

# CEDAR HILL

## **BOARD & COMMISSION HANDBOOK**

July 2025



(THIS PAGE INTENTIONALLY LEFT BLANK)

# TABLE OF CONTENTS

---

Welcome. .... 4

A Premier City: Cedar Hill Mission, Vision & Values. .... 5

Form of Government .....6

General Information. .... 7

Open Government Training: Public Information & Open Meetings Act. .... 8

Board & Commission Meetings. .... 9

Highest Ethical Standards, Behavior & Integrity. .... 10

    Code of Conduct. .... 10

    Conflicts of Interest. .... 10

    Disclosure of Relationships. .... 11

    Local Policy. .... 12

    Appearance of Conflict. .... 12

    Gifts. .... 13

    Nepotism. .... 13

Boards & Commissions.....14

Appendix..... 17

    Nepotism Chart.....

    Conflicts of Interest Flow Charts.....

    Sample Disclosure Form.....

# WELCOME

---

Congratulations on your appointment to one of our City's boards or commissions!

Boards and commissions are essential to the successful function of City government, and your contributions will help shape the future of Cedar Hill. You will be studying and recommending policy application on a variety of issues vital to the City's future. The basic duty of each board is to advise the city council on the application of Cedar Hill's policies and directives related to individual circumstances and issues placed before the board.

The handbook is designed to assist you in your service. It consolidates the provisions of the City Charter, the Code of Ordinances, and other regulations into one place to assist you as a board member. It will provide a general introduction to topics and processes that directly affect members of boards. Discussion in the handbook applies to all city council-appointed citizen boards and commissions, unless stated otherwise. Keep in mind, not all the provisions contained in this handbook will apply equally to every board. For example, in cases of legal liability, members of certain boards may be more susceptible than members of other boards. The staff liaison assigned to your board will be able to provide you with more information on the specific duties and responsibilities of your board and its members. While no one document could adequately cover all aspects of board service, this handbook has been designed as a basic reference point from which a board member can build their knowledge of his/ her responsibilities to the citizenry of Cedar Hill. The city manager, city attorney, and staff liaisons are available as resources to all boards. Any requests for assistance should be coordinated through the staff liaison assigned to the board on which you serve.

*If any provision contained in this handbook conflicts with any Code or Ordinance of the City, then such Code or Ordinance shall prevail.*

Thank you for your time and commitment to serving your community. Your efforts will make Cedar Hill a better place to live, work, and play!

# A PREMIER CITY

## VISION

We envision Cedar Hill as a premier city that retains its distinctive character; where families and businesses flourish in a safe and clean environment.

## MISSION

The Mission of the City of Cedar Hill is to deliver the highest quality municipal services to our citizens and customers consistent with our community values.

The City Council envisions a premier city that is defined by the following premier statements:

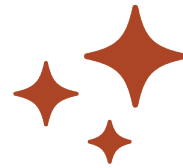
### DISTINCTIVE CHARACTER



### SAFE



### CLEAN



### ENGAGED COMMUNITY



### VIBRANT PARKS, TRAILS & NATURAL BEAUTY



### STRONG & DIVERSE ECONOMY



### EXCELLENT, SAFE & EFFICIENT INFRASTRUCTURE



### TEXAS SCHOOLS OF CHOICE

## WE VALUE

The City Council believes that by communicating values to the community, others will begin reflecting, articulating, promoting, and protecting the distinctive character that will continue Cedar Hill's success far into the future.



PEOPLE & RELATIONSHIPS



STEWARDSHIP



HIGHEST ETHICAL STANDARDS, BEHAVIOR & INTEGRITY



SERVANT LEADERSHIP

# FORM OF GOVERNMENT

---

Cedar Hill is a Home Rule city, governed by a city charter. The Charter defines the form of municipal government, the composition and powers of the city council, and establishes the legal framework necessary for the city to function. The Charter provides for the operation of municipal functions under the council-manager form of government. Under this system, the city council serve as political leaders and policy makers and retain a professionally trained manager to oversee the delivery of public services.

## **CITY COUNCIL**

The city council is made up of a mayor and six council members who are elected at large to serve as the legislative body of the City. In a council-manager form of government, city council members are the leaders and policymakers elected to represent the community and concentrate on policy issues that are responsive to citizens' needs and wishes. As a legislative body, city council members are the community decision-makers. In addition to approving the budget and tax rate, the city council focuses on community goals, major projects, and long-term considerations such as community growth, land-use development, capital improvement plans, capital financing, and strategic planning.

The city council appoints the city manager and municipal court judge. All other employees of the City report to the city manager. The council gives policy directions to the city manager, who in turn is responsible for its administration and implementation.

## **CITY MANAGER**

The city manager is appointed by the city council to serve the community through the professional administration of local government projects and programs. The city manager prepares the annual budget for the city council's consideration; recruits, hires, and supervises the local government staff; and serves as the city council's chief adviser by bringing forth objective information regarding policy matters.

