



CITY OF UNIVERSITY PARK  
APPLICATION FOR BOARD OR COMMITTEE MEMBERSHIP

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

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Committee(s) preferences: (abbreviations are acceptable.)

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Yes, I would be interested in serving on subcommittees that may be formed.

**PERSONAL INFORMATION**

Home Address: \_\_\_\_\_  
University Park, Texas      Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_      Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
UP Resident for \_\_\_\_\_ years County: \_\_\_\_\_

**EMPLOYMENT INFORMATION**

Business Name: \_\_\_\_\_  
Occupation: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Previous Board, Committee, Civic or Community, or Work Experience (if additional space is required attach additional listing and/or a resume):

Organization	Location	Years
--------------	----------	-------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

How would you use your experience to benefit the City?

_____
_____
_____
_____

**Statement of Intent**

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of University Park Boards and Committees as noted in the Local Government Code, Chapter 171 and the City Charter, Chapter 13.08. I am aware of meeting dates and times of the Board or Committee for which I have applied. If appointed, I agree to serve on the Board or Committee for which I have applied. Applications will remain on file for one year from the date of receipt.

*Signature & Date* \_\_\_\_\_

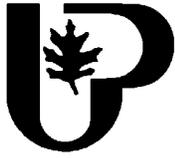
In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

**Mail completed application to:**

City Secretary, City of University Park 3800 University Blvd University Park, TX 75205

**Or Fax to:**

(214)987-5399, Attn: Liz Spector



# University Park Boards and Committees

## General Information

### BOARD OF ADJUSTMENT

The Board of Adjustment is a statutory body comprised of five regular members and three alternate members. It is a quasi-judicial body with jurisdiction to hear and decide appeals of determinations made by the Building Official, special exceptions to the terms of the Zoning Ordinance and special exceptions to the terms of the Sign Ordinance. All meetings are open public hearings.

### PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission is a statutory committee comprised of five regular members and three alternate members. Predominantly an advisory committee to the City Council, it hears requests for Planned Developments, Specific Use Permits, amendments to the Zoning Ordinance, and platting requests. The Commission's decision is then forwarded to the City Council for final action.

### CAPITAL PROJECTS REVIEW

The committee was created to advise the City Council on capital project planning and funding. Committee duties include: Reviewing the City's Capital Improvement Program (CIP) annually and making a recommendation to the City Council regarding adoption; Considering requests for additions or modifications to the CIP; Meeting on a regular basis to review the status of approved capital projects.

### EMPLOYEE BENEFITS

The committee reviews and makes recommendations to the City Council regarding the City's employee pay practices and benefits. The committee reviews the proposed salary ordinance, health, life and long-term disability insurance, proposed changes to the retirement system, and proposed changes to benefits such as sick leave and vacation time.

### FINANCE

This committee advises and makes recommendations to the City Council regarding the financial activities of the City. These activities include the annual budget and property tax rate recommendations, the annual financial statements, investment policy and reports, and capital needs that might require the issuance of debt. The committee meets quarterly.

### LEGISLATIVE

The committee reviews federal and state legislation that may have bearing upon the operations or status of the City. Members write letters and lobby legislators in an effort to protect the interests of the City. The group meets as a whole only when pressing matters emerge, otherwise members individually review legislative material when Congress and the State Legislature are in session.

### PARK

The committee reviews policies and programs that concern the City's parks, such as maintenance, construction, and planning. The committee also reviews fees and other user regulations regarding the parks, tennis courts, Goar Park pavilion, and the swimming pool.

### PROPERTY CASUALTY AND LIABILITY INSURANCE

This committee monitors and makes recommendations to the City Council regarding the City's insurance needs and purchases for property, casualty, liability and worker's compensation insurance. The Committee reviews the status of the Self-Insurance Fund, claims, and safety programs.

### PUBLIC UTILITY

The committee monitors the practices and procedures of utility companies that operate in the City. The committee also reviews utility franchise agreements prior to their renewal.

### PUBLIC WORKS

The Committee reviews the policies and projects of the Public Works Department and provides a forum for citizens to give their opinions about processes and decisions related to the department.

### PUBLIC SAFETY

The committee reviews and monitors issues relating to police and fire protection, and gives community members a forum to discuss concerns. The committee also may review and make recommendations as assigned by the City Council.

### URBAN DESIGN AND DEVELOPMENT ADVISORY (UDADAC)

The Committee studies proposed and existing projects, ordinances, and operations of the City for their aesthetic impact and makes recommendation to the Council. The committee may comment on anything from the City's official logo to the building code regarding satellite dishes.

### ZONING ORDINANCE ADVISORY (ZOAC)

The Committee studies the issues related to the City's zoning and/or building codes. The issues may be brought to the committee by City staff, the Planning and Zoning Commission, or the City Council.

