

CITY OF OVILLA MINUTES
Monday, 12 December 2011
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Vansyckle called the Regular Council Meeting of the Ovilla City Council to order at 7:00 P.M. The following City Council Members were present:

Tom Leverentz	Mayor Pro-Tem, Place 1
James Wade	Council Member, Place 3
Doug Hunt	Council Member, Place 4
Richard Dormier	Council Member, Place 5

Absent: Michael Dickey Council Member, Place 2

Noted members were present, thus constituting a quorum.

City Administrator Randy Whiteman and various department-head staff members were also present.

PL 4 Hunt gave the Invocation.

PL 3 Wade led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

Mayor Vansyckle read aloud a letter of apology for past transgressions. He stated his attempts were always to do the right thing – maybe in the wrong way. He pledged to do his best, be fair and ethical, and not repeat his mistakes. Mayor stated he was renewing his commitment to Ovilla and was ready to start fresh.

CITIZENS COMMENTS / CITIZENS FORUM:

1. Mr. Phil Lynch – stated that he appreciated Mayor Vansyckle’s apology but was formally charging him with ethics violations from the Council Rules of Procedure, Sections 1, 2,3,5,8 and 9 and other civil charges. Mr. Lynch expected that the appropriate city authority, not the Mayor, take charge into a full investigation. (Complaint attached)
2. Ms Dani Muckleroy – She had two requests:
 - When the city planned to replace holiday signs, please include Christian themes.
 - Ms Muckleroy solicited helpers for the Salvation Army sponsorship at Brookshire’s. (She is an advisory Board Member.)

◆ Department Activity Reports / Discussion

- Police Department Chief M. Moon
 - Monthly Report
- Fire Department Fire Chief D. Pickard
 - Monthly Report
 - Shared his health status.
 - Reported that the average response times had decreased (improved) since implementing the 24-hour shift.
- Public Works Director B. Piland
 - Monthly Report
 - New sealer for cracks & road repairs seemed to be working well. Currently crews are working on Johnson Lane and will begin Cockrell Hill soon.

- The Department is prepared for cold weather with sand/grit and melting solvents for the roads. Work crews normally respond to the advice of police and fire personnel on which roads to sand during bad weather, but target the main thoroughfares first.
- Finance Department Accountant S. Jungman
 - Monthly Municipal Court Report – slight decrease from this time last year.
- Administration City Administrator R. Whiteman
 - Monthly Reports – Code Enforcement/Animal Control – ACO & Code Officer Mike Dooly was present and offered explanations to any questions.
 - Vacancies on Economic Development Corporation Board – City Administrator Randy Whiteman stated that there were two openings on the EDC Board: Mr. George Owens and Mr. Ed Arnold both had resigned. PL3 Wade made note that Board vacancies should be filled with residents, not Council if possible.
- Mayor Pro-Tem Leverentz
 - Update Council on CIP (Capital Improvement Projects) Meeting – Mayor Pro-Tem Leverentz shared the discussion from the CIP meeting that transpired earlier this evening.
 - Water – Suggested 14" line for Water Street
 - Roads – Ellis County increased their road repair pricing about 10%. From what has already been done (culverts on Georgetown at \$7200) and with what was still listed on the CIP for this year, the city line item for road repair would be over budget about \$8,000. Last year \$665,000 was expended on road repair.

◆ **CONSENT ITEMS:**

- Monthly Financial Transactions
- Minutes of the November 28, 2011 Regular Council Meeting.

Mayor Pro-Tem Leverentz made a motion approve the consent items as presented.

PL4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

PL2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

REGULAR AGENDA

INDIVIDUAL CONSIDERATION:

- ITEM 1. Discussion/Action** – Receive report from ONCOR representative regarding extensive outages in Ovilla. Council may take any action deemed necessary.
- Requested by PL4 Hunt.

Mayor Pro-Tem Leverentz announced that he filed a Conflict Disclosure Affidavit on this Item with the City Secretary prior to the meeting.

Mr. Kenneth Govan, Area Manager for ONCOR was present and recognized that Ovilla had experienced extensive outages. He stated Ovilla was not alone – other entities were having the same inconveniences.

