary Town board or commission.

B. How long can I serve on this board? Can I be reappointed?

A person may serve more than one term of officer with confirmation by the Town Council.

C. What if I miss a meeting?

Attendance by members is important to the proper functioning of all Town boards and commissions. There are two rules that govern attendance at meetings:

1. Voluntary absence from three consecutive meetings of a board or commission results in the automatic resignation of a member. Once three voluntary absences occur, the member's position is referred to the City Secretary for appointment of a replacement.
2. Absence of a member from a certain number of meetings during the preceding 12 months results in automatic resignation of the member. This rule applies whether the absences are voluntary or excused, and whether or not they are consecutive. For a board or commission that meets quarterly, two absences trigger a resignation. For other boards or commissions, absence from 25% or more of meetings triggers a resignation.
3. Advisory board members are expected to attend regularly scheduled meetings. If a member fails to attend a regular scheduled meeting, that board member will be counted absent.

2.2 ADVISORY BOARDS & COMMISSIONS These are the advisory boards and commissions appointed by the Town Council.

- A. Parks and Recreation Board
- B. Planning and Zoning Commission
- C. Board of Adjustments and Appeals
- D. Community Development Corporation
- E. Public Library Board
- F. Home Rule Charter Committee

2.3 BOARDS AND COMMISSIONS OF THE TOWN Below are the official board and commissions of the Town of the Laguna Vista.

A. Library Board

Board consists of seven members confirmed by the Town Council. Board acts in an advisory capacity to the Town Council for the continued development and improvement of the Laguna Vista Public Library. The Library Board meets monthly.

B. Parks and Recreation Board

Board consists of seven members appointed by the Town Council. Board acts in an advisory capacity to the Town Council in matters regarding acquisition, development, improvement, equipment and maintenance of all Town parks, playgrounds and facilities. The Parks and Recreation Board meets monthly or as required.

C. Planning and Zoning Commission

Board consists of six members and two alternates appointed by the Town Council. The Commission ensures planned and purposeful development of the Town of Laguna Vista and its extraterritorial jurisdiction, to protect the integrity of our natural resources and neighborhoods, and to enforce State and local statutes and Ordinances. The Planning and Zoning Commission meets monthly or as required.

D. Board of Adjustment

The Board of Adjustment also considers variances and special exceptions to the design standards established in the Zoning Ordinance. The Board of Adjustments and Appeals meets as required.

E. Laguna Vista Community Development Corporation Board

The Community Development Corporation Board consists of seven members appointed by the Town Council, with the Mayor and City Secretary as Ex-Officio members. The Community Development Corporation Board oversees community development activities of the Town. The Community Development Corporation meets as required, with the exception of the first Thursday, in February of each year for the annual meeting.

F. Home Rule Charter Committee

The Home Rule Charter Committee members are appointed by the Town Council. The Home Rule Charter Committee is charged with the responsibility of drafting a charter for the Town of Laguna Vista. The Home Rule Charter Committee meets as needed by the Town Council.

SECTION 3. General Rules of Procedures, Board, and Commissions

3.1. General Rules of Procedures. Each advisory board or commission will follow the same rules that apply to the Town Council as regulated by Ordinance 2004-27.

3.2. Rules of Decorum. The following general order shall be used by a board or commission agenda:

- A. Call to order
- B. Attendance roll call
- C. Citizens' Forum/Presentation
- D. Approval of minutes of previous meeting
- E. Items for board/commission discussion
- F. Items for board/commission action
- G. Staff report
- H. Adjournment

3.3. Texas Open Meetings Act.

3.3.1 Agendas. The meeting agenda should be based on the order of business. The agenda should clearly describe each matter to be discussed by the board or commission.

3.3.2 Chair's Duties. At the meeting, the chair should introduce each item as it appears on the agenda. Items may be considered out of order with the informal consent of the board or commission.

3.3.3 Note. Under the Open Meetings Act, a board or commission may not discuss a matter not listed on the agenda. A board or commission may agree to place the matter on a future meeting agenda.

SECTION 4. TYPES OF ACTION/MOTIONS

The following actions may be taken on items that appear on the meeting agenda:

- 4.1. **Approval-** means the item is approved as proposed.
- 4.2. **Conditional Approval-** means approval for the item will take effect upon the occurrence of certain conditions.
- 4.3. **Approval as Amended-** means the item is approved with changes from the original proposal.
- 4.4. **Table or Postpone-** means postponement of consideration of the item, either until a definite time, or indefinitely. Action on the item at a subsequent meeting requires the item to be placed on the agenda for that meeting.
- 4.5. **Withdraw Motion-** made by person who made the motion. Does not require a formal vote unless a member objects to the withdrawal.
- 4.6. **Amend-** usually consists of striking out, inserting, adding, or substituting words, sentences or paragraphs to the subject of the original motion.
Voted upon separately from the original motion.
Note: A friendly amendment, agreed to by persons who made and seconded a motion, does not require a separate vote from the original motion.
- 4.7. **Recess-** A temporary break in a meeting may be called by the chair. Does not require a formal vote unless a member objects to the recess.
- 4.8. **Limited Discussion or Debate-** The chair may establish time limits on each person addressing the board or commission, or upon each member who comments on an issue. Does not require a formal vote unless a member objects to the limits.

SECTION 5. VOTING

- 5.1. **Voting Methods.** Each board or commission should decide which of the following methods to use to conduct voting:
 - A. Roll call- Members vote as their names are called by the recording secretary.
 - B. Show of hands- Members vote by raising their hands in response to the chair's cues.
 - C. Voice- Members vote by verbally responding to the chair's cues.
- 5.2. **Recording Vote.** Whatever method is chosen should permit the recording secretary to identify how each member votes, especially in the case of split votes, abstentions, etc., in the minutes of the meeting.
- 5.3. **Order of Motion.** Each vote shall be preceded by a motion and a second.
- 5.4. **Chair's Voting Privileges.** The chair is not entitled to make a motion or second; or to vote, except to break a tie vote.
- 5.5. **Voting Criteria.** A quorum (majority) of the members of a board or commission must be present for a vote to take place. Voting is decided by a majority of the members present, unless otherwise provided by law or by board or commission policy. A tie vote results in failure of the motion voted upon.
- 5.6. **Announcement of Voting Results.** The chair, or recording secretary, should always announce the result of each vote. Until this announcement is made, a member is entitled to change his or her vote.