## **CITY SECRETARY**

The city secretary is appointed by the city manager and administers the City's board and commission program. The city secretary is also responsible for administering city elections, preparing and posting City Council meeting notices and minutes, certifying and countersigning city documents, serves as the Custodian of Records, responsible for responding to public information requests, managing the city's auto, property and liability insurance, including claim filings.

## **BOARD LIAISON**

A city staff member is assigned to work with each board or commission to provide information, resources, and technical assistance to board members. Board liaisons are also responsible for the following:

- Preparing and posting meeting notices and minutes, providing, as needed, supporting documentation/information to the board or commission prior to meetings
- Preparing and presenting the board's recommendations to the city council
- Responding to board member requests related to the business of the board
- Ensuring compliance with the Texas Open Meetings Act

# GENERAL INFORMATION

---

## APPOINTMENTS

Each year, the city council appoints members to the city's boards and commissions to advise the city council. Although vacancies may be filled throughout the year, appointments are typically done on an annual basis, following the May election. Upon expiration of their term, incumbent board members must reapply if they wish to continue serving on the board.

## OATH OF OFFICE

All new and reappointed board members are required to take an oath of office prior to the start of their term. Consult with the city secretary to ensure you have completed the necessary forms prior to serving as a board member.

## OPEN GOVERNMENT TRAINING

State law requires all newly appointed or elected officials to complete Open Government Training within 90 days of their appointment or election. The training is available online through the Texas Attorney General's Office and covers both the Open Meetings Act (OMA) and the Public Information Act (PIA). Upon completion of the training, members must submit their certificates of completion (OMA and PIA) to the city secretary's office to maintain on file as part of the city's official records. Click on the following link to access the Attorney General's Open Government webpage: <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/pia-and-oma-training-resources>

## ATTENDANCE

You, as an interested and informed citizen, are essential to effective local government. Because your viewpoint is so valuable to the City Council, they take your appointment, attendance, and involvement on a board very seriously and ask that you do the same. The city council is aware that board members have careers and other responsibilities that demand their time. However, because of the importance of citizen boards, the city council asks that board members make every effort to attend all board meetings or notify their board liaison, in advance, if they are unable to attend a meeting. By city ordinance, board members who miss 25% or more of the meetings held by the board within a 12-month period may be deemed ineligible to serve. A review of each board member's attendance is conducted on an annual basis and the city council may ask to meet with a member concerning their ability to meet the attendance requirements.

## ELECTION OF OFFICERS

Except when otherwise provided by state law, federal law, City Charter, or City ordinances or resolutions, election of officers for council-appointed boards will be as follows:

- The chair (and any other officers, if applicable) will be elected by voting board members
- Election of officers shall be held annually, as soon as practicable after the annual appointment process. If, for any reason, the chair or vice chair vacates their seat, a special election should be held to fill the unexpired term. A temporary chair may be selected by the board pursuant to Roberts Rules of Order.
- The board liaison shall serve as the official secretary to the board or commission to ensure notices are posted and records are maintained.
- The city council shall reserve the right, as it deems necessary, to appoint the chair and vice chair for any special issue or temporary advisory committees. If the city council chooses not to make the appointment for chair and vice chair, then the procedure outlined in this policy will apply.
- The city council may also appoint ex-officio members. Ex-officio members have the right to take part in any discussion or meeting, but do not have the power to vote.

# OPEN GOVERNMENT

---

## **TEXAS OPEN MEETINGS ACT (OMA)**

The Texas Open Meetings Act generally provides that meetings of a governmental body shall be public, although there are a few exceptions whereby a decision-making body may deliberate in a closed meeting. Written notice must be given of dates, times, locations, and subject matters of all meetings. Minutes of each meeting must be taken and a record of votes and decisions kept as public record. There are criminal penalties for holding an unauthorized closed meeting for boards with decision-making authority. It is important that when more than three members are in any given place where City business is being discussed, a notice should be posted as a precautionary measure to avoid the accusation of attempting or conspiring to conduct City business in private. It is also very important that the board limit discussion during meetings to only those items listed on the posted agenda. Conversations or actions on items not posted on the agenda would also be considered a violation of the Act. The Open Meetings Act does not apply to purely social gatherings, conventions, or workshops such as Texas Municipal League events.

## **TEXAS PUBLIC INFORMATION ACT (PIA)**

The Texas Public Information Act generally provides that the public has a right to request access to any information that is produced, assembled, or maintained by or for a governmental body (including information held by an individual officer or employee in the transaction of official business), regardless of the format. Most information held by the City (or a city official or employee) is presumed to be public and must be released pursuant to a written request.



