



# Candidate Pre-Filing Packet

## Filing for Candidacy – 2020

January 15<sup>th</sup> thru February 14<sup>th</sup>

- 1) Letter from City Secretary
- 2) Application
- 3) Email Release Authorization
- 4) Fair Campaign Practices
- 5) Appointment of Treasurer
- 6) Copy of current Voter Registration Certificate
- 7) Agency References
- 8) City's webpage Information
- 9) Article III – Officers, Elections and City Council

## Campaign Reporting

April 2<sup>nd</sup> and April 24<sup>th</sup>

Campaign Finance Report (Form C/OH + Applicable Schedules)

(Note: This is due only if not filing modified reporting  
on back of Treasurer Appointment form)

## Election Day

May 2<sup>nd</sup>



Branded 1867  
re-established daily.

GENERAL ELECTION – MAY 2, 2020  
Offices on Ballot:  
Mayor & Councilmembers – SMD 1 & 4

**Mayor**  
Scott Cain

September 1, 2019

**Mayor Pro-Tem**  
John Warren

**Councilmembers**  
Dr. Robert O. Kelly  
Chris Boedeker  
Mike Mann

**City Manager**  
Steve Polasek

Dear Candidate for the City of Cleburne

On behalf of the City of Cleburne, I thank you for your interest in running for public office. Your candidacy entails the obligation to comply with certain applicable state statutes and local ordinances. In an effort to assist you, I have prepared this "Candidate's Packet" with the necessary information, including forms and pertinent instructions.

The Application for a place on the City of Cleburne General Election Ballot must be filed in my office no earlier than 8:00 a.m., Wednesday, January 15, 2020, and no later than 5:00 p.m., Friday, February 14, 2020. There is no filing fee. Each application must be carefully reviewed to determine eligibility and whether or not it complies with the Election Code requirements as to content. Please file your application as soon as practicable to allow sufficient time for this review.

When filing for a City Council position, the following documents are needed:

- 1) Application for Place on the Ballot
- 2) Code of Fair Campaign Practices (Form CFCP)
- 3) Appointment of Campaign Treasurer by a Candidate (Form CTA)
- 4) Email Release Authorization
- 5) Copy of current Voter Registration Card, optional

The enclosed material contains critical information you will need to run for office. I cannot over-emphasize the importance of adhering to the financial reporting procedures. Campaign reports are considered open records and will be viewed as such by reporters and opponents alike. Check the Texas Ethics Commission website (or the thumb-drive provided at filing) for the necessary forms and guidelines.

Election law, and especially campaign finance law, is complex; therefore, a candidate might consider retaining legal counsel. The Office of the City Secretary and the City Attorney's Office cannot advise you or groups who support or oppose candidates on matters of election or campaign finance law. The City Attorney provides legal services to the City as a municipal corporation and the City must maintain neutrality in the electoral process. The duty of the Office of the City Secretary is limited to accepting and filing the various applications, affidavits, and statements. Staff will note the date and time of filing on the forms. The Office of the City Secretary cannot judge or comment upon the timeliness or sufficiency of reports filed. Any questions on reporting procedures, contributions, or expenditures should be addressed to the Texas Ethics Commission. You may direct questions about election laws to the Secretary of State.

If our office can be of assistance or if you have any concerns, please let us know. I may be contacted at 817.645.0908, via e-mail at [citysecretary@cleburne.net](mailto:citysecretary@cleburne.net), or come by my office. Good Luck!

Sincerely,

*Ivy Peterson*

Ivy Peterson  
City Secretary, Elections Administrator

10 N Robinson St • PO Box 677 • Cleburne, Texas 76033  
817-645-0900 • [www.cleburne.net](http://www.cleburne.net) • ADA/EOE/ADEA • TDD 800-735-2989