### SOUTHWEST HIGHER EDUCATION AUTHORITY BOARD OF DIRECTORS

The Board, created as a non-profit corporation under the Texas Education Code, aids non-profit institutions of higher education in financing educational and housing facilities. This particular authority was created solely to aid Southern Methodist University.

### TEXAS HIGHER EDUCATION AUTHORITY BOARD OF DIRECTORS

The Board is a non-profit corporation created under the Texas Education Code. The Authority serves institutions of higher education at large in the state by making low cost loans for school facilities

LOCAL GOVERNMENT CODE  
SUBTITLE C. MATTERS AFFECTING PUBLIC OFFICERS AND EMPLOYEES OF MORE  
THAN ONE TYPE OF LOCAL GOVERNMENT

CHAPTER 171. REGULATION OF CONFLICTS OF INTEREST OF OFFICERS OF  
MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS

Sec. 171.001. DEFINITIONS. In this chapter:

(1) "Local public official" means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), county, municipality, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature.

(2) "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 171.002. SUBSTANTIAL INTEREST IN BUSINESS ENTITY.

(a) For purposes of this chapter, a person has a substantial interest in a business entity if:

(1) the person 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

(2) funds received by the person from the business entity exceed 10 percent of the person's gross income for the previous year.

(b) A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more.

(c) A local public official is considered to have a substantial interest under this section if a person related to the official in the first degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a substantial interest under this section.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989; Acts 1991, 72nd Leg., ch. 561, Sec. 37, eff. Aug. 26, 1991; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(27), eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 849, Sec. 1, eff. Sept. 1, 1997.

Sec. 171.0025. APPLICATION OF CHAPTER TO MEMBER OF HIGHER EDUCATION AUTHORITY. This chapter does not apply to a board member of a higher education authority created under Chapter 53, Education Code, unless a vote, act, or other participation by the board member in the affairs of the higher education authority would provide a financial benefit to a financial institution, school, college, or university that is:

(1) a source of income to the board member; or

(2) a business entity in which the board member has an interest distinguishable from a financial benefit available to any other similar financial institution or other school, college, or university whose students are eligible for a student loan available under Chapter 53, Education Code.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 41(a), eff. Aug. 28, 1989.

Sec. 171.003. PROHIBITED ACTS; PENALTY. (a) A local public official commits an offense if the official knowingly:

(1) violates Section 171.004;

(2) acts as surety for a business entity that has work, business, or a contract with the governmental entity; or

(3) acts as surety on any official bond required of an officer of the governmental entity.

(b) An offense under this section is a Class A misdemeanor. Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.004. AFFIDAVIT AND ABSTENTION FROM VOTING REQUIRED. (a) If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

(1) 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

(2) 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.

(b) The affidavit must be filed with the official record keeper of the governmental entity.

(c) If a local public official is required to file and does file an affidavit under Subsection (a), the official is not required to abstain from further participation in the matter requiring the affidavit if a majority of the members of the governmental entity of which the official is a member is composed of persons who are likewise required to file and who do file affidavits of similar interests on the same official action.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.005. VOTING ON BUDGET. (a) The governing body of a governmental entity shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the governing body has a substantial interest.

(b) Except as provided by Section 171.004(c), the affected member may not participate in that separate vote. The member may vote on a final budget if:

(1) the member has complied with this chapter; and

(2) the matter in which the member is concerned has been resolved.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 171.006 and amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.006. EFFECT OF VIOLATION OF CHAPTER. The finding by a court of a violation under this chapter does not render an action of the governing body voidable unless the measure that was the subject of an action involving a conflict of interest would not have passed the governing body without the vote of the person who violated the chapter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 171.008 by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.007. COMMON LAW PREEMPTED; CUMULATIVE OF MUNICIPAL PROVISIONS. (a) This chapter preempts the common law of conflict of interests as applied to local public officials.

(b) This chapter is cumulative of municipal charter provisions and municipal ordinances defining and prohibiting conflicts of interests.

Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.009. SERVICE ON BOARD OF CORPORATION FOR NO COMPENSATION. It shall be lawful for a local public official to serve as a member of the board of directors of private, nonprofit corporations when such officials receive no compensation or other remuneration from the nonprofit corporation or other nonprofit entity.

Added by Acts 1989, 71st Leg., ch. 475, Sec. 2, eff. Aug. 28, 1989.

Sec. 171.010. PRACTICE OF LAW. (a) For purposes of this chapter, a county judge or county commissioner engaged in the private practice of law has a substantial interest in a business entity if the official has entered a court appearance or signed court pleadings in a matter relating to that business entity.