SECTION 6. CONDUCT OF MEETINGS/CONTROL BY CHAIR

- 6.1. Presiding Officer.** The chair, or in the chair's absence the vice-chair, presides over meetings. In the absence of both the chair and vice-chair, the board or commission should elect an interim chair for that meeting, or until the chair or vice-chair arrives.
- 6.2. Order.** The chair is responsible for promoting and maintaining order in meetings.
- 6.3. Speaker Conduct.** A person, including a member of a board or commission, should obtain recognition from the chair before addressing the board or commission. The chair may allow open discussion, however, in informal settings such as workshop meetings, or during question and answer session.
- 6.4. Discussion Topics.** The chair should control discussion to insure that it focuses on the issue and not on any person. Personal remarks and attacks are not permitted.
- 6.5. Open Forum.** Members of the public may address the Town board or commission during citizen comment period, if such a period is on the agenda for the meeting, during a public hearing on an agenda item, or at other times with the permission of the chair:
- 6.6. Chair.** The chair should exercise control over persons who abridge the rules of procedure or disrupt the meeting in the following ascending order of action:
 - A. Call the person to order, advising the person of the infraction.
 - B. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
 - C. Order the person to leave the meeting. If the offending person is a member of the board or commission, the chair shall call for a vote on the expulsion of the member from the meeting.

SECTION 7. TOWN COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

7.1 - Introduction The Town of Laguna Vista Town Council is the governing body of the Town of Laguna Vista, Texas. Therefore, it must bear the initial responsibility for the integrity of governance. The Town Council shall determine its own rules and order of business. The Town Council is responsible for its own development, its responsibilities, its own discipline, and its own performance. The development of this policy is designed to ensure effective and efficient governance. This policy addresses Mayor and Council relations, board and staff relations, Council and media relations, roles and meetings. By adopting these guidelines, we, as member of the Town Council, acknowledge our responsibility to each other, to our professional staff and to the public. The Town Council will review and revise this governance policy, rules and procedures as needed, and at a minimum, every two years.

7.2 – Mission In order to ensure proper discharge of duties for the improvement of democratic local government, members of the Town Council will display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of Laguna Vista and each other in their relationships.

- A. Each member of the Town Council is bound to uphold the Constitution of the United States and of the State of Texas, to carry out applicable laws and the ordinances of the Town of Laguna Vista.
- B. Council Members should be independent, impartial and responsible to the citizens, and public office shall not be used for personal gain.
- C. Council Members must represent un-conflicted loyalty to the interests of the citizens of the entire town. The accountability supersedes any conflicting loyalty such as that to any advocacy or special interest group, or any individual, or membership of (or affiliation with) any company or other private or public organization.

7.3 – Information On policy issues, the City Manager shall provide briefing material to the Town Council in advance of Council consideration of the policy alternatives. Whenever possible, the management report shall be distributed more than a week in advance of Council policy consideration. Similarly, Council are encouraged to share information with the Mayor and fellow Council Members.

7.3.1 Deadline for Agenda Item Submittal. The deadline for any member of the Town Council to submit any agenda items to the City Manager and/or the City Secretary for any regular meetings will be at least seven (7) calendar days prior to the meeting, no later than 12 noon that day.

7.3.2 Final Agenda. The City Manager will provide the Town Council a copy of the final agenda of all regular meetings seven (7) days prior to the meeting.

7.4 - Roles

7.4.1 Mayor/Mayor Pro Tem. The Mayor shall preside at meetings of the Town Council, and shall be recognized as head of town government for all ceremonial purposes and by the Governor for purpose of military law, but shall have no regular administrative duties. The Mayor may participate in the discussion of all matters coming before the Town Council. The Town Council shall elect from among the Council a Mayor Pro Tempore who shall act as Mayor during the absence or disability of the mayor.

7.4.2 Proclamations. As head of town government for ceremonial purposes, the Mayor may issue and present proclamations and recognition, and attend other ceremonial functions on behalf of the Town of Laguna Vista. The Town Council may initiate, through the Mayor or by a majority vote of the Council, similar items of recognition. Major community events sponsored by the Town shall be a policy decision of the Town Council.

7.4.3 Mayor as Presiding Officer. The Mayor shall preserve order and decorum and shall require Council engaged in debate to limit discussion to the question under consideration.

7.4.4 Mayor as Spokesperson. The Mayor is the spokesperson for the Town Council on all official positions taken unless absent, at which time the Mayor Pro Tem or the Mayor's designee will assume the role.

7.4.5 Mayor Encouraging Discussions. The Mayor will encourage all Council Members to participate in board discussion and give each member an opportunity to speak before any member can speak again on the same subject.

SECTION 7.5 - Meetings

7.5.1 Regular Meetings. The Town Council shall meet regularly when prescribed by ordinance, but no less frequently than once on the second Tuesday of each month and the regular meetings will begin at 6:00 p.m., at the City Hall, 122 Fernandez Street, Laguna Vista, Texas, unless postponed or canceled for valid reason(s). When the City Manager anticipates more than 30 citizens attending either a regularly scheduled or a special meeting, of the Town Council, he/she shall poll the Council Members asking each member for a simple 'yes' or 'no' to the question, 'are you in favor of moving the next meeting to 'xxxxx' location due to an anticipated audience of more than 30 people?"

7.5.2 Special Meetings. Special meetings may be held on any day of the week to consider items that require action prior to the next regularly scheduled meeting and may be called upon the request of the Mayor or three (3) or more aldermen. Every effort will be made to limit special meetings to urgent or emergency related matters.

7.5.3 Executive Sessions. The Town Council may meet in executive session in compliance with the Texas Open Meetings Act. A final action, decision or vote on a matter deliberated in an executive session will be made in an open meeting

for which proper notice is provided. All discussions in executive session shall remain confidential.