# BOARD & COMMISSION MEETINGS

---

## MEETING AGENDAS

Meeting agendas are made available at least 72 hours prior to the meeting and are posted at the Government Center and online at <https://www.cedarhilltx.com/75/Agendas-Minutes>. Board liaisons will provide meeting agendas to board members in advance of the meeting.

## ROLE OF THE CHAIR

The function of the chair is to provide leadership to the group in the following ways: (1) Maintain order by enforcing the established rules, and (2) Ensure the meeting proceeds smoothly and follows the agenda.

If the group is indecisive, the chairperson should exercise leadership and make suggestions. When debate is concluded, the chairperson should summarize the major points made. In general, the chairperson should maintain order and try to bring the group to a conclusion on matters before it.

## PARLIAMENTARY PROCEDURES

Boards & commissions generally use *Robert's Rules of Order* to conduct meetings. Although the formality of Robert's Rules can seem cumbersome, following parliamentary procedures ensures that no decision is accepted without the opportunity for discussion and a vote.

### Speaking

The chair or presiding officer should recognize the person or persons who wish to speak and only they should be allowed to speak. Other members should hold their comments until they have the floor.

### Public hearings

If the item is a public hearing, the board should hear the public without making comments until questions are allowed by the chair or presiding officer.

### Making a motion

Before discussion of an issue by board members, a motion should be made and seconded. The making of a motion normally occurs following a presentation or description of the issue by a staff member or chairperson. After the motion is made and seconded, debate can be conducted. Example of the proper form of a motion is: "Mr./Madam Chairperson, I move the following..."

### Amending a motion

Any motion may be amended as follows: "Mr./Madam Chairperson, I move that we amend the motion by adding, deleting, etc. the following..." The amendment must be seconded before discussion can ensue. When discussion ends, the amendment is voted on first. If the amendment passes; the original motion is then put to vote as amended. If the amendment fails, the original motion is put to a vote.

### Table a Motion

This motion is used to lay something aside temporarily to take care of a more urgent matter. It should not be used to prevent debate or to kill a question. To table an item requires a motion and a second. A vote is immediately taken without discussion. Once it has been decided to table an item, such item cannot be brought up again until the board votes to do so by a motion to "Take from the Table", which must receive an affirmative vote. Once removed from the table, the item can be discussed and voted upon.

# HIGHEST ETHICAL STANDARDS, BEHAVIOR & INTEGRITY

As a board or commission member, you play an important role in preserving the public trust in local government and ensuring transparent, fair, and ethical city operations. Several provisions of state law and local policy govern ethics and conflicts of interest for local government officials in order to help fulfill this critical responsibility. Although the penal provisions of these laws may not be applicable to all boards or commissions, by policy, all City of Cedar Hill board or commission members should adhere to the following guidelines.

## CODE OF CONDUCT

The proper operation of democratic government requires that:

1. Public officials are impartial and loyal to the citizens of Cedar Hill in performance of the duties of their office or appointed position.
2. Governmental decisions and policy be made using the proper procedures of the governmental structure.
3. No official permits any interest to incur any obligation that conflicts with the proper discharge of his or her duties in the public interest;
4. Public offices are not used for personal gain; and
5. The city council at all times be maintained as a nonpartisan body.

The city council has adopted a code of conduct to serve as a guide for all city officials, elected or appointed, found in Chapter 2, Article IX of the code of ordinances.

## CONFLICTS OF INTEREST

Anticipating that the potential for conflicts of interest may arise within local governments, and while acknowledging the practical impossibility of prohibiting all such conflicts, the Texas Legislature enacted a statute that requires the public disclosure of conflicts. The purpose of Chapter 171 of the Local Government Code is to prevent public officials from using their positions for personal gain. The law requires a public official to file an affidavit with the city secretary's office prior to the meeting and abstain from voting on a matter when the private financial interests of the official, or the interests of close relatives, would be affected by the official's involvement and vote on the matter. When an item comes before the board for consideration, members should take the following steps to determine whether or not they have a conflict of interest:

- (1) Examine the pending matter and determine whether you or a relative has a "substantial interest" in a business entity or real property that would be beneficially affected by an official decision of your council, board or commission.

You have a "substantial interest" in a business entity if:

- (a) you or a relative owns 10 percent or more of the voting stock or shares of the business entity or owns either 10 percent or more or \$15,000 or more of the fair market value of the business entity; or
- (b) funds received by you or your relative from the business entity exceed 10 percent of your or your relative's gross income for the previous year.

You have a substantial interest in real property if you or your relative has an equitable or legal ownership interest in the property of \$2,500 or more.

A “relative” means a person related to you in the first degree of consanguinity (by blood) or affinity (marriage). To make this easy for you, please refer to the “Nepotism Chart” included in the appendix.