(b) A county judge or county commissioner that has a substantial interest in a business entity as described by Subsection (a) must comply with this chapter.

(c) A judge of a constitutional county court may not enter a court appearance or sign court pleadings as an attorney in any matter before:

(1) the court over which the judge presides; or

(2) any court in this state over which the judge's court exercises appellate jurisdiction.

(d) Upon compliance with this chapter, a county judge or commissioner may practice law in the courts located in the county where the county judge or commissioner serves.

Added by Acts 2003, 78th Leg., ch. 227, Sec. 21, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1206, Sec. 3, eff. June 20, 2003.

## **CHAPTER 13 GENERAL AND TRANSITIONAL PROVISIONS**

### **13.01 EFFECT OF CHARTER ON EXISTING LAW**

All ordinances, resolutions, rules and regulations in force in the city on the effective date of this Charter and not in conflict with this Charter shall remain in full force and effect until altered, amended or repealed. All taxes, assessments, liens, encumbrances, obligations and demands of or against the city, fixed or established before such date, shall be valid if properly fixed or established either under the law in force at the time of such proceedings or under the law after the adoption of this Charter.

### **13.02 CONTINUATION OF PRESENT OFFICES**

All persons holding administrative office at the time this Charter takes effect shall continue in office and in the performance of their duties in the capacities to which they have been appointed until provision shall have been made in accordance with the terms of this Charter for the performance of such duties or the discontinuance of such office, if any. The powers conferred and the duties imposed upon any office, department or agency of the city by the laws of the state shall, if such office, department or agency be abolished by this Charter or under its authority, be thereafter exercised and discharged by the office, department or agency designated by the council, unless otherwise provided herein.

### **13.03 NEPOTISM**

No officer of the City of University Park shall appoint, vote for, or confirm the appointment to any office, position, clerkship, employment or duty, of any person related within the second degree by affinity or within the third degree by consanguinity to any member of the city council or the mayor, when the salary, fees, or compensation of such appointee is to be paid for, directly or indirectly, out of or from public funds or fees of office of any kind or character whatsoever. However, this provision shall not prevent the appointment, voting for, or confirmation of any person who shall have been continuously employed in any such office, position, clerkship, employment or duty for at least thirty (30) days, if the officer is appointed, or at least six (6) months, if the officer is elected. When a person is allowed to continue in any such position, the officer related shall not participate in the deliberation or voting upon the appointment, reappointment, employment, confirmation, reemployment, change in status, compensation, or dismissal of such person, unless such action is taken with respect to a bona fide class or category of employees.

### **13.04 OFFICIAL NEWSPAPER**

The city council shall have the power to designate by resolution a newspaper of general circulation in the city as the city's official newspaper. All ordinances, captions of ordinances, notices and other matters required to be published by this Charter, by ordinance, or by state law, shall be published in the official newspaper.

### **13.05 JUDICIAL NOTICE**

This Charter shall be recorded in the city secretary's office in a book kept for that purpose. As soon as practicable after its adoption, an authenticated copy of the Charter shall be certified to the Secretary of State under the City Seal. Once recorded by the city secretary and the Secretary of State of Texas, the Charter becomes a public act. Such Charter provisions may be read in evidence without pleading or proof of their provisions, and judicial notice shall be taken thereof in all courts and places.

### **13.06 CLAIMS FOR DAMAGE OR INJURY**

The city shall never be liable for any personal injury or death or for claims for damages or injury to real or personal property alleged to have been caused by the negligent act or omission of any officer, agent or employee of the city unless the person who has been injured, the person who may have a cause of action under the law by reason of such death or injury, the person whose property has been injured or damaged, or someone on his behalf, shall file a claim in writing with the city secretary within six (6) months after said injury, death or damage has occurred, stating specifically when, where and how the injury, death or damage occurred, the full extent thereof, the amount of damages claimed or asserted, and the basis claimed for liability on the part of the city. The person giving notice under this section shall give the address of every place that he has resided at during the last six (6) months prior to the injury, death or damage and shall subscribe his name thereto. Neither the mayor, city councilmember, city manager, city secretary, city attorney, or any other officer or employee of the city shall have authority to waive any of the provisions of this section, but the same may be waived only by resolution of the city council made and passed before the expiration of said six (6) months' period.

### **13.07 PROPERTY NOT SUBJECT TO GARNISHMENT AND EXECUTION**

No property owned or held by the city shall be subject to any garnishment or execution of any kind or nature except as specifically provided by state law.