*Bill Vansyckle, Mayor
Tom Leverentz, Mayor Pro-Tem
Michael Dickey, Place Two*

*Doug Hunt, Place Four
James Wade, Place Three
Richard Dormier, Place Five*

Mayor Vansyckle stated that four of them, Mr. Govan, PL4 Hunt, City Administrator Randy Whiteman and himself took a tour of the city where Mr. Govan showed them areas of switch and pole replacements and where tree trimming had occurred thus far. Mr. Govan shared the help line number – 888.313.4947 and also gave his office number, 972.230.5135.

Council agreed to rescind any prepared letter of official complaint to the PUC (Public Utilities Commission) for now and take no action on this item this evening.

VOTE: NO ACTION.

ITEM 2. Discussion/Action – Report of vacancy and consider appointments and/or reappointments to the Municipal Development District.

- Presented by Administrative staff.

PL3 Wade reiterated from earlier discussion that he did not want Council Members serving on Boards and wished to limit service for all board members to serve on only one board at a time. City Administrator stated if Council wished to limit dual service it would need to be addressed later. Place 1 (Lynn Shortnacy) and Place 5 (Sandra Fitzgerald) responded that they wished for reappointment. Place 3 (Charles Daniels) had not responded to date. PL5 Dormier stated that Mr. Shortnacy also served on the Planning & Zoning Board and would need to decide which Board he preferred since Council was planning to limit dual service.

Mayor Pro-Tem Leverentz made a motion that Council reappoints Ms Sandra Fitzgerald to Place 5 on the MDD and allows Mr. Shortnacy to notify staff of his board preference. Mayor Pro-Tem Leverentz additionally motioned to direct staff to post a notice of opening(s).

PL5 Dormier seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

PL2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

ITEM 3. Discussion Only – Review and consider a request to amend the Employee Handbook, Sections 8.11 and 9.2.

- Requested by Mayor Pro-Tem Leverentz.

Mayor Pro-Tem Leverentz opened discussion and asked Council to consider revising certain portions of the handbook when determining the necessity to conduct employee drug tests for accidents and maybe consider re-defining an accident according to the value of damage. Mayor Pro-Tem shared his opinion by example- that a broken mirror or headlight would not require a drug test but would require a review by the department head only. PL3 Wade voiced concerns about lifting the current scrutiny – that employees would be more accountable as it reads now. Council continued discussion and agreed to take no action at this time, but asked that the Accident Review Board suggest amending sections 8.11 to refer to 9.2. Additionally, consider amending section 9.2 to have a dollar amount to be determined by the Accident Review Board. All recommended changes will come to Council for review.

VOTE: There was no action on this item.

Mayor Vansyckle called a recess at 8:35 P.M.

Mayor Vansyckle reconvened the Council meeting at 8:46 P.M.

*Bill Vansyckle, Mayor
Tom Leverentz, Mayor Pro-Tem
Michael Dickey, Place Two*

3

*Doug Hunt, Place Four
James Wade, Place Three
Richard Dormier, Place Five*

Mayor Vansyckle turned Item 4 over to Mayor Pro-Tem Leverentz.

ITEM 4. Discussion/Action – Council’s deliberation of disciplinary action regarding the Code of Ethics violations of Mayor Vansyckle. Council may take any action deemed necessary.

- Requested by Council

Mayor Pro-Tem Leverentz read aloud Item 4 and allowed Mr. Phil Lynch to submit his complaint on Mayor Vansyckle for Council’s review.

Mayor Pro-Tem Leverentz announced that according to Section 551.074 (Personal Matters) under the authority of the TX Government Code, Council would adjourn into Executive Session.