- (2) If your answer to (1) above is “yes,” you must file an affidavit disclosing the nature of the interest in the matter and/or the nature of the substantial interest of your relative in such matter, if:
  - (a) in the case of a substantial interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
  - (b) in the case of a substantial interest in real property, it is *reasonably foreseeable* that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

The affidavit must be filed with the city secretary’s office prior to the meeting, and you must abstain from participating in any discussion of the matter and abstain from voting on the matter. A sample form of such an affidavit is included in the appendix section of this handbook.

## **DISCLOSURE OF RELATIONSHIPS**

Chapter 176 of the Local Government Code requires members to file a “Conflicts Disclosure Statement” with the City Secretary within seven days of your becoming aware of either of the following situations:

- (1) You or a relative within the first degree by consanguinity or affinity has an employment or business relationship that results in taxable income of more than \$2,500 in the preceding 12 months from a vendor who either:
  - (i) conducts business with the City;
  - (ii) is being considered as a vendor for the City; or
- (2) You or a relative within the first degree by consanguinity or affinity receives and accepts one or more gifts with an aggregate value of \$100 in the preceding 12 months from a vendor who either:
  - (i) conducts business with the City;
  - (ii) is being considered as a vendor for the City; or
- (3) If the vendor or potential vendor is related to you within third degree by consanguinity or within the second degree by affinity.

A sample of the Chapter 176 Conflicts Disclosure Statement is included in the appendix section of this handbook.

## LOCAL POLICY

In addition to the foregoing state law requirements, the Cedar Hill Code of Ordinances contains additional ethics policies for elected and appointed officials. Of particular importance is Section 2-205. That section provides as follows:

*In any zoning matter which may come before the city council, any city council member who owns a financial interest in any property within two hundred (200) feet of the zoning request shall disclose the existence of the interest to the other city council members and thereafter abstain from voting on the matter.*

Be advised that a “financial interest” under Section 2-205 is broader than the definition of a “substantial interest” under Chapter 171. A “financial interest” under Section 2-205 means any financial interest whatever kind, nature, or amount.

Section 2-205 applies to a financial interest in real property or a business. A “zoning matter” means a zoning change, variance, special exception, or conditional use permit. A “zoning matter” does not include land use matters that are essentially administrative in nature such as plat approvals and site plans. Nor does “zoning matter” include the consideration of studies, surveys, planning or similar matters that are not legislative in nature and/or that are for the benefit of the City as a whole and not specifically unique to real property located within two hundred (200) feet of property in which you own a financial interest (e.g. comprehensive plan/master plan).

There is no form to file if you have a financial interest under Section 2-205. However, prior to the day of the meeting to consider or vote on the matter, inform city staff that you have a financial interest under Section 2-205 and abstain from participating in any discussion of the matter and abstain from voting on the matter.

**Be advised that just because you do not have a financial interest in property within 200 feet of a zoning matter does not mean that you do not have a conflict of interest under state law. It is possible that you could still have a conflict under Chapter 171 whether you own property within 200 feet of a zoning matter. When in doubt or if you have a question, do not hesitate to contact the city manager, city secretary or the city attorney.**

## APPEARANCE OF CONFLICT

There are times you may have a perceived conflict of interest even though it is not a conflict that is prohibited by law. In those cases, you should make a judgment call as to whether you should abstain from the matter.

If you think the perceived conflict affects your ability of independent judgment, or there is a strong appearance that you lack the ability to divorce yourself from the perceived conflict in making a decision, you should carefully consider whether abstention is appropriate. Often, these are difficult judgment calls for which there are no absolute right answers. In making your decision, you should weigh the harm of participating against your general duty to serve on the city council. You have a duty to participate and vote on all matters that come before the council, unless you have a conflict or you lack information to decide the issue.

## **GIFTS**

Public officials and employees are generally prohibited from accepting gifts from any person subject to their jurisdiction, whether the gift is related to a specific official action.

Certain exceptions may apply, such as: (1) an item with a value of less than \$50 (excluding cash or a negotiable instrument, such as a check or gift card); (2) a gift given by a person with whom the official or employee has a familial, personal, business, or professional relationship, independent of the official or employee's status or work; (3) any benefit that the official or employee is entitled to receive by law or for which the person has performed a duty independent of the person's status as a public service (for example, a jury duty fee); or (4) any political contributions as defined by the Texas Election Code.

In addition, a public employee or official may in certain circumstances accept as a guest an unsolicited gift or benefit of food, lodging, transportation, or entertainment, so long as the gift is not related to a specific official action. The penalty for violating the acceptance of gifts prohibition is, with some exceptions, a class A misdemeanor, punishable by a fine of up to \$4,000 and/or jail time of up to one year.

## **NEPOTISM**

"Nepotism" is the award of employment or appointment on the basis of kinship. The practice is contrary to sound public policy, which is why prohibitions against nepotism are common in all states, including Texas. The Texas nepotism statute, Chapter 573 of the Government Code, forbids the City Council from hiring any person who is related to a Council Member within the second degree by affinity or within the third degree by consanguinity.