ALL INFORMATION IS **REQUIRED** TO BE PROVIDED UNLESS INDICATED OPTIONAL

<b>APPLICATION FOR A PLACE ON THE _____ GENERAL ELECTION BALLOT</b>					
TO: City Secretary/Secretary of Board					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
<b>OFFICE SOUGHT</b> (Include any place number or other distinguishing number, if any.)				<b>INDICATE TERM</b> <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
<b>FULL NAME</b> (First, Middle, Last)			<b>PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT</b> <sup>1</sup>		
<b>PERMANENT RESIDENCE ADDRESS</b> (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe the address at which you receive personal mail and location of residence.)			<b>PUBLIC MAILING ADDRESS</b> (Campaign mailing address, if available.)		
<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
<b>PUBLIC EMAIL ADDRESS</b> (If available)		<b>OCCUPATION</b> (Do not leave blank)		<b>DATE OF BIRTH</b> / /	<b>VOTER REGISTRATION VUID NUMBER</b> (Optional) <sup>2</sup>
<b>TELEPHONE CONTACT INFORMATION</b> (Optional) Home:  Work:  Cell:		<b>LENGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN</b>			
		<b>IN STATE</b> ____ year (s) ____ month(s)		<b>IN TERRITORY FROM WHICH THE OFFICE SOUGHT IS ELECTED</b> <sup>3</sup> ____ year (s) ____ month(s)	
If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.					
Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says:  "I, (name) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.  I further swear that the foregoing statements included in my application are in all things true and correct."					
<b>X</b> _____ SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me at _____, this the ____ day of _____, _____.					
<b>SEAL</b>					
Signature of Officer Administering Oath <sup>4</sup>			Title of Officer Administering Oath		
TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD:					
(See Section 1.007)		Date Received _____		Signature of Secretary _____	
<b>Voter Registration Status Verified</b> <input type="checkbox"/>					

## INSTRUCTIONS

An application to have the name of a candidate placed on the ballot for any general election may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void. All fields **must** be completed unless specifically marked optional.

The general election filing deadline is 5:00 p.m. 78 days prior to election day for any uniform election date.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

## NEPOTISM LAW

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

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

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

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

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

These include relatives by blood, half-blood, and legal adoption. Examples of relatives within the second degree of affinity are as follows:

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

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

## FOOTNOTES

<sup>1</sup>For rules concerning the form of a candidate's name or nickname on the ballot, see Subchapter B, Chapter 52 of the Texas Election Code.

<sup>2</sup>Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

<sup>3</sup>This refers to the length of residence inside the district or territory from which the office is elected. For example, length of residence in a school district, for a school trustee office elected at large. This field **MUST BE COMPLETED**.

<sup>4</sup>All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas.



## Candidate Authorization Form to Release E-Mail Address

Candidate for the May 2, 2020 City of Cleburne General Election:

Candidate Name: \_\_\_\_\_

- On the “Application for a Place on the City of Cleburne General Election Ballot” form, there is a box to list the candidate’s e-mail address.
- Listing the e-mail address is indicated as an optional item to fill out.
- The application is subject to open records under the Public Information Act; however, personal e-mails are considered confidential.

By signing this acknowledgment form, the candidate is indicating their approval to release their e-mail address should they include it on the application form.

Acknowledged and Approved to release:

\_\_\_\_\_  
Signature of Candidate

Date: \_\_\_\_\_

**OR**

I DO NOT WISH TO RELEASE MY PERSONAL EMAIL ADDRESS

# CODE OF FAIR CAMPAIGN PRACTICES

## FORM CFCP COVER SHEET

Pursuant to chapter 258 of the Election Code, every candidate and political committee is encouraged to subscribe to the Code of Fair Campaign Practices. The Code may be filed with the proper filing authority upon submission of a campaign treasurer appointment form. Candidates or political committees that already have a current campaign treasurer appointment on file as of September 1, 1997, may subscribe to the code at any time.

*Subscription to the Code of Fair Campaign Practices is voluntary.*

OFFICE USE ONLY
Date Received
Date Hand-delivered or Postmarked
Date Processed
Date Imaged

<b>1 ACCOUNT NUMBER</b> (Ethics Commission Filers)	<b>2 TYPE OF FILER</b> CANDIDATE <input type="checkbox"/> POLITICAL COMMITTEE <input type="checkbox"/> <i>If filing as a candidate, complete boxes 3 - 6, then read and sign page 2.</i> <i>If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.</i>				
<b>3 NAME OF CANDIDATE</b> (PLEASE TYPE OR PRINT)	TITLE (Dr., Mr., Ms., etc.) ..... NICKNAME	FIRST ..... LAST	MI ..... SUFFIX (SR., JR., III, etc.)		
<b>4 TELEPHONE NUMBER OF CANDIDATE</b> (PLEASE TYPE OR PRINT)	AREA CODE (    )	PHONE NUMBER	EXTENSION		
<b>5 ADDRESS OF CANDIDATE</b> (PLEASE TYPE OR PRINT)	STREET / PO BOX;	APT / SUITE #;	CITY;	STATE;	ZIP CODE
<b>6 OFFICE SOUGHT BY CANDIDATE</b> (PLEASE TYPE OR PRINT)					
<b>7 NAME OF COMMITTEE</b> (PLEASE TYPE OR PRINT)					
<b>8 NAME OF CAMPAIGN TREASURER</b> (PLEASE TYPE OR PRINT)	TITLE (Dr., Mr., Ms., etc.) ..... NICKNAME	FIRST ..... LAST	MI ..... SUFFIX (SR., JR., III, etc.)		