***Council adjourned into Executive Session at 8:50 P.M. (excluding Mayor Vansyckle)
Council reconvened into Regular Session at 10:07 P.M.***

PL5 Dormier made a motion stating that, we propose the following City Council actions as a result of our findings in the matter of Randy Whiteman versus Bill Vansyckle:

1. The Council recommendation would be that the City Council reprimands the Mayor for exceeding his authority and that the Council clarifies that the Mayor’s authority is restricted to that allowed by State Law. We believe this corresponds to complaint numbers 1, 5 and 11.
2. The Council’s recommendation would be that the City Council reprimands the Mayor for his micromanagement activities and for exceeding his authority and declares that neither he nor any individual member of the City Council has any administrative authority unless assigned by the City Council. We believe this corresponds to complaint numbers 1, 5, and 11.
3. Our (Council) recommendation would be that the City Council reprimands the Mayor for not removing himself from the situation regarding the release of Mr. Ramsey. We believe this corresponds to complaint number 6.
4. Other Council recommendations are:
 - a. City Hall access be limited for all elected officials to normal business hours.
 - b. In emergency situations, access for elected officials can be gained with fire or police personnel who will remain until leaving. No elected official will have a key to city hall, nor have an access code.
 - c. City staff will maintain a log for all elected officials when in city hall – listing the purpose of the visit, who visited, time in and time out. This log will be included in agenda packets each meeting for review.
 - d. All elected or appointed officials shall conduct all city email business on the city server. All passwords for city email will be kept with the City Secretary.
 - e. City Administrator shall provide an update to Council each Friday following a Monday meeting (meaning the off council meeting Friday – every other week) by 4:00 P.M. of weekly city business. This does not need to be an exhausted detailed report, but a summary of what has occurred during the week.

PL4 Hunt seconded the motion.

Mayor Pro-Tem Leverentz asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

PL2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

Mayor Pro-Tem Leverentz turned the order of the Council Meeting back over to Mayor Vansyckle.

Council's Request for Consideration of Future Agenda Items

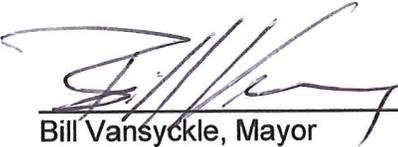
- Place 5, Dormier:** None
- Place 4, Hunt:** Zoning – Industrial & Multi Family
Consider establishing the use credit card payments at City Hall.
- Place 3, Wade:** None
- Mayor:** None
- Place 2, Dickey:** Absent
- Mayor Pro-Tem Leverentz:** None – but thanked Council for their efforts in working together.

Adjournment

Mayor Pro-Tem Leverentz made a motion to adjourn the meeting of December 12, 2011 at 10:17 P.M.

PL5 Dormier seconded the motion.

VOTE: The motion carried unanimously.



Bill Vansyckle, Mayor

ATTEST:



Pam Woodall

Approved January 09, 2012

Attachments:

1. Conflict Disclosure filed by Mayor Pro-Tem Leverentz
2. Formal complaint filed by Mr. Phil Lynch
3. Document pertaining to Item 4 by Mr. Phil Lynch
4. Certified Executive Agenda

Ethics Complaint against Mayor Bill Vansyckle 12/12 2011

I, Phil Lynch, a citizen of Ovilla, Texas, the undersigned, according to the Ovilla Procedures on Hearing Ethics Complaints, formally file ethics charges and other civil violations which may apply, in accordance with the Ovilla Ethics Code against Mayor Bill Vansyckle. I charge the Mayor with systematically abusing his power as an elected official of Ovilla. I expect a full investigation by the appropriate city authority, which does not include Mr. Vansyckle.

Using the Public Information Act, I discovered that the Mayor, without Council approval, did abuse his power by seizing what clearly is the responsibility of the City Administrator and staff, intentionally violating the City's required bid process, without written Council authority, purchased items other than those discussed and agreed upon by council members during the budget meetings, that the council did not approve, on a city credit card that the council did not authorize him to use, spending more than the Council had budgeted on the Audio Video (AV) project – all without prior written permission of the Council.

Unless appropriate documentation such as original itemized receipts for the purchase of audio/visual equipment is provided by the Mayor, the council and the citizens have no proof that the funds were expended as the Mayor says. The total disregard for following established purchasing procedures by not providing documented itemized bids and providing original receipts of items purchased should cause a red flag to go up. This transaction lends itself to possible fraud.