Since "affinity" and "consanguinity" are the controlling factors in determining nepotism, both terms need to be clearly understood. *Affinity* is kinship by marriage, as between a husband and wife, or between husband and blood relatives of the wife (or vice versa). *Consanguinity* is kinship by blood, as between a mother and child or brother and sister.

## BOARDS & COMMISSIONS

Each year, the city council makes appointments to the city's boards and commissions. Boards and commissions are made up of volunteer citizens who study issues and advise the city council on policy matters important to Cedar Hill. Some boards are judicial or quasi-judicial in nature and have the power to make decisions on the application of regulations within their jurisdiction. Applications for board and commission appointments are publicized by the City Secretary and citizens who apply are interviewed by the city council. The city council makes appointments to boards as a body annually, typically after the May general election.



## **JUDICIAL OR QUASI-JUDICIAL BOARDS**

Boards that use decision-making powers apply particular regulations to specific facts to make judgments or decisions on matters within their jurisdiction. The following boards and commissions are judicial or quasi-judicial boards and administer specific ordinances or regulations.

### **Building Appeals & Advisory Board**

The Building Appeals and Advisory Board is comprised of nine members and has jurisdiction over appeals regarding building, mechanical, plumbing, and electrical codes. The Building Appeals and Advisory Board also act as the Sign Appeals Board, hearing sign variances and making recommendations to the city council.

### **Planning & Zoning Commission**

The Planning and Zoning Commission is comprised of seven members. The Commission renders recommendations to the city council on land use and land development matters such as platting, site plans and zoning amendments.

### **Zoning Board of Adjustments**

The Zoning Board of Adjustments is comprised of five members and is a quasi-judicial board with authority to grant variance requests, administer appeals and special exceptions to the zoning code.

## **DEVELOPMENT CORPORATION BOARDS**

### **Community Development Corporation**

The Community Development Corporation is comprised of seven members and administers the 1/2-cent community development sales tax. The Board also sets the policies and programs for use of the funds.

### **Economic Development Corporation Board**

The Economic Development Corporation is comprised of five voting members and five ex-officio members. The Board administers the 3/8-cent economic development sales tax, sets economic development policies and administers certain incentive programs.

## **ADVISORY BOARDS**

Advisory boards advise or make recommendations to a person or the city council and have no final decision-making authority. The following bodies serve in an advisory function:

### **Beautification, Environment, and Sustainability Board**

The BES Board serves in an advisory role to the city council, making recommendations on new and future initiatives to incorporate into the City's Sustainability Action Plan. The BES Board is comprised of ten voting members. The BES Board is responsible for developing comprehensive strategies to enhance the natural beauty of Cedar Hill and ongoing comprehensive clean up.

### **Capital Impact Fee Advisory Committee**

The Capital Impact Fee Advisory Committee is comprised of no less than five members appointed by the city council. At least 40% of members must be representative of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. The Committee advises and assists the City in adopting and updating land use assumptions, capital improvement plans, and impact fees.



### **Destination Advisory Board**

The Destination Advisory Board is an 11-member advisory board established in January 2025 to provide strategic guidance to the City Council and staff on Implementing the Tourism Strategic Plan, focusing on downtown revitalization, tourism services, and enhancing visitor experiences. Members shall be appointed for staggered two-year terms to maintain continuity of the Board. The initial board, five members shall be appointed for a term of 1 year and six members shall be appointed for a term of 2 years. This board meets monthly.

### **Neighborhood Advisory Board**

The Neighborhood Advisory Board is a nine member board that serves in an advisory role to the city council on matters related to neighborhoods and community affairs. The Board also assists Neighborhood Services in the creation, development and implementation of programs designed to encourage, support and strengthen neighborhoods. The Board provides communication between neighborhoods and the City and advocates for issues that impact the community at large.

### **Parks & Recreation Board**

The Parks and Recreation Board is comprised of nine members and advises the city council and Parks and Recreation staff on matters related to parks, trails and park facilities.

### **Tri-City Animal Shelter Advisory Committee**

The Tri-City Animal Shelter Advisory Committee is comprised of nine members and serves in an advisory role to the City Councils of Cedar Hill, DeSoto and Duncanville, on matters related to the Tri-City Animal Shelter. Members are appointed to three year terms, with each City having one appointment. The committee must include at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter and one representative from an animal welfare organization.

### **Traphene Hickman Library Board**

The Library Board is comprised of nine voting members and serves in an advisory role to the City Council regarding the present and future needs of the library and its policies.