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# CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

**THEREFORE:**

- (1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent’s record and stated positions on issues.
- (2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate’s personal or family life.
- (3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.
- (4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.
- (5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.
- (6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.
- (7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA  
PG 2

11 CANDIDATE  
NAME

12 MODIFIED  
REPORTING  
DECLARATION

## COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

•• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. ••

•• The modified reporting option is valid for one election cycle only. ••  
(An election cycle includes a primary election, a general election, and any related runoffs.)

•• Candidates for the office of state chair of a political party may NOT choose modified reporting. ••

I do not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

\_\_\_\_\_  
Year of election(s) or election cycle to  
which declaration applies

\_\_\_\_\_  
Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at [treasappoint@ethics.state.tx.us](mailto:treasappoint@ethics.state.tx.us)  
or mail to  
Texas Ethics Commission  
P.O. Box 12070  
Austin, TX 78711-2070

**Non-TEC Filers must file this form with the local filing authority  
DO NOT SEND TO TEC**

For more information about where to file go to:  
<http://204.65.203.6/filinginfo/QuickFileARreport.php>

Please provide copy of your current voter registration certificate.

Electrons Administrator  
1205 190-8581  
113 W. Beckmeier Ave.  
San Angelo, TX 76903

Secretary of State's Office  
Elections Division  
1-800-252-VOTE (8683)

Notice Number

RETURN SERVICE REQUESTED

**VOTER REGISTRATION CERTIFICATE**  
Certificate de Registro de Electores  
TOM GREEN COUNTY (Continued)

WID (M/F)	Gender (Male)	Valid From (Date)	ST REP	COMM (Prec. Dist.)	JP (Prec. Dist.)
1111111111	M	01/01/2008	72	CC2	JP2
Year of Birth (Year or Approximate)	Pres. No. (Pres/Indep)	Exp. Date	Certificate #		
1956	220	12/31/2009	222222		

Name and Mailing Address (Number y direccion residencial permanente)

BUGS BUNNY  
111 BUNNY TRAIL  
SAN ANGELO TX 76904

VOTER MUST PERSONALLY SIGN REGISTRATION CERTIFICATE UPON DELIVERY. IF APPLICABLE, SIGNATURE MUST BE MADE IN PRESENCE OF AN ELECTION OFFICIAL.

Name and Mailing Address (Número y dirección de contacto)

VOID  
BUGS BUNNY  
111 BUNNY TRAIL  
SAN ANGELO TX 76904

## AGENCY REFERENCES

**Cleburne City Secretary**, P.O. Box 677 / 10 N. Robinson St., Cleburne, TX 76033

Phone: 817-645-0908  
Fax: 817-556-8848  
Website: <http://www.cleburne.net>  
Email: [citysecretary@cleburne.net](mailto:citysecretary@cleburne.net)

**CISD Election Administrator**, Cynthia Ramos, 505 N. Ridgeway Dr., Suite 100, Cleburne, TX 76033

Phone: 817-202-1112  
Fax: 817-202-1160  
Website: <http://www.cleburne.k12.tx.us>  
Email: [Cynthia.Ramos@cleburne.k12.tx.us](mailto:Cynthia.Ramos@cleburne.k12.tx.us)

**Secretary of State**, P.O. Box 12060, Austin, TX 78711

Phone: 512-463-5650 or 800-252-8683  
Fax: 512-475-2811  
Website: <http://www.sos.state.tx.us>  
Email: [elections@sos.state.tx.us](mailto:elections@sos.state.tx.us)

**Texas Ethics Commission**: P.O. Box 12070, Austin, TX 78711

Phone: 512-463-5800  
Fax: 512-463-5777  
Website: <http://www.ethics.state.tx.us>

# Elections

The City Secretary's Office is responsible for conducting municipal elections as prescribed by the Election Code of the State of Texas. [Cleburne City Council Members](#) are elected by their representing Single-Member Districts and the Mayor is elected at-large.