7.5.4 Joint Sessions. The Town Council may meet with other board and commissioner in joint sessions at the call of the mayor, or any two (2) members of the Town Council or of such board or commission, at such times as the business of the town requires.

7.5.5 Work Sessions. The Town Council may hold work sessions to receive briefings and background information from the City Manager and consultants. Work session meetings shall be at a time and place established by the board. Work Sessions shall comply with all provisions of the Texas Open Meetings Act. No official action may be taken by the Town Council in a work session meeting, although the board may give direction to the staff on issues under consideration.

7.5.6 Public Notice. The agenda for all regular meetings, special meetings, executive sessions, joint session and work sessions, and the notice listing items to be considered shall be posted on the town's official bulletin board in accordance with the Texas Open Meetings Act.

7.5.7 Attendance. Council Members are expected to attend all meetings and stay in attendance during each meeting. No member shall leave a meeting without advising the Mayor.

7.5.8 Conflict of Interest. Council Members prevented from voting due to a conflict of interest shall leave the meeting during the debate, shall not vote on the matter, and shall otherwise comply with the state law and ordinances concerning conflicts of interest. Any Council Members filing a conflict of interest affidavit on an Executive Session item shall not confer with staff, the Town Attorney, other Council Member, or Mayor.

7.5.9 Council Members.

- A. During Town Council meetings and work session, Council Members shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the rules of the Town Council.
- B. Council Members desiring to speak shall address the Mayor, and upon recognition by the presiding officer, shall confine discussion to the question under debate, avoid discussion of personalities and inappropriate language, and refrain from personal attacks and verbal abuse.
- C. Council Members, once recognized by the Mayor, shall not be interrupted while speaking except for the following reasons: called to order by the presiding officer; a point of order is raised by another member, or the speaker chooses to yield to questions from another member. If an alderman is called to order while speaking, that alderman shall cease speaking immediately until the question of order is determined. If ruled

to be in order, the member shall remain silent or make additional remarks so as to comply with the rules of the Town Council.

- D. When there is more than one speaker on the same subject, Town Council shall delay their comments until after all speakers on the subject have been heard.
- E. The Mayor shall state all questions submitted for a vote and announce the result. If the vote is not unanimous, the Mayor shall announce the names of member(s) voting in favor and in opposition to the motion.

7.5.10 Administrative Staff.

- A. Members of the administrative staff and employees of the Town shall observe the same rules and decorum applicable to member of the Town Council.
- B. Although the Mayor has the authority to preserve decorum in meetings, the chief of police is also responsible for the orderly conduct and decorum of all meetings.
- C. The City Manager shall take such disciplinary action as may be necessary to ensure the decorum is preserved at all times by town employees in meetings.
- D. All persons addressing the Town Council, including town staff shall be recognized by the Mayor and shall limit remarks to the matter under discussion.
- E. All remarks and questions addressed to the Town Council shall be addressed to the Town Council as a whole and not to any individual member.

7.5.11 Citizens and Visitors.

- A. Citizens and visitors are welcome to attend all public meetings of the Town Council and will be admitted to the meeting room up to the fire safety capacity of the room.
- B. Everyone attending the meeting will refrain from private conversation while the Town Council is in session.
- C. Citizens and visitors attending Town Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the board of aldermen. Any person making personal, impertinent, profane, or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the meeting, shall be removed from the room if so direct by the presiding officer. The person shall be barred from further audience before the Town Council during that session. If the presiding officer fails to act, any member of the Town Council may move to require enforcement of the rules, and the

affirmative vote of a majority of the Town Council shall require the Mayor to act.

- D. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer, who may direct the removal of offenders from the room. In case the Mayor shall fail to act, any member of the Town Council may move to require enforcement of the rules and the affirmative vote of the majority of the board shall require the presiding officer to act.
- E. No placards, banners, or signs will be permitted in the town meeting room or in any other room in which the Town Council meeting. Exhibits, displays and visual aids used in connection with presentations, however, are permitted.
- F. The Chief of Police, or his/her designee, shall act as sergeant-at-arms for the Town Council and shall furnish whatever assistance is needed to enforce the rules of the Council.

7.5.12 Agenda. The Mayor and the City Manager shall set the agenda. Any Aldermen may request an item be placed on a future agenda during administrative reports on the agenda. Agenda Request Form should then be filed with the City Secretary and/or City Manager. If two (2) Council Members desire to hear the item, it shall be included on an agenda no later than the next regularly scheduled meeting after receiving the request unless otherwise agreed upon by the Town Council.

7.5.13 Speakers.

- A. A person wishing to address the Town Council must first complete a request form and register it with the City Secretary. The following information must be provided on the form: name, residence address, daytime telephone number, the subject matter to be addressed.
- B. Speakers must address their comments to the Mayor rather than to individual Council Members or staff.
- C. Speakers addressing the board under the "Citizens Presentation" section, may address any item not slated for discussion on the agenda.
- D. A person who registers to speak on a public hearing item or during the "Open Forum" section will be called on at that time. The Mayor may determine the order in which speakers are called.
- E. All speakers will have a maximum of five (5) minutes to address the Town Council. A majority vote of the Council Members will be required to extend the time limit. The Mayor may impose more restrictive time limits if a large number of persons register to speak.
- F. For called public hearings, the applicant will be allowed a maximum of ten (10) minutes to make a presentation.

- G. In accordance with the Texas Open Meetings Act, the Town Council will not discuss or consider any item addressed during the "Open Forum" section. Council Members will not interact with the public during the time allotted to speakers unless a non-debatable motion approved by the Town Council allots a specific amount of time.
- H. Whenever it is necessary for a speaker to use an interpreter to translate comments to the Town Council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the Town Council.