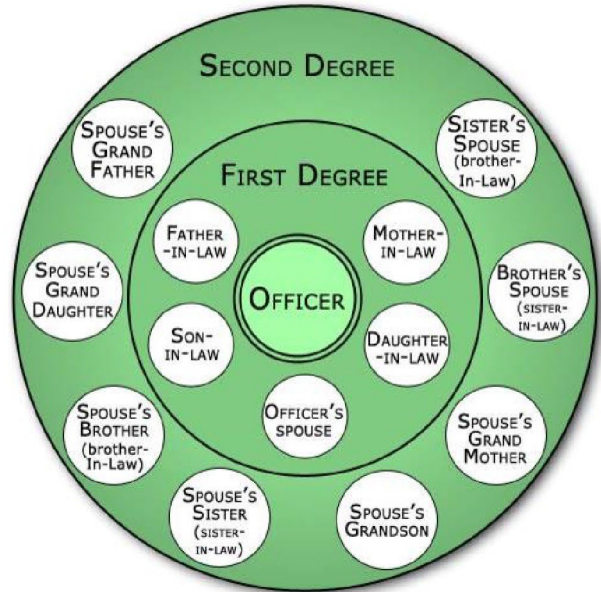


## **APPENDIX**

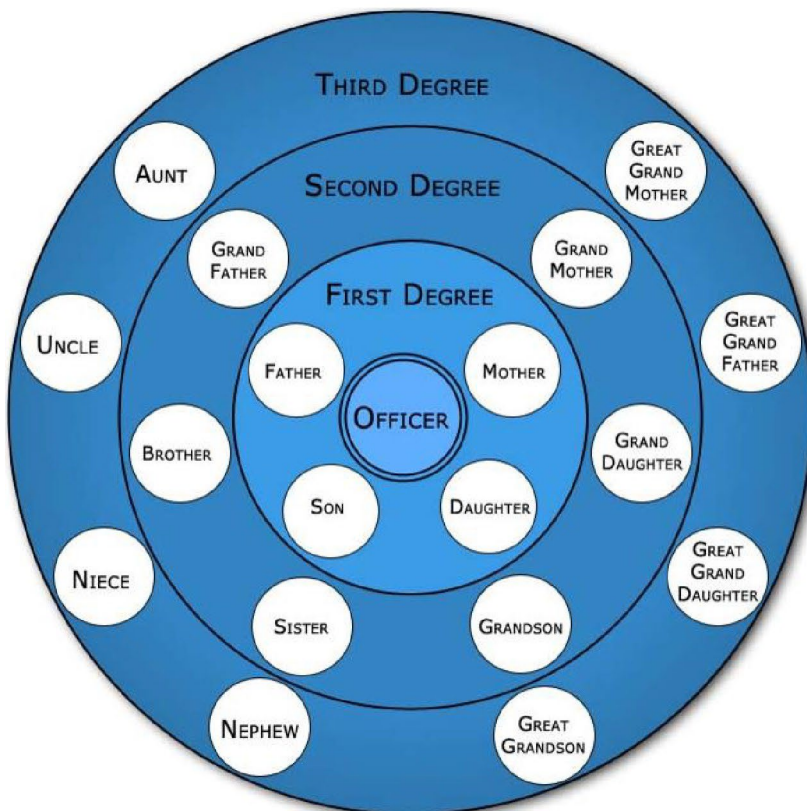
## NEPOTISM CHART

The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025

