

CITY COUNCIL APPOINTMENT APPLICATION

The Gun Barrel City Council is seeking **qualified, registered voters of the City** who are dedicated to the well-being of the Gun Barrel City community to serve on the City Council in an appointed unexpired open position. In addition to the general qualifications listed in the certification below, other qualifications may be mandated by statute, City Charter, ordinance, or resolution. Please complete the information requested below and return to: City Secretary, 1716 W. Main Street, Gun Barrel City, Texas, 75156. **Please note that all qualified applicants will be interviewed in open session by the City Council.**

City Council Place 4 West

Name: _____ Phone: _____

Address: _____

Employer: _____ Title: _____

Work Phone: _____ Fax: _____

E-mail Address: _____

(Some notices and correspondence are done by email. Please list an account that you check regularly.)

How long have you lived in Gun Barrel City? _____

Are you a **registered voter** in Gun Barrel City? _____

If so, what is your **Voter's Registration Number**? _____

What is your profession? _____

If a college graduate, please state Major: _____ Minor: _____

Do you have any experience in any of the following areas?

- | | | |
|---|--|----------------------------------|
| <input type="checkbox"/> Executive Management | <input type="checkbox"/> Law | <input type="checkbox"/> Realtor |
| <input type="checkbox"/> City Government | <input type="checkbox"/> Industrial Production | |
| <input type="checkbox"/> Higher Education | <input type="checkbox"/> Economic Development | |
| <input type="checkbox"/> Accounting | <input type="checkbox"/> Marketing & Advertising | |
| <input type="checkbox"/> Entertainment & Recreation | <input type="checkbox"/> Banking & Finance | |

Are you currently or have you ever been convicted of a felony crime or military court martial?
_____ No _____ Yes If yes, please explain. (Dates, Places, fines/sentences)

Do you have any business or personal relationships with the City Council or any Board, Commission or Committee or the Gun Barrel City EDC that would affect your ability to have impartial judgment in City or EDC matters?

_____ No _____ Yes If yes, please explain. _____

Given the rural setting of Gun Barrel City how do you see the City moving forward in ten years?

How can you contribute to the professional growth and development of Gun Barrel City?

Please attach a copy of your resume.

Member Responsibilities

1. Teamwork is an important aspect of being a City Council Member. You are a **TEAM** not a group of individuals.
2. City Council Members must be accountable for their conduct. Ethics begin with individual members.
3. Come prepared to contribute to the discussion of issues and business to be addressed at scheduled meetings.
4. Represent the City in a positive and supportive manner at all times and in all places and to support all actions taken even when in a minority position on such actions.
5. Work with and respect the opinion of peers who serve with you and leave personal prejudices out of discussions.
6. Refrain from intruding on administrative issues that are the responsibility of management, except to monitor the results.
7. Avoid conflicts of interest between your position and your personal life and declare a conflict and refrain from voting on matters in which a conflict exists.

Certification and Authorization

By signing below, I acknowledge that I am aware and agree to the prohibitions of the City of Gun Barrel City Charter and the laws of the State of Texas regarding nepotism and conflicts of interest of appointees to City Council. I certify that if appointed I shall not have any delinquent indebtedness to the City or County during my term. I understand that the number of positions on the City Council is limited and that I may not be appointed. I also certify that the information given by me in this application is true and correct and any false information or misrepresentation is sufficient grounds for disqualification. I authorize the City of Gun Barrel City to verify all information provided in this application. In accordance with Section 552 of the Local Government Code, I understand that information provided in this application may be available to the public upon request.

Signature of Candidate: _____

Date: _____

For City Clerk's Use Only	Date Received: _____
Conflict of Interest: Y N Indebtedness: Y N Nepotism: Y N Dist.: E W	
Previous Service: Y N 0 1 2 3 4 5 6	

ARTICLE III - GOVERNING BODY

📖 Section 3.01 COMPOSITION.

The Governing Body shall be composed of a mayor and five (5) council members. The City shall be divided into two (2) Districts, known as East District and West District, with Prairie Creek as the dividing line. Two members of Council shall reside in and be elected from the East District and two shall reside in and be elected from the West District, with one council member and the Mayor elected at large. Each Council member, unless sooner removed under the provisions of this Charter, shall serve for a term of two (2) years and until his successor has been elected and duly qualified. Two (2) members of the council and the mayor shall be elected each even numbered year and three (3) members of the council each odd-numbered year.