7.5.14 Motions.

- A. No motion may be moved or suggested until all Council Members's discussion is complete and the Mayor calls for the motion. A motion made and seconded will be considered the main motion. Any Council Member may move to amend a motion. The amendment must receive a second before it may be discussed and must be voted on prior to voting on the main motion.
- B. A motion may be withdrawn or modified *only* by its mover without asking permission until the motion is voted upon. If the mover modified the motion, the Council Member who seconded the motion may withdraw the second.
- C. At any time a motion has been made and seconded, a Council Member may "Call the Question", which will have the affect of stopping the debate and requiring the Town Council to immediately proceed to vote on the motion to call the question.
- D. A motion to reconsider any action of the Town Council must be made no later than the conclusion of the scheduled meeting of the Town Council. Such a motion may only be made by an alderman who voted with the prevailing side. The motion to reconsider may be seconded by any alderman. No question shall be twice reconsidered except by unanimous vote of the Town Council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.
 - 1. If a motion to reconsider is made at the same meeting at which the matter was acted upon, the motion may be heard and voted upon and the original action on the matter is set aside. Deliberation may then resume on the matter at the same meeting.
 - 2. If a motion to reconsider is made at the next meeting after the matter was acted upon, the motion to reconsider may be heard and voted upon and the original action on the matter is not set aside. Deliberation may not resume on the matter, but is shall be placed on the next available agenda for deliberation.

7.5.15 Suspension of Rules. Any provision of these rules not governed by the town ordinances, State or Federal law may be temporarily suspended by a majority vote of the Town Council of the Council Members present. The vote on any such suspension shall be taken by yeas and nays and entered upon the record.

7.5.16 Amendment of Rules. These rules may be amended, or new rules adopted by a majority vote of the members of the Town Council.

7.5.17 Failure to Comply. A failure to comply with these rules does not invalidate any otherwise lawful act of the Town Council.

SECTION 8 - Public Contact/Media Relations.

Representative government is only successful when the citizens are kept informed and educated about the issues facing their municipality consequently, it is imperative that 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 positive relationships with print, radio, and television reporters. The Mayor, and Town Council recognize that the news media provide an important link between the board and the public. It is the board's desire to establish a professional working relationship to help maintain a well-informed and educated citizenry.

8.1 Space for New Media. During the conduct of official business, the Town shall designate adequate space for the news media.

8.2 Agenda Provided to Media. All reporters will receive an agenda in advance and will be furnished support material needed for clarification if requested prior to meeting.

8.3 Media Point of Contact. The Mayor and/or the City Manager shall be the point of contact for all media.

SECTION 9 – Planning The Mayor and Town Council, with direction from the City Manager, are responsible for establishing a vision for the Town of Laguna Vista and planning for its future.

9.1 Goals and Objectives. On an annual basis, the Mayor and Town Council shall hold one work session wherein they set priorities, goals and objectives. The goals and objectives shall address short-term and long-term needs of the town.

9.2 Policy Direction. Policy direction shall be consistent with the strategic goals and objectives. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with the long-term vision.

SECTION 10 – Town Council/Staff Relations

10.1 Board/City Manager. The Town Council shall direct comments, correspondence, and concerns about town services to the City Manager. Citizens concerns, comments and correspondence regarding city services received by aldermen shall be forwarded to the City Manager for appropriate staff action and a timely response.

10.2 Council Members. Council Members shall not use Town letterhead when corresponding from their home computer. If a Council Member desires to mail out a letter concerning Town business, a draft may be provided to the City Secretary to mail out from City Hall.

10.3 Distribution of Documents. All Documents whether generated through e-mails, faxes, legal opinions, letters, flyers, etc., concerning town business, distributed from one Council Member to any, or all Council Members shall be copied to the City Secretary. If a document is concerning town business, the city secretary is responsible for making documents available to the public under the Public Information Act.

10.4 Documents. Documents provided to one Council Member shall also be distributed to all other aldermen of the elected body. The City Manager shall prepare and submit to the board as of the end of the fiscal year a complete report on the finances and administrative activities of the town for the preceding year.

10.5 Agenda Items. In order to ensure proper presentation of agenda items by staff, questions arising from aldermen after receiving their information packet should be, whenever possible, presented to the City Manager for consideration prior to the Town Council's meeting. This allows time the City Manager to address the Council Member's concerns and provide all Council Members with the additional information.

10.6 Town Attorney. The Town Attorney is accountable to the Town Council as a body, not to any individual member or group of members.

SECTION 11. TEXAS OPEN MEETINGS ACT

11.1 General Requirements. The Texas Open Meetings Act applies to meetings of all Town boards and commissions. The two basic features of this law are 1) advance public notice must be given of meetings, and 2) meetings must be open to attendance by the public.

11.2. Agenda Posting. The agenda listing the subjects to be discussed at a meeting and the time and place of the meeting must be posted on the City Hall bulletin board at least 72 hours, or three full days, before the time of the meeting.

An emergency meeting may be held, or emergency subjects may be added to a previously posted agenda, only if immediate action is required of a board or commission due to an imminent threat to public health and safety, or a reasonably unforeseeable situation. The nature of an emergency is verified by the City Secretary and the Town Attorney. Notice of emergency items must be posted at least two hours before a meeting, and telephone contact must be made with media representatives.

An important corollary of the agenda posting requirement is that matters *not listed* on an agenda cannot be discussed by the board is limited to directing the city staff to place the item for discussion on a future agenda.

11.3 Public Meetings. All Town board and commission meetings must be open to the public. While this may seem simple enough, it does require staff members to plan meetings for properly sized facilities, make sure doors remain unlocked, etc.

While the public is entitled to attend meetings, a board or commission can make its own determination of the level of public participation to allow at meetings. Public hearings can be used to foster comments on issues and proposals. All Town boards are required by ordinance to include a citizen comment period at the beginning of regular meetings. Reasonable time limits can be placed on public comments. During its discussion of agenda topics, a board may limit discussion to board members.

A board or commission may meet in closed executive session for certain reasons such as to discuss legal matters with the Town Attorney's staff, or to discuss certain real property or personnel matters. Notice of an executive session must be given on the meeting agenda, and a checklist of the subjects discussed during an executive session must be kept by the chair and turned in to the City Secretary after the meeting. If formal action is needed on a matter discussed in executive session, it cannot be taken in executive session; it must be taken after the board or commission reconvenes in a public meeting.

SECTION 12. ETHICS AND PROFESSIONAL STANDARDS

12.1 Policy. It is the policy of the Town that the proper operation of democratic government requires that the Town Representatives be independent, impartial and responsible to the people; that governmental decisions and policy be made through the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government and its governmental officials.