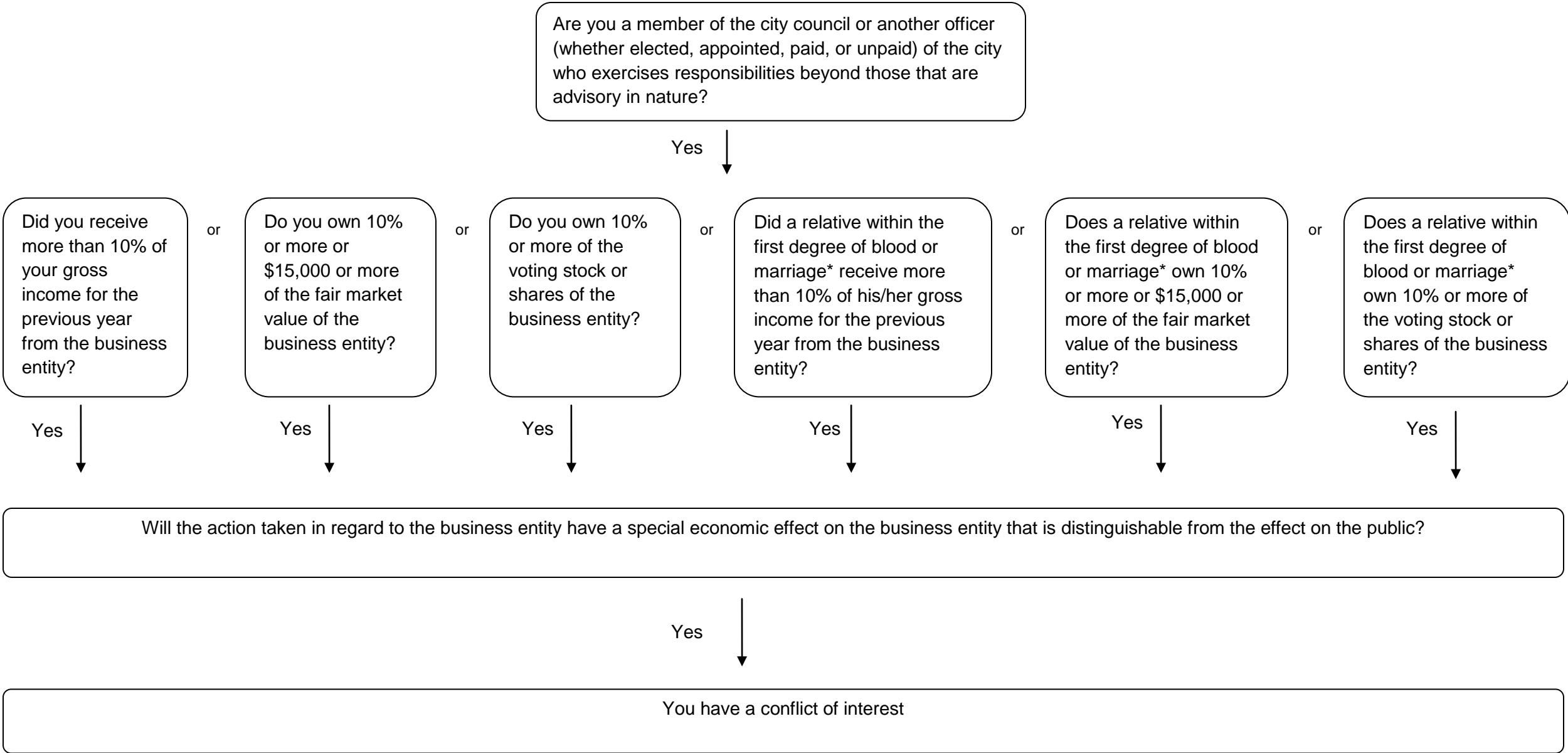


**AFFINITY KINSHIP**  
Relationship by Marriage



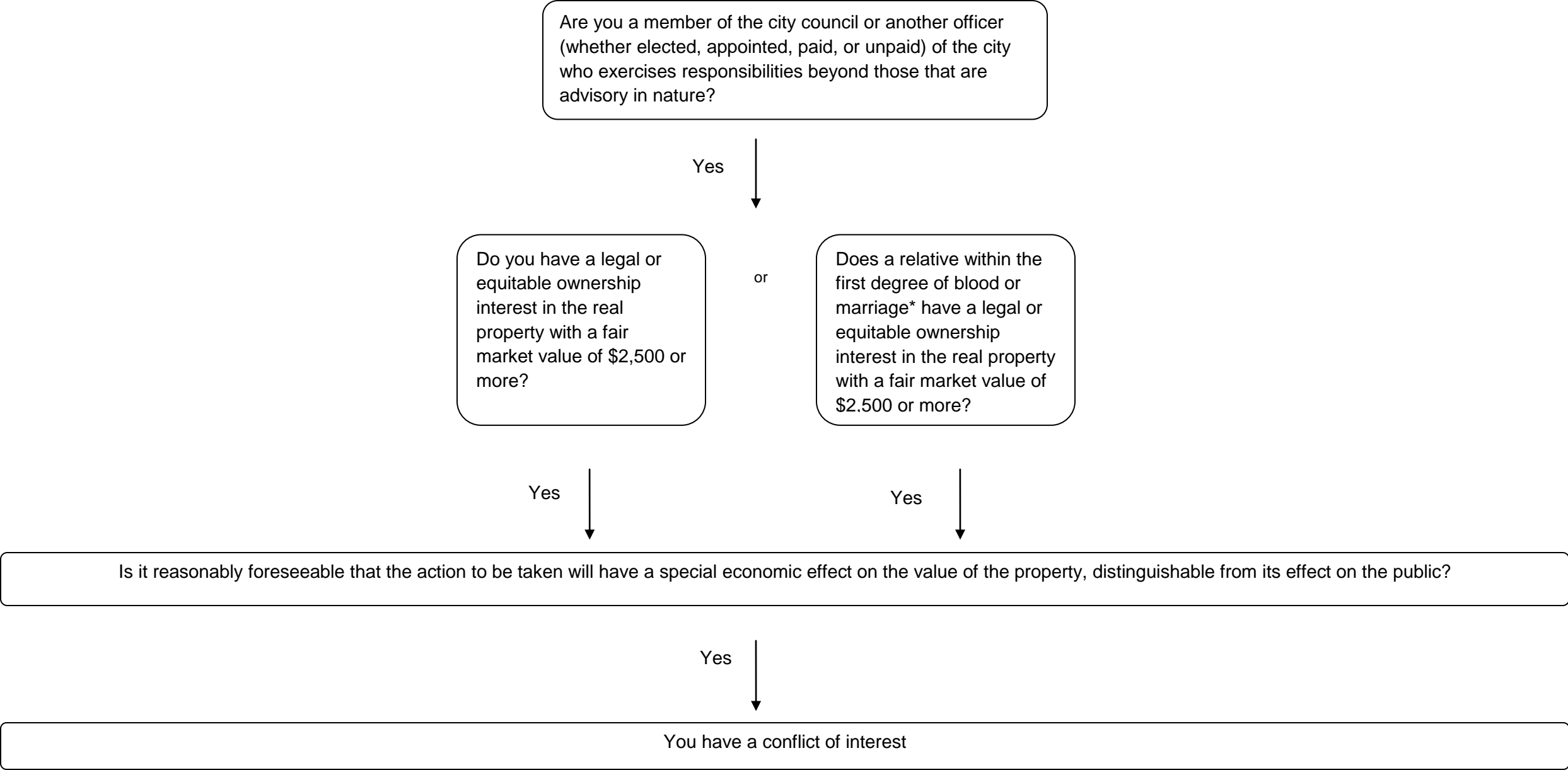
**CONSANGUINITY KINSHIP**  
Relationship by Blood