📖 Section 3.02 LIMITATIONS ON TERMS.

An individual serving as a City Council member or as Mayor shall not serve combined for more than four (4) consecutive two-year terms or eight (8) consecutive years, whichever is less, with no more than three (3) consecutive two-year terms or six (6) consecutive years, whichever is less, in any single position. A gap of one year must exist before such individual may be elected or appointed to the City Council or Mayor for an additional set of consecutive terms or years.

📖 Section 3.03 QUALIFICATIONS OF MEMBERS.

In addition to any other qualifications prescribed by law, the Mayor and each city council member shall meet the qualifications set forth in Article V of this Charter while in office.

📖 Section 3.04 COMPENSATION.

Members of the Governing Body shall be entitled to reimbursement for actual expenses incurred in the performance of official duties, with the approval of the City Council at a public meeting. The Mayor and City Council shall not be otherwise financially compensated or any compensations increased unless approved by the majority of the voters voting at an election for such purpose.

📖 Section 3.05 MAYOR AND MAYOR PRO TEM.

(1) The Mayor shall be the official head of the city government. He shall be the chairman and shall preside at all meetings of the City Council. The Mayor shall vote only in the case of a tie. The Mayor has the power to veto legislation and the Council may override the veto at the next regular meeting with a two-thirds majority of the full Council. He shall, when authorized by the City Council, sign all official documents, such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts and bonds. He shall perform such other duties consistent with this Charter as may be imposed upon him by the City Council.

(2) The mayor pro tem shall be a city council member elected by the City Council at the first regular meeting after each regular election of the City Council members and/or mayor. The mayor pro tem shall temporarily act as mayor during the disability or absence of the mayor, and in this capacity shall have the rights conferred upon the mayor.

📖 Section 3.06 VACANCIES, FORFEITURES AND FILLING OF VACANCIES.

(1) The office of a City Council member or the Mayor shall become vacant upon his death, resignation, forfeiture of, or removal from office by any manner authorized by law.

(2) If any member of the City Council and/or Mayor has been absent from all regular meetings within a 100 day period for any reason, that member and/or Mayor shall have the seat declared vacant by resolution at the next regular meeting of the City Council.

(3) Any member of the City Council who ceases to possess the required qualifications for office or who is convicted of a felony or of a misdemeanor involving moral turpitude or is convicted of violating Chapter 171 of the Local Government Code concerning conflict of interest shall forfeit his office. Every forfeiture shall be declared and enforced by a majority of the City Council.

(4) If a vacancy in the office of mayor occurs in the first year of the two (2) year term, a new Mayor shall be elected by special election. If a vacancy occurs in the office of Mayor in the

second year of a two year term, the council members shall elect a mayor, from among their own number, by a majority vote. The new mayor shall serve until the next regular election. If the new mayor is elected from the City Council his former place as city council member shall be deemed vacated.

(5) A vacancy in the City Council shall be filled within thirty (30) days of the occurrence of the vacancy by a two-thirds vote of the remaining members of the City Council by selection of a person qualified for the position. This appointee shall serve until the next regular election. If the remaining council members are unable to agree by a two-thirds vote on a person to be appointed to a vacancy in the City Council within thirty days after the occurrence of the vacancy, they shall call a special election on the first available uniform election date to fill such vacancy for the balance of the unexpired term thereof, in accordance with the laws of the State of Texas, the Texas constitution, Texas Election Code and Texas Local Government Code.

(6) The City Council shall not have more than one (1) appointed council member at any one time. Thereafter, in the event of additional vacancies, the City Council shall order a special election within sixty (60) days of the last vacancy to elect the successor or successors to the additional office or offices vacated. Vacancies filled by special election shall be for the remainder of the term.

📖 Section 3.07 POWERS OF THE CITY COUNCIL.

All powers of the City of Gun Barrel City and the determination of all matters of policy shall be vested in the City Council. Except where in conflict with and otherwise expressly provided by this Charter, the City Council shall have all powers authorized to be exercised by the City Council by "*Vernon's*" statutes and the Local Government Code and the acts amendatory thereof and supplementary thereto, now or hereafter enacted. Without limitation of the foregoing and among the other powers that may be exercised by the City Council, the following are hereby enumerated for greater certainty:

- (1) Appoint and remove the City Manager;
- (2) Appoint and remove the municipal judge(s) and associate judges of the municipal court;
- (3) Appoint and remove the City Attorney;
- (4) Appoint and remove the City Secretary;
- (5) Establish administrative departments, including but not limited to police, fire, library, city utilities, animal control, and building inspection;
- (6) Adopt the budget of the City;
- (7) Collectively inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs;
- (8) Provide a Planning and Zoning Commission and a Board of Adjustment and other boards as deemed necessary, and appoint the members of all such boards and commission. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this Charter, by city ordinance or by law.
- (9) Adopt plats;
- (10) Adopt and modify the official map of the City;
- (11) Adopt, modify and carry out plans in cooperation with the Planning and Zoning Commission for the replanning, improvement and redevelopment of specific areas of the City;
- (12) Adopt, modify and carry out plans in cooperation with the Planning and Zoning Commission for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or part by disaster;
- (13) 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 on the public streets and alleys of the City;
- (14) Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein; provide for the erection of fireproof buildings within certain limits; and 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;

(15) Fix and regulate rates and charges of all utilities and public services, if applicable.

📖 Section 3.08 PROHIBITIONS.

(1) Except where authorized by law or by this Charter, no mayor or city council member shall hold any other city office or city employment during his term as mayor or city council member. No former mayor or city council member shall hold any compensated appointive office or city employment within one (1) year after the expiration of his term as mayor or city council member.

(2) Members of the City Council shall not in any way dictate the appointment, discipline or removal of the City administrative officers or employees whom the City Manager or any of his subordinates are empowered to appoint or remove. The City Council, at a meeting called for that purpose, may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

(3) Except for the purpose of inquiries and investigations as provided by this Charter, members of the City Council shall deal with city officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager. Members of the City Council shall not give orders to any such officer or employee either publicly or privately except as otherwise provided in this Charter.

📖 Section 3.09 MEETINGS OF THE CITY COUNCIL.

(1) The City Council shall hold at least one (1) regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council shall fix by ordinance the date and time of the regular meetings.

Special meetings of the City Council shall be held at the call of the mayor or two-thirds of the City Council members upon provision of public notice in accordance with state law.

(2) Except as provided by state law, all city council meetings shall be open to the public and shall be held and notice given in accordance with Chapter 551, Texas Government Code, as amended or superseded, except that such notice shall be posted no later than seventy-two (72) hours before such regular meeting; provided that emergency meetings may be held in compliance with Chapter 551, Texas Government Code.

📖 Section 3.10 QUORUM.

Three (3) members of the City Council shall constitute a quorum for the purpose of transaction of business. No action on the agenda item then before the City Council, except as specifically provided in this Charter shall be valid or binding unless adopted by the affirmative vote of a majority of the City Council members present.

📖 Section 3.11 CONFLICT OF INTEREST.

Should any member of the City Council have a conflict of interest pursuant to Chapter 171 of the Local Government Code with an agenda item then before the City Council, he shall openly declare same before discussion proceeds and he is thereby prohibited from discussing the item or voting on the question, and, for purposes of a quorum, is considered as present and not voting for the purposes of the tally.

📖 Section 3.12 ABSTENTION.

Should any member of the City Council choose to abstain from voting on any question before the City Council, where no conflict of interest exists, his vote shall be recorded as a negative vote in the official minutes of the City of Gun Barrel City.

📖 Section 3.13 RULES OF PROCEDURE.

The City Council shall conduct its meetings in accordance with Roberts Rules of Order; provided that such rules may be enforced only by the Mayor or other member of the Council and shall never give rise to or create any due process claim or cause of action on behalf of any other person or entity. The City Council shall determine its own order of business. The City Council shall provide that the citizens of the City shall have a reasonable opportunity to clearly hear and

be heard at public meetings with regard to specific matters under consideration. The City Council shall provide for minutes to be taken and recorded for all meetings as required by law. Such minutes shall be a public record and shall be kept and maintained by the City Secretary.

 Section 3.14 PASSAGE OF ORDINANCES IN GENERAL.