The purpose of this Ordinance is to establish a code of conduct and enumerate existing state laws which, in addition to other applicable laws, regulate the conduct and activities of Town Representatives, and to establish such additional standards as deemed necessary and appropriate to assure the faithful and impartial administration of the Town's government.

12.2 Definitions. For the purposes of this Code of Ethics the following words, terms and phrases shall have the meanings defined below:

12.2.1 Town Officers. The Mayor, Town Council, the City Manager, Town Attorneys, Municipal Court Judges and each member and alternate member of all Town Boards, Commissions, Committees, including ad hoc committees appointed to specific projects.

12.2.2 Town Representatives. A Town Officer

12.3 Standards of Conduct. In order to more fully establish and implement the policy in the Code of Ethics, to assure that all Town Representatives act and conduct themselves both inside and outside of the Town's service so as to give no occasion for distrust of their integrity, and to avoid even the appearance of impropriety by any Town Representative, the following standards of conduct are adopted:

12.3.1 Prohibition Against Granting Special Consideration. No Town Representative shall grant any special consideration, treatment or advantage to any citizen, individual, business organization, or group beyond that which is normally available to every other citizen, individual, business organization, or group. This shall not prevent special considerations authorized and granted by the Town Council, the Community Development Corporation, and other Town Boards, Commissions and Committees for the purpose of creating incentives necessary to secure or retain employees or to support and enhance economic development in compliance with the Texas Constitution and state law.

12.3.2 Prohibition Against Appearances on Behalf of Private Interests. No Town Representative shall represent or appear on behalf of private interests of others before any agency or department of the Town, or any Town Municipal Court, Board, Commissions, Committee, or Board of Aldermen concerning any civil or criminal case, administrative hearing, disciplinary action, project, proposal or matter over which the Town Representative exercises any discretionary authority either directly or indirectly, nor shall a Town Representative represent any private interest of others in any action or in any proceeding, civil or criminal, involving the Town or any of its employees appearing in any official capacity or as a witness, nor voluntarily participate on behalf of others in any litigation to which the Town is a party or any of its employees appearing in an official capacity or as a witness unless authorized by the Town. For example, a Town Representative who is an attorney is prohibited from representing any person in

litigation in which a Town of Laguna Vista Police Officer is, or may be, a witness in his official capacity.

12.3.3 Prohibition Against Securing Special Privileges, Consideration or Exemption. No Town Representative shall use his/her official position to secure special privilege, or consideration, or exemption for himself/herself or for others.

12.3.4 Gifts.

A. No Town Representative shall accept or solicit any contribution, gift or favor that is:

1. solicited, offered or given with the intent to influence the judgment or discretion of such Town Representative; or
2. solicited, offered or given in consideration of the favorable exercise of such Town Representative's judgment or discretion in the past.

B. To avoid even the appearance and risk of impropriety, Town Representatives shall not solicit or accept any gift, favor or benefit from any person doing business with, seeking to do business with, or being regulated by the Town.

C. As used in this Ordinance the word "Gift" means a favor, hospitality, economic benefit, product or item **having an aggregate value of \$100.00 or more from anyone individual or entity during any twelve (12) month period.**

1. A "Gift" does not include campaign contributions reported as required by state law, or money, items, or benefits received from a relative if given on account of kinship, or any value received by will, intestate succession, or as a distribution from an inter vivos or testamentary trust established by a spouse or ancestor;
2. A "Gift" does not include pens, pencils, calendars, T-shirts, caps and similar items containing logos, slogans, company names or other marketing material and commonly given out for advertising purposes.
3. A "Gift" does not include food, lodging, transportation, or entertainment accepted as a guest if the benefit is used solely to defray expenses which accrue in the performance of duties or activities in connection with office which are non-reimbursable by the Town or which are in excess of the amount reimbursed by the Town **and which does not exceed the total amount of \$100.00 during any twelve (12) month period.**

12.3.5 Disclosure or Use of Confidential Information. No Town Representative or former Town Representative shall disclose any confidential information gained by reason of his/her office or employment with the Town, including executive sessions, or use such confidential information to advance any personal interest, financial, or otherwise, of such Official or others.

12.3.6 Use of Town Property for Personal Use. No Town Representative shall use Town supplies, equipment, vehicles or facilities for any purpose other than the conduct of official Town business, unless otherwise specifically provided for by law, ordinance, or Town policy. This section shall not apply to minimal personal use of Town supplies, equipment or facilities such as infrequent and reasonable use of Town phones for personal matters.

12.3.7 Incompatible Outside Activities. No Town Representative shall engage in any outside activity which will conflict with, or be incompatible with, his or her Town office or employment.

12.3.8 Incompatible Employment. No Town Representative shall accept outside employment which is incompatible with the full and proper discharge of his or her duties and responsibilities with the Town, or which might impair his or her independent judgment in the performance of his or her public duty.

12.4 State Laws Governing Conduct.

12.4.1 Conflicts of Interest.

A. Pursuant to Section 171.001 et seq., Texas Local Government Code, a local public official having a substantial interest in a business entity or piece of real property must file, before any vote or decision is made on any matter affecting the business entity or real property, an affidavit stating the nature and extent of the interest. The official must file the affidavit with the City Secretary, and is required to abstain from any further participation in the matter if:

1. In the case of a substantial interest in a business entity, the proposed action would have a special economic effect on the business entity that is distinguishable from the effect on the public, or,
2. In the case of a substantial interest in a business entity, it is reasonably foreseeable that the action would have a special economic effect on the value of the real property which is distinguishable from this effect on the public.
3. An exception to the abstention rule is provided in cases where a majority of the members of the governmental entity are likewise required to and do file affidavits.

B. A substantial interest in a business entity exists when the Town Representative:

1. owns ten percent (10%) or more of the voting stock or shares of the business entity, or
2. owns ten percent (10%) or more or \$5,000 or more of the fair market value of the business entity, or
3. has received from the business entity funds which exceed ten percent (10%) of the official's gross income for the prior year.