## Upcoming City Elections

May 2, 2020 - Elect Mayor & Council Members to SMD 1 and SMD 4 (*Filing period: Jan 15 - Feb 14, 2020*)

May 1, 2021 - Elect Council Members to SMD 2 and SMD 3 (*Filing period: Jan 13 - Feb 12, 2021*)

*\*Other elections may be called as needed in accordance with the Texas Election Code.*

## **MAY 2, 2020 CITY OF CLEBURNE & CLEBURNE ISD GENERAL ELECTION**

### Notices / Links:

Notice of Deadline to File Applications: City/CISD

Notice of Drawing for Place on Ballot: City/CISD

Order of Elections: City/CISD

Notice of Voting Order Priority

Notice of Election

Notice of Convening Early Voting Ballot Board

### **POSITIONS ON THE BALLOT**

Mayor

Councilmember, Single Member District 1

Councilmember, Single Member District 4

School Board Trustee, Place 1

School Board Trustee, Place 2

**EARLY VOTING: APRIL 20 - 24 (8am – 5pm)**

**EARLY VOTING Extended Hours: APRIL 27 - APRIL 28 (7am - 7pm)**

All Districts/Precincts may vote early at the following locations:

Main Location: Cleburne City Hall, 10 N Robinson St

Branch Location: Cleburne Conference Center, 1501 W Henderson St

**ELECTION DAY: SATURDAY, MAY 2, 2020 (7am – 7pm)**

See Voting Territory Maps for precinct locations

## Contact Us

### Ivy Peterson

City Secretary,  
Records Manager,  
Elections

Administrator

Email

10 N Robinson St  
PO Box 677  
Cleburne, TX  
76033

Ph: 817-645-0908

Fx: 817-556-8848

Staff Directory

City District 1 - Precincts 6, 18

Cleburne ISD  
Administration, 505 N  
Ridgeway Dr, Suite 100

City District 2 - Precincts 16, 19, 23

Gerard Elementary  
School, 1212 S Hyde  
Park Blvd, Cafeteria

City District 3 - Precincts 14, 15, 17, 30, 33

Cooke Elementary  
School, 902 Phillips St,  
Cafeteria

City District 4 - Precincts 9, 20, 21, 22, 24, 27, 28, 36

Booker T Washington  
Community & Rec  
Center, 100 Mansfield  
Rd, Banquet Room

**VOTING BY MAIL**

To request an application to vote by mail contact:

Cleburne City Secretary @ 817-645-0908 OR email [citysecretary@cleburne.net](mailto:citysecretary@cleburne.net)

Submit Applications for a Mail Ballot to Ivy Peterson, Early Voting Clerk  
via email: [citysecretary@cleburne.net](mailto:citysecretary@cleburne.net) / via fax: 817-556-8848  
or the addresses below

**Applications submitted in person:**

January 1 - April 17  
10 N Robinson St  
Cleburne, TX 76031

**Applications**

**submitted by mail:**

January 1 - April 20  
P.O. Box 677  
Cleburne, TX 76033

**DEADLINE TO REGISTER TO VOTE:**

THURSDAY, APRIL 2, 2020

Johnson County Elections Administration, 103 South Walnut Street  
817-556-6197 or [www.johnsoncountyelections.com](http://www.johnsoncountyelections.com)

(If registering through the DMV, call voter registrar to guarantee they received your information)

For more information about the May 2, 2020 election, please call City Secretary's Office at 817-645-0908 or contact by email [citysecretary@cleburne.net](mailto:citysecretary@cleburne.net).