### **13.08 CONFLICT OF INTEREST**

No member of the city council, the mayor, or any other officer, whether elected, appointed, paid or unpaid, who exercises responsibilities beyond those that are advisory in nature, shall participate in a vote or decision on a matter involving a business entity in which such officer has a substantial interest if it is reasonably foreseeable that an action on the matter would confer an economic benefit on the business entity. If the officer or a person related to the officer within the second degree of affinity or consanguinity has a substantial interest in the business entity that would be pecuniarily affected by an official action of the city council, the officer, if a member of the city council, shall file an affidavit stating the nature and extent of the interest and abstain from further participation in the matter.

### **13.09 PUBLIC MEETINGS AND RECORDS**

All meetings of the city council and all boards appointed by the city council shall be governed by the provisions of Article 6252-17 of the Revised Civil Statutes of Texas and any amendments thereto with regard to the posting of agenda and the holding of public meetings. All public records of every office, department or agency of the city shall be open to inspection by any citizen at all reasonable business hours, provided that records excepted from public disclosure by Article 6252-17a of the Revised Civil Statutes of Texas and any amendment thereto shall be closed to the public and not considered public records for the purpose of this section.

### **13.10 INDEMNIFICATION OF OFFICERS**

The city council shall, by appropriate ordinance, provide for the indemnification and defense of the officers and employees of the city, including members of the city council, or any board, commission, or committee, including volunteers, against any loss, cost, or expense, including court costs and attorneys' fees, to the extent allowed by law, arising out of any claim, suit, or judgment, or settlement thereof, resulting from any alleged negligent act or omission of such officer, employee, member, or volunteer during the discharge of his duties and within the scope of his office, employment, membership, or

assigned voluntary position with the City, or in any other case where the city is directed or authorized by law to do so, provided however, that such indemnification will not be provided for any act arising out of the intentional or knowing violation of any penal statute or ordinance or arising out of any conduct determined by final judgment to be an act of fraud or to have been taken with the intent to deceive or defraud, or for any personal or private business of such officer, employee, member, or volunteer, or for the gross negligence or official misconduct, or willful or wrongful act or omission of such officer, employee, member, or volunteer.

### **13.11 AMENDMENT OF CHARTER**

Amendments to this Charter may be submitted by the city council to the qualified voters of the city for their approval at an election on the motion of the city council or upon petition signed by a number of qualified voters of the city equal to five (5) percent of the number of qualified voters.

### **13.12 BOND OR SECURITY NOT REQUIRED**

It shall not be necessary in any action, suit or proceeding in which the city is a party, for any bond, undertaking or security to be executed on behalf of said city, that all such actions, suits, appeals or proceedings shall be conducted in the same manner as if such bond, undertaking or security had been given, and said city shall be liable as if such obligation had been duly given and executed.

### **13.13 SEVERABILITY CLAUSE**

If any chapter, section, paragraph, sentence, clause or phrase of this Charter shall be held unconstitutional or invalid for any reason by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such provision so held invalid may appear, except to the extent that an entire chapter, section, paragraph or sentence may be inseparably connected in meaning and effect with the provision to which such holding shall apply directly.

### **13.14 MEANING OF WORDS**

The provisions of this Charter shall be liberally construed for the purpose of effecting the objects and ends thereof. Unless some other meaning is manifest, the word "city" shall be construed to mean the "City of University Park," and the word "and" may be read "or," or the word "or" may be read "and" if the sense requires. Words in the present tense include future tense and, except when a more restrictive meaning is manifest, singular may mean plural. Throughout this Charter, words used in expressing masculine gender shall be construed to include the feminine. The word "council" shall be construed to mean the City Council of the City of University Park. All references in the University Park City Code or any other ordinance of the city to "board of commissioners" shall read and be interpreted to mean "city council."

### **13.15 TRANSITION PROVISIONS**

A. This Charter shall take effect immediately following adoption by the voters and entry of the official order by the city council declaring the same adopted as soon as practicable. After adoption the mayor shall certify to the Secretary of State an authenticated copy of the Charter under the city's seal showing the approval by the voters. The city secretary shall record the Charter in a book kept for that purpose and keep and maintain the same as the official record of the city.

B. Upon adoption of this Charter, the present members of the city council filling elective offices will

continue to fill those offices for the terms to which they were elected. If the Charter is adopted, the city council shall call an election for the regular municipal election date in May, 1990, to select a mayor and four (4) councilmembers for a two (2) year term as provided in [Chapter 3](#) hereof.

### **13.16**

If the area of any land owned by the city and being used as a park or of any city-owned green space located within or adjacent to any public street will be permanently reduced by a proposed, city-initiated public works project, the city shall give written notice of the proposed project (i) to the record owner of each lot any portion of which is located within 500 feet of the area where the reduction will occur, (ii) prior to or concurrently with the advertisement by the city soliciting public bids for the proposed project. (Section 13.16 added by the election of May 13, 2006; Ordinance 06/11 adopted 5/23/06)