- C. A substantial interest in real property exists when the official has an equitable or legal interest in such property which has a fair market value of \$2,500 or more.
- D. A local public official means a member of the Board of Aldermen or other Town Representative paid, or unpaid, who exercises responsibilities which are more than advisory only. A business entity means any entity recognized by law.
- E. It is an offense for a Town Representative to act as a surety for a business entity that is contracting with the Town, or to act as a surety on any official bond required of an officer of the Town. Section 171.003 Texas Local Government Code.
- F. A Town Representative is considered to have a substantial interest if a person is related to the Town Representative in the first degree by consanguinity or affinity has a substantial interest. Section 171.002 (c) Texas Local Government Code.
- G. The provisions of Section 171.001 et seq., Texas Local Government Code, are IN ADDITION to any other ordinances defining and prohibiting conflicts of interest.

12.4.2 Bribery. It is unlawful for a Town Representative to accept or agree to accept:

- A. any benefit as consideration for a decision, opinion, recommendation, vote, or other exercise of discretion as a public servant; or
- B. any benefit as consideration for a decision, vote, recommendation, or other exercise of official discretion in a judicial or administrative proceeding; or
- C. any benefit as consideration for a violation of a duty imposed by law on a public servant. (Section 36.02, Texas Penal Code)

12.4.3 Gifts to Public Servants

- A. It is unlawful for a Town Representative to solicit, accept, or agree to accept any benefit from a person the Official knows is subject to regulation, inspection, or investigation by the Official or the Town. (Section 36.08 (a), Texas Penal Code)
- B. In the event of litigation involving the Town, it is unlawful for any Town Representative to solicit, accept, or agree to accept any benefit from a person against whom the official knows litigation is pending or contemplated by the Official or the Town. (Section 36.08 (c), Texas Penal Code)
- C. It is unlawful for a Town Representative who exercises discretion in connection with contracts, purchases, payments, claims or other pecuniary transactions of government to solicit, accept, or agree to accept any benefit from a person the official knows is interested in or likely to become interested

in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion. (Section 36.08 (d), Texas Penal Code)

- D. It is unlawful for a Town Representative who has judicial or administrative authority, is employed by or in a tribunal having judicial or administrative authority, or who participates in the enforcement of the tribunal's decision, to solicit, accept, or agree to accept any benefit from a person the official knows is interested in or likely to become interested in any matter before the official or tribunal. (Section 36.08 (e), Texas Penal Code)

- E. **Exceptions to Gifts to Public Servant**

The provisions of Section 36.08, Texas Penal Code, described above, do not apply to (1) fees prescribed by law to be received by the public official or any other benefit to which the official is lawfully entitled and for which the official has given legitimate consideration; (2) gifts or other benefits conferred on account of kinship or personal, professional, or business relationships independent of the official's status with the Town; (3) certain honorariums in consideration of legitimate services; (4) benefits consisting of food, lodging, transportation, or entertainment accepted as a guest and reported as required by law; or (5) benefits for which statements must be filed pursuant to Section 251.001 and Section 251.012, Texas Election Code, if the benefit and source of any benefit exceeding fifty dollars (\$50.00) is reported and the benefit is used solely to defray expenses which accrue in the performance of duties or activities in connection with office which are non-reimbursable by the Town. (Section 36.10, Texas Penal Code)

- 12.4.4 Tampering with Governmental Records.** It is unlawful for any person to knowingly make false entry in, or false alteration of, a governmental record, or to make, present, or use any record, document, or thing with knowledge of its falsity with the intent that it be taken as genuine governmental record, or to intentionally destroy, conceal, remove, or otherwise impair the verity, legibility, or availability of a governmental record. (Section 37.10, Texas Penal Code)
- 12.4.5 Impersonating Public Servant.** It is unlawful for any person to impersonate a Town Representative with intent to induce another to submit to his pretended official authority or to rely on his pretended official acts. (Section 37.11, Texas Penal Code)
- 12.4.6 Misuse of Official Information.** It is unlawful for a Town Representative, in reliance on information to which he has access as a result of his office and which has not been made public, to acquire or aid another in acquiring a pecuniary interest in any property, transaction, or enterprise that may be affected by the information or to speculate or aid another in speculating on the basis of the information. (Section 39.06, Texas Penal Code)
- 12.4.7 Disrupting Meeting or Procession.** It is unlawful for any person, with intent to prevent or disrupt a lawful meeting, to obstruct or interfere with the

meeting by physical action or verbal utterance. (Section 42.05, Texas Penal Code)

12.4.8 Official Oppression. It is unlawful for a Town Representative to intentionally subject another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that he knows is unlawful, to intentionally deny or impede another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing his conduct is unlawful, or to intentionally subject another to sexual harassment. (Section 39.03, Texas Penal Code)

12.4.9 Abuse of Official Capacity. It is unlawful for a Town Representative, with intent to obtain a benefit or with intent to harm another, to intentionally or knowingly violate a law relating to his office or employment or to misapply anything or value belonging to the government that has come into his custody or possession by virtue of his office of employment. (Section 39.02, Texas Penal Code)

12.4.10 Nepotism It is unlawful for any Town Representative to appoint, or vote for the appointment, to any office, employment or duty, of any person related within the second degree by affinity or within the third degree of consanguinity to the person so appointing or so voting, or to any other member of a board or governing body to which the person so voting or appointing may be a member, when the salary, fees, or compensation of such appointee is to be paid out of public funds. An exception is provided for persons who have been continuously employed in such office, employment or duty for the following periods prior to the election or appointment, as applicable, of the officer or member related to such employee in the prohibited degree: (1) at least thirty (30) days, if the officer or member is appointed, or (2) at least six (6) months, if the officer or member is elected.

When a person is allowed to continue in an office, position, or duty because of an exception above, the officer who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the appointment, reappointment, employment, confirmation, reemployment, change in status, compensation, or dismissal of such person, if such action applies only to such person and is not taken with respect to a bona fide class or category of employees. (Texas Government Code-Chapter 573)

12.4.11 Disclosure of Interest in Property. It is unlawful for a Town Representative, or a person elected, appointed, or employed as a Town Representative but for which office such person has not yet qualified, to fail to make public disclosure of any legal or equitable interest he may have in property which is acquired with public funds, provided such official has actual notice of the acquisition or intended acquisition. The public disclosure required is the filing of an affidavit with the county clerks of all counties in which the property is located and wherein the official resides at least ten (10) days prior to the acquisition. (Texas Government Code-Chapter 553.002)

12.5 Violations

12.5.1 Misdemeanor. Any person violating any standard contained in Section 3 above shall be deemed guilty of a Class C misdemeanor and, upon conviction thereof shall be fined in an amount not to exceed \$500. Each day that a violation occurs shall constitute a separate offense as a Class C misdemeanor.