**Helpful Links**

**Quick Links**

**FAQs**

[Submit a Proclamation Request](#)

[Apply For Water Services](#)

[How do I rent a room at the Recreation Center?](#)



**City of Cleburne**  
**City Charter**  
***Article III – Officers, Elections and City Council***

- Section 3.1 Governing Body
- Section 3.2 The Council
- Section 3.3 Manner of Holding Elections
- Section 3.4 Qualifications For Office
- Section 3.5 How to Get Name on Ballot
- Section 3.6 Election by Majority
- Section 3.7 Vacancies
- Section 3.8 Compensation of Members
- Section 3.9 Presiding Officer — Mayor
- Section 3.10 Powers of Council
- Section 3.11 Council Not to Interfere in Appointments or Removals
- Section 3.12 Induction Into Office; Meetings
- Section 3.13 Council to be Judge of Qualifications of its Members
- Section 3.14 Rules of Procedure; Journal
- Section 3.15 Ordinances
- Section 3.16 Procedure for Passage of Ordinances
- Section 3.17 Investigations by Council

10 North Robinson Street  
Cleburne, Texas 76031  
[www.cleburne.net](http://www.cleburne.net)  
817-645-0900

### **Section 3.1 GOVERNING BODY.**

The municipal government provided by this Charter shall be known as the “Council-Manager Government.” pursuant to its provisions and subject only to the limitations imposed by the State Constitution and by this Charter, all power of the City shall be vested in an elective council, hereafter referred to as “the Council,” composed of the Mayor and Council members, which shall enact local legislation, adopt budgets, determine policies, and employ the City Manager, who shall execute the laws and administer the government of the City. All powers of the City shall be exercised in the manner prescribed by this Charter, or if the manner be not prescribed then in such manner as may be prescribed by ordinance.

### **Section 3.2 THE COUNCIL.**

(A) The Council persons and Mayor shall hold office two (2) years, respectively and until their successors are elected and have been qualified.

(B) All general elections for mayor and City Council members shall be held on such date as is prescribed by State law, this City Charter, or by resolution or ordinance of the City Council. Two (2) Council persons and a mayor shall be elected for a two (2) year term each even-numbered year. Two (2) Council persons shall be elected for a two (2) year term each odd-numbered year.

(C) The City shall be divided into districts in accordance with Section 1.2 of this Charter, with one Council member elected from each respective district, and the Mayor elected at large.

### **Section 3.3 MANNER OF HOLDING ELECTIONS.**

The manner of holding and the voting at all elections to be held in this City, and the power and duties of the managers thereof, the counting of votes, the making of the returns of said election, shall be, according to State law, in force at the time of any election, as far as the same shall be applicable and not in conflict with the provisions of this Charter; provided, that the City Council shall have full power and authority to pass such ordinances as it shall deem expedient for conducting elections. In the event there should be any failure of State law or this Charter to provide for some feature of the City elections, then the City Council shall have the power to provide for such deficiency. No informalities in conducting a City election shall invalidate an election, if it be conducted fairly and in substantial compliance with the State laws, where applicable and the Charter and ordinances of the City.

### **Section 3.4 QUALIFICATIONS FOR OFFICE.**

No person shall be eligible to any elective office in said City unless that person possesses the qualifications of an elector, as herein provided, and is a citizen of the United States and shall have been a resident of the City for at least twelve (12) months prior to the City election day and shall not be in arrears in the payment of any taxes or other liability due the City or from said City.

### **Section 3.5 HOW TO GET NAME ON BALLOT.**

The City Secretary shall maintain a packet with information for persons interested in becoming a candidate.

### **Section 3.6 ELECTION BY MAJORITY.**

The Mayor and Council shall be elected by majority vote. Should any candidate fail to receive a majority of votes at the regular election for the office for which he is a candidate, the Council shall immediately order a runoff election to be held in accordance with State law.

### **Section 3.7 VACANCIES.**

A vacancy in the Council shall be filled by a majority vote of the remaining members of the Council, by the selection of a person possessing all the qualifications prescribed by Section 3.4 of this Article. Where more than one vacancy shall develop at any one time, then a special election shall be called in accordance with State law.

### **Section 3.8 COMPENSATION OF MEMBERS.**

Members of the City Council and the Mayor shall serve without pay and shall receive no remuneration for any service rendered the City.

### **Section 3.9 PRESIDING OFFICER — MAYOR.**

The Mayor shall preside at meetings of the Council and shall be recognized as head of the City government for all ceremonial purposes and by the Governor of the State of Texas for purposes of military law, but shall have no regular administrative duties. The Mayor shall be entitled to vote upon all matters considered by the Council, but he shall have no veto power. The Council shall elect a Mayor pro tem from their members who shall act as Mayor during the absence or disability of the Mayor and, if a vacancy should occur, shall become Mayor until the next regular election.