**A BUSINESS ENTITY HAS AN ISSUE BEFORE THE CITY: DO YOU HAVE A CONFLICT OF INTEREST UNDER LGC CHAPTER 171?**



\*This includes your parent, child, spouse, step-child, father or mother-in-law, or son or daughter-in-law. The ending of a marriage by divorce or the death of a spouse ends relationships by affinity created by that marriage unless a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives.

AN ISSUE REGARDING A PIECE OF REAL PROPERTY IS BEFORE THE CITY: DO YOU HAVE A CONFLICT OF INTEREST UNDER LGC CHAPTER 171?



\*This includes your parent, child, spouse, step-child, father or mother-in-law, or son or daughter-in-law. The ending of a marriage by divorce or the death of a spouse ends relationships by affinity created by that marriage unless a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives.

SAMPLE AFFIDAVIT

THE STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

I, \_\_\_\_\_ (*printed name of affiant*), a local public official, make this affidavit and hereby on oath state the following:

I have a substantial interest in a business entity or real property that may receive a special economic effect that is distinguishable from the effect on the public by an action contemplated by the City of \_\_\_\_\_

The business entity or real property in which I have a substantial interest is: *[name and address of business and/or description of property]* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I or a person that is related to me within the first degree of consanguinity (blood) or affinity (marriage) as defined by state law has a substantial interest in this business entity or real property for the following reasons *[circle all that apply]*:

- (1) own 10% or more of the voting stock or shares of the business entity;
- (2) own 10% or more of the fair market value of the business entity;
- (3) own \$15,000 or more of the fair market value of the business entity;
- (4) receive from the business entity funds that exceed 10% of \_\_\_\_\_ *[my, his, her]* gross income for the previous year;
- (5) have/has an equitable or legal ownership of real property with a fair market value of \$2,500 or more.

Upon filing of this affidavit with the official record keeper of the city, I affirm that I shall abstain from voting or further participating in any matter involving the business entity or real property, unless allowed bylaw.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Affiant

**BEFORE ME**, the undersigned authority, this day personally appeared \_\_\_\_\_  
\_\_\_\_\_ *[name of affiant]* and by oath stated that the facts herein stated are true and correct.

**SWORN TO AND SUBSCRIBED BEFORE ME** before me on this \_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_\_-

\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

# LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

## FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

### OFFICE USE ONLY

Date Received

1 Name of Local Government Officer

2 Office Held

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

(attach additional forms as necessary)

6 SIGNATURE

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

\_\_\_\_\_  
Signature of Local Government Officer

### Please complete either option below:

#### (1) Affidavit

NOTARY STAMP / SEAL

Sworn to and subscribed before me by \_\_\_\_\_ this the \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

#### (2) Unsworn Declaration

My name is \_\_\_\_\_, and my date of birth is \_\_\_\_\_.

My address is \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

(street)

(city)

(state)

(zip code)

(country)

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(month)

(year)

\_\_\_\_\_  
Signature of Local Government Officer (Declarant)

## LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

### INSTRUCTIONS FOR COMPLETING THIS FORM

*The following numbers correspond to the numbered boxes on the other side.*

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an employment or other business relationship with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Signature.** Signature of local government officer. Complete this section after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says "Signature of Local Government Officer" (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say "Signature of Local Government Officer (Declarant)" (an electronic signature is not acceptable), and fill out the unsworn declaration section.

---

**Local Government Code § 176.001(2-a):** "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

**Local Government Code § 176.003(a)(2)(A):**

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

\*\*\*

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

# Notes



# Notes