12.5.2 Penalties. Penalties for violations of conduct described in Section 4 above are as set forth in the applicable statutory provision.

12.6 Procedure; Jurisdiction

12.6.1 Complaint Filing. A complaint against any Town Representative may be initiated by a sworn written complaint from any person. The complaint should be filed with the Town of Laguna Vista Municipal Court and an exact copy should be filed with the Town Attorney. Filing of the sworn written complaint with either the Municipal Court or the Town Attorney shall invoke the jurisdiction of the Municipal Court for purposes of this Ordinance.

12.6.2 Town Attorney. The Town Attorney, or any Assistant Town Attorney or any Special Prosecutor hired by the Town Attorney, shall promptly institute an investigation into the allegations contained in the sworn complaint. He or she shall have the authority to involve the Laguna Vista Police Department, any other law enforcement agency, or any other investigative agency or individual to assist in the investigation. Based on the allegations and the results of the investigation, the Town Attorney, Assistant Town Attorney or Special Prosecutor shall either prosecute the Town Representative or issue a written report explaining the decision not to prosecute.

12.6.3 Jurisdiction. Exclusive jurisdiction for the prosecution of violations of this Ordinance shall lie with the Town of Laguna Vista Municipal Court. In the event that all of the Town of Laguna Vista's Municipal Court Judges find that there is a conflict of interest or other valid reason that they cannot or should not preside over the prosecution under this Ordinance, the Presiding Municipal Court Judge shall appoint a Special Judge, with the consent of the Town Attorney, to preside.

SECTION 13. LEGAL CONSIDERATIONS FOR BOARD AND COMMISSION MEMBERS

13.1 ETHICS REGULATIONS

13.1.1 Appearing before Town Boards and Commissions. You may not appear before your own board or commission in a private capacity under any circumstances. If you have a private interest involved in a decision of your board or commission, have someone else appear on your behalf to represent your interest. Members of the Planning and Zoning Commission and Board of Adjustments may not appear at one another's meetings except in limited circumstances.

13.1.2 Annual Financial Disclosure. Newly appointed board and commission members must file a disclosure form with the City Secretary within 30 days after appointment. Thereafter, the disclosure form (attached) must be filed each year in October. The disclosure form lists businesses and real property in which a member has an interest.

13.1.3 Other Provisions. Board and commission members are prohibited from making "false statements of material fact" at a public meeting.

Board and commission members are prohibited from representing persons in cases before the Town's Municipal Court.

13.2 STATE ETHICS STATUTES

State laws govern several areas of your service as a board or commission member.

13.2.1 Conflicts of Interest. City board and commission members often have connections to business entities in the Town, and own real property in or near the City. There is no inherent impropriety in this. However, if a business or real property in which you have an interest is involved in a decision of your board or commission, you must evaluate whether a conflict of interest exists. If you have a conflict of interest, you must publicly disclose the interest, and abstain from the discussion and vote on the matter. If you see a matter on your board or commission's agenda in which you have a private interest, use the following two tests to determine whether you have a conflict of interest:

- A. First, for a *business entity*, do you have an ownership interest or derive 10% or more of your income from the business entity? For *real property*, do you own an interest or hold a mortgage in the property worth \$2,500 or more? This test is met if you *or your spouse, brother, sister, parent or child* has such an interest.
- B. Second, the matter to be voted on must involve a special economic effect on the business entity or real property, distinguishable from its effect on the public.

If both of these tests are met for an item on your agenda, you must complete the appropriate disclosure form (business entity or real property) and turn it in to your staff liaison before the item is considered by the board or commission. Forms for disclosure of conflicts of interest are included in this handbook.

13.2.2 Gifts. You may not accept, or agree to accept, any gift or benefit from someone in exchange for your vote, recommendation or decision as a Town official. This constitutes bribery and is a felony under State law.

If your board or commission performs regulatory functions, you also may not accept or agree to accept a gift or benefit from any person who is subject to regulation by the board or commission.

13.2.2 Misuse of Information. You may not use or disclose confidential information gained through your position with the Town to advance any personal interest.

13.2.4 Misuse of Resources. You may not use for personal purposes any Town property, services or personnel that come under your control or possession because of your position with the Town.

13.3 OATHS OF OFFICE. Before beginning your duties as a City board or commission member, State law requires that you sign a written oath of office, and recite a ceremonial oath of office. These oaths are administered by the City Secretary, and the written oath is filed in the City Secretary's Office.

13.4 LIABILITY CONSIDERATIONS FOR TOWN BOARD AND COMMISSION MEMBERS

13.4.1 Lawsuits Challenging Board Actions or Claiming Damages. The decisions made by City boards and commissions are sometimes challenged in court by persons who are dissatisfied with them. A lawsuit may involve a request to invalidate a decision, or it may involve a claim for damages alleged to have resulted from a decision.

13.4.2 Liability. In general, board and commission members acting in "good faith" in their official capacities have immunity against claims for damages. The concept of good faith is satisfied if a board or commission action:

- A. complies with the rules applicable to the action, such as notice/public hearing requirements and established decision-making criteria;
- B. has a rational basis; and
- C. is not based upon improper or ulterior motives, such as race, creed or ethnic origin, or personal or financial motives related to the proposed action or the parties involved.

13.4.3 Insurance/Indemnification. The Town has an insurance agreement with the Texas Municipal League Intergovernmental Risk Pool, which includes errors and omissions coverage for board and commission members. There shall be a minimum

of one million dollars for the errors and omissions coverage for the Board and commission members. You should notify the Town Attorney promptly of any lawsuit or claim involving your service on a City board or commission, and cooperate with the Town Attorney's office in the defense of the matter.