### **Section 3.10 POWERS OF COUNCIL.**

All powers of the City and the determination of all matters of policy shall be vested in the City Council. Among the other powers that may be exercised by the Council, the following are hereby enumerated for greater certainty:

- (A) appoint and remove the City Manager, in accordance with Article IV, Division 2 of this Charter;
- (B) adopt the budget of the City;
- (C) authorize the issuance of bonds by a bond ordinance in accordance with State law;
- (D) inquire into the conduct of any office appointed by the Council and make investigations as to municipal affairs;
- (E) provide for all boards required by law and other boards and commissions it deems necessary;
- (F) adopt plats and zone property;
- (G) adopt and modify the official map of the City;
- (H) adopt, modify, and carry out plans proposed by the planning commission for the clearance of slum districts and rehabilitation of blighted areas;

(I) adopt, modify, and carry out plans proposed by the planning commission for the re-planning, improvement, and redevelopment of neighborhoods and for the re-planning, reconstruction, or redevelopment of any area or district which may have been destroyed in whole or in part by disaster;

(J) regulate, license, and fix the charges or fares made by any person owning, operating, or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets and alleys of the City;

(K) provide for the establishment and designation of fire limits and to prescribe the kind and character of buildings or structures or improvements to be erected therein, and to provide for the erection of fireproof buildings within certain limits, and to provide for the condemnation of dangerous structures or buildings or dilapidated buildings or buildings calculated to increase the fire hazard, and the manner of their removal or destruction.

**Section 3.11 COUNCIL NOT TO INTERFERE IN APPOINTMENTS OR REMOVALS.**

Neither the Council nor any of its members shall direct the appointment of any person to or his removal from office by the City Manager or by any of his subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any members thereof shall direct or give orders to any subordinates of the City Manager, either publicly or privately.

**Section 3.12 INDUCTION INTO OFFICE; MEETINGS.**

Following each regular municipal election held under this Charter, or any special election for the purpose of filling vacancies in the Council, the Council shall meet at the usual time and place for holding meetings, and the newly elected members shall qualify and assume the duties of office. Thereafter, the Council shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month. Special meetings shall be called by the City Secretary upon request of the Mayor, City Manager or two (2) members of the City Council. All meetings of the City Council shall be open to the public except where otherwise authorized by law and shall comply with the open meetings law of the State of Texas.

**Section 3.13 COUNCIL TO BE JUDGE OF QUALIFICATIONS OF ITS MEMBERS.**

The Council shall be the judge of the election and qualifications of its members and for such purposes shall have power to subpoena witnesses and require the production of records, but the decision of the Council in any such case shall be subject to review by the Courts.

**Section 3.14 RULES OF PROCEDURE; JOURNAL.**

The Council shall determine its own rules and order of business. It shall keep an indexed journal of its proceedings and the journal shall be open to the public inspection.

**Section 3.15 ORDINANCES.**

In addition to such acts of the Council as are required by statute or by this Charter to be by ordinance, every act of the Council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness shall be

by ordinance. The enacting clause of all ordinances shall be "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEBURNE."

**Section 3.16 PROCEDURE FOR PASSAGE OF ORDINANCES.**

Every ordinance shall be introduced in written or printed form and, upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective upon publication, subject to the provisions of Article V of this Charter. The City Clerk shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty, of any such ordinance to be published in the official newspaper of the City of Cleburne or other media as authorized by State law at least once within ten days after the passage of said ordinance. He shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the Charter, and the date of such publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance, provided that the provisions of this section shall not apply to the correction, amendment, revision, and codification of the ordinances of the City for publication in book or pamphlet form. Except as otherwise provided by Section 10.3, and Article V of this Charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one time or considered at more than one session of the City Council. Every ordinance shall be authenticated by the signature of the Mayor and City Secretary and shall be systematically recorded and indexed in an ordinance book in a manner approved by the Council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of Council meetings. The City Council shall have power to cause the ordinances of the City to be corrected, amended, revised, codified and printed in code form as often as the Council deems advisable, and such printed code, when adopted by the Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed Code shall be admitted in evidence in all courts and places without further proof.

**Section 3.17 INVESTIGATIONS BY COUNCIL.**

By a majority vote of a quorum of the Council, the Council shall have power to inquire into the conduct of any officer, department, agency, or office of the City and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths, and compel the production of books, papers, and other evidence. Failure to obey such subpoena or to produce books, papers, or other evidence as ordered under the provisions of this section shall constitute a misdemeanor.