(1) The City Council shall legislate by ordinance only, and the enacting clause of every ordinance shall be “Be it ordained by the City Council of the City of Gun Barrel City, Texas.” Each proposed ordinance shall be introduced in the written or printed form required for adoption. No ordinance shall contain more than one (1) subject which shall be clearly expressed in its title. General appropriation ordinances may contain various subjects and accounts for which monies are to be appropriated. After adoption, an ordinance shall not be amended or repealed except by the adoption of another ordinance amending or repealing the original ordinance. Except where an ordinance is repealed in its entirety, the amendatory or repealing ordinance shall set out in full the ordinance sections or subsections to be amended or repealed and shall show new language in bold type and omitted language in strike through marks. Copies of proposed ordinances, in the form required for adoption, shall be furnished to members of the City Council before the first reading. Copies of the proposed ordinance, in the forms required for adoption, shall be available at the City offices and shall be furnished citizens upon request to the City Secretary from and after the date on which such proposed ordinance is posted as an agenda item for a city council meeting and, if amended, shall be available and furnished in amended form for as long as the proposed ordinance is before the City Council.

(2) A proposed ordinance which has been amended in substance after its placement on the agenda for a city council meeting may not be voted on at such meeting. Such amended ordinance shall be placed upon the agenda of a subsequent meeting of the City Council in accordance with the provisions of this Article. All persons interested in such ordinance shall have a reasonable opportunity to be heard.

(3) Every ordinance shall become effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety or summary form after adoption, in a newspaper designated as the official newspaper of the City.

(4) The reading aloud of a title and caption of the ordinance shall suffice as a reading provided printed copies of the ordinance in the form required for adoption are in front of all members of the City Council and a reasonable number of additional copies are available to citizens present at the meeting. If a majority of the members present request that the ordinance be read in its entirety, it must be read.

 Section 3.15 EMERGENCY ORDINANCES.

(1) The City Council may adopt emergency ordinances only to meet public emergencies affecting life, health, property or the public peace. In particular, such ordinances shall not levy taxes, grant or renew or extend a franchise, or regulate the rate charged by any public utility for its services. Neither shall they authorize the borrowing of money except as provided elsewhere in this Charter.

(2) An emergency ordinance shall be introduced in the form and manner generally prescribed for ordinances, except that they shall be plainly designated in the title as an emergency ordinance and shall contain after the enacting clause a declaration stating that an emergency exists and describing the emergency in clear and specific terms.

(3) An emergency ordinance may be introduced at any city council meeting and can be adopted with or without amendment or rejected at the meeting at which it is introduced. The affirmative vote of at least two-thirds of the full City Council shall be required for adoption.

(4) Emergency ordinances shall become effective upon adoption and shall be published as soon thereafter as practicable. Every emergency ordinance so adopted, except one authorizing the borrowing of money as described herein, shall automatically stand repealed as of the sixty-

first (61st) day following the day on which it became effective. The ordinance may be reenacted if the emergency still exists.

📖 Section 3.16 AUTHENTICATION, RECORDING, CODIFICATION, PRINTING AND DISTRIBUTION.

(1) All ordinances and resolutions adopted by the City Council shall be authenticated by seal and signature of the City Secretary and numbered consecutively as adopted. They shall be properly indexed and placed in a book kept open for public inspection.

(2) The City Council shall maintain the codification of ordinances of the City. This codification shall be known and cited as "THE CITY CODE OF GUN BARREL CITY" and shall be in full force and effect without the necessity of such code or any part thereof being published in any newspaper. The caption, descriptive clause and other formal parts of the ordinances of the City may be omitted without effecting the validity of such ordinances when codified. Every general ordinance enacted subsequent to such codification shall be enacted as an amendment to the code. For the purpose of this section general ordinances shall be deemed to be those ordinances of a permanent or continuing nature which affect the residents of the City at large. Copies of the code shall be furnished to city officers, placed in city offices and made available for purchase by the public at a reasonable price to be fixed by the City Council.

(3) The City Council shall cause all ordinances and amendments to this Charter to be printed promptly following their adoption. A copy of each ordinance and amendment shall be placed in appropriate city offices for public reference. Printed ordinances and Charter amendments shall be sold to the public at a reasonable price to be fixed by the City Council.

📖 Section 3.17 INVESTIGATIONS BY THE CITY COUNCIL.

The City Council shall have the power to inquire into the official conduct of any department, agency, office, officer or employee of the city. For that purpose, the City Council shall have the power to administer oaths, subpoena witnesses and compel the production of books, papers or other evidence material to the inquiry. The City Council shall provide, by ordinance, penalties for contempt for failing or refusing to obey any such subpoena or to produce any such books, papers or other evidence, and shall have the power to punish any such contempt in the manner provided by the ordinance.

📖 Section 3.18 BOND.

The City Council shall require bonds of all municipal officers and employees who receive or pay out any monies of the City. The amount of the bonds shall be determined by the City Council and the cost shall be borne by the City.