APPENDIX "A"
TEXAS PUBLIC INFORMATION ACT

A. General Rule

All information collected, assembled or maintained by or for the City is open to the public, and the public is entitled to inspect and obtain a copy of the information.

B. Information Subject to Disclosure

Specific information categories described as public in the statute include:

- Financial information – Budget information, expenditure information (including receipts for all expenses paid by the City)
- Organizational description – Board bylaws, policies and procedures
- Officer names/voting records
- Correspondence of officials (including emails) related to official City business

C. Exceptions to Required Disclosure

Specific information categories excepted from disclosure in the statute include:

- Certain law enforcement/prosecution information
- Trade secrets and proprietary information of private firms provided to the City
- Information involved in litigation/attorney-client privilege
- Highly private matters in private correspondence of elected office holder
- Highly private information in personnel records
- Information relating to negotiations with economic development prospects
- Information on competitive matters

of a public power utility

D. Public Information Act Procedure

The statute contains specific procedural requirements and standards, including the following:

- *Written* request for information triggers the statute's requirements.
- The City must promptly produce information if not accepted from disclosure.
- The City can't ask a person why they want information.
- The City must follow state guidelines for research and copying costs – City Council has set fees by ordinance.
- The City must seek an Attorney General opinion if the City wishes to withhold information from disclosure.
- The City must sue the Attorney General to withhold information if the Attorney General rules the information is public.

E. Enforcement

The statute includes the following enforcement provisions

- The person requesting information or the Attorney General can file suit to require the City to disclose information.
- The following can trigger criminal penalties:
 - Not releasing public information
 - Releasing confidential information

Appendix "B"

Town of Laguna Vista, Texas

OATH OF OFFICE

I, _____, do solemnly swear (or affirm), that
I will faithfully execute the duties of the office of _____
_____ of the Town of Laguna Vista,
Texas, and will to the best of my ability preserve, protect, and defend the Constitution, laws and
ordinances of the United States, of this State, and of this Town, so help me God.

SWORN TO and Subscribed before me by on this __ day of _____, _____.

(Seal)

Signature of Person Administering Oath

Printed Name

Notary Public, State of Texas

Appendix "C"

Town of Laguna Vista, Texas

Statement of Elected/Appointed Officer

(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)

I, _____, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

DATED this __ day of _____, _____.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.

Appendix "D"
TOWN OF LAGUNA VISTA
BOARD AND COMMISSION DISCLOSURE FORM

Name: _____

Address: _____

Board or Commission on which you serve: _____

List the names of business entities (including for-profit, non-profit or government entities) in which you have a substantial interest (See note 1 below) that may be involved in the discussions or decisions of your Board or Commission: [attach an additional sheet if necessary]

1. _____

2. _____

3. _____

4. _____

List tracts of real property in which you have an interest \$2,500 or more in value that may be involved in the discussions or decisions of your Board or Commission (give street address, or location and approximate size): [attach an additional sheet if necessary]

1. _____

2. _____

3. _____

Certification: I certify that I have read this statement, and that the information on it and attached to it is true, complete and correct.

Signature Date

Notes:

1. You have a substantial interest in a business entity if you 1) own 10% or more of its voting stock, 2) own 10% or \$15,000 or more of its market value, or 3) received more than 10% of your gross income for the previous year from the entity.

2. Whether your business or real property interests may be involved in your Board or Commission's discussions or decisions depends mostly on the nature of the routine business that comes before your Board or Commission. Two questions to ask are: a) Does my Board or Commission make recommendations on purchases from businesses such as those in which I have an interest? b) Does my Board or Commission regulate businesses or real property such as those in which I have an interest? If the answer to either question is yes, you must disclose the business/real property interests involved on this form.

3. If an item on an agenda of your Board or Commission may have a special economic effect on a business entity or real property interest of yours, state law requires you to disclose that interest on a form provided by the City, and to abstain from any discussion or vote on the item.

**TOWN OF LAGUNA VISTA
DISCLOSURE AFFIDAVIT-BUSINESS ENTITY**

The undersigned member of the Town of Laguna Vista _____, (name of City Board, Commission, etc.) states under oath as follows:

I have a substantial interest in a business entity that may be involved in a vote or decision of the governmental body described above, and the vote or decision may have a special economic effect on the business entity that is distinguishable from the effect on the public. The name of the business entity is _____.

The nature and extent of my interest in the business entity is as follows: (check all that apply)

_____ Ownership of 10 percent or more of the voting stock or shares of the business entity.

_____ Ownership of 10 percent or more of the fair market value of the business entity.

_____ Ownership of \$15,000 or more of the fair market value of the business entity.

_____ Funds received by me from the business entity exceed 10 percent of my gross income for the previous year.

_____ The interest described above belongs to a person related to me in the first degree by consanguinity (natural kinship) or affinity (marriage). Relative's name and relation:

The vote or decision involving this interest is on the _____ (date) agenda of the governmental body, and is described as follows:

_____.

EXECUTED on _____ (date).

Printed Name

Signature

Date

SWORN TO AND SUBSCRIBED before me this _____ day of _____, _____

Notary Public

Appendix "F"
TOWN OF LAGUNA VISTA

DISCLOSURE AFFIDAVIT-REAL PROPERTY

STATE OF TEXAS

COUNTY OF CAMERON

The undersigned member of the Town of Laguna Vista _____, (name of City Board, Commission, etc.) states under oath as follows:

I have a substantial interest in real property that may be involved in a vote or decision of the governmental body described above, and it is reasonably foreseeable that the vote or decision will have a special economic effect on the value of the property, distinguishable from its effect on the public.

The real property is described as follows (give street address, or location and approximate size):

I acknowledge that my interest in this real property has a fair market value of \$2,500 or more.

The vote or decision involving this interest in real property is on the _____ (date) agenda of the governmental body, and the subject matter of the vote or decision is as follows:

Check if applicable:

_____ The interest described above belongs to a person related to me in the first degree by consanguinity (natural kinship) or affinity (marriage). Relative's name and relation:

Printed Name

Signature

Date

SWORN TO AND SUBSCRIBED before me this ____ day of _____ .

Notary Public