Our existing internal controls should be enforced by the City Council to protect against fraud but when an individual of authority like the Mayor has a total disregard for following established procedures, we must question if fraud exists.

Please find attached, **Exhibit A**, a copy of the council's budget item 5107470, a \$5,000.00 approved item for Audio and Visual equipment.

Next please find **Exhibit B**, the duties of the Ovilla City Administrator found in the Ovilla Code of Ordinances *Section 9.03.043, (9)*, "*The city administrator shall be the administrative officer to the city. He shall be responsible to the governing body of the city for the proper administration of ALL affairs of the city.*" (Bold added for effect)

(9) the city administrator shall supervise the purchase of all materials, supplies and equipment for which the funds are provided in the budget...

On or about the Month of October, 2011, Mr. Vansyckle did, without written permission of the City Council, abuse his authority by taking a City-owned credit card, not assigned to him, and abuse his elected authority as an elected official by randomly purchasing audio video equipment. Mr. Vansyckle did so without required purchasing protocol of obtaining three bids, obtaining approval of the City Accountant or the City Administrator, or contracting for the installation and receiving a guarantee for labor and equipment.

At least we hope that was what he purchased. We just can't know for sure because the Mayor willingly violated the tightly and scripted regulated purchasing and accounting protocol.

In Ovilla, according to Ordinance 2010.020, Section 2 A., both the Mayor and the City Administrator have spending limits up to the sum of \$25,000.00 "in accordance with City Ordinance". Section B. 1., Purchases Limit Chart, reads, when amounts of \$500.00 to \$25,000.00 are in play, the purchase requires 3 legitimate quotes on exactly what is to be purchased, City Accountant approval and City Administrator approval.

Neither the city nor the Council has any idea what was purchased or how much was paid for each item showing up on the City's monthly bill as a result of the unauthorized use of the City's credit card.

Furthermore, the city has no idea if the items purchased are at City Hall or somewhere else as the Mayor additionally violated required purchasing protocol by failing to bring to our City's accounting department original itemized receipts for any of the purchases at Best Buy.

For example, in **Exhibit C**, for the record, the Mayor offered only two receipts from our IT contractor, and they appear to have come by e-mail out of what I believe to be six different purchases, each one from our IT contractor, one for \$20.00 and the other for \$89.99. There are no original itemized receipts for the rest of the \$6,000.00 spent by the Mayor on (hopefully) AV equipment. I see on the credit card bill of 11/03/2011, what I believe to be six different purchases.

We can't know what was purchased since the Mayor once again failed to reveal that information to the City Accountant, to the City Administrator or to the City Council. The Mayor additionally failed to report the City Council or the City

Administrator his decision to purchase items not previously discussed with the City Council or City Administrator. Yet, to date, no Council action has held him accountable. Therefore the city has no original itemized receipts, no copies of receipts, guarantees, warranties and maybe no ability to return the expensive items if they are deemed to be ineffective or of low performance quality by the Council or the City, since, once again, many of the items are not what the Council approved. And once again, some if not all of the items are absolutely not what Council thought would be purchased.

In addition, I charge the Mayor with fraudantly deceiving the City Accountant, the City Administrator and Council, thereby deceiving the citizens of Ovilla by filling out and signing three falsified bids for this specific project, in **Exhibit D**, for the AV system.

Three actual bids from organizations or companies who know exactly what they're bidding on by first receiving an itemized list of the project needs are required by Ordinance for this project. If the lower bid is not selected by the City Administrator or City Council, whichever is appropriate, as I understand the protocol, the written reasons are to become a part of the file. If bids are not possible, the Council must be informed before purchase is permitted, and only permitted by written Council permission.

If the Council had required the Mayor to follow protocol and the Ovilla City Code of Ordinances, the City Administrator would have obtained a minimum of three bids designed to achieve our exact AV needs. After the bid winner is selected, arrangements would have been made for oversight, speedy installation with an appropriate warranty period. None of that occurred.

In addition, according to known information, copies of the so-called bids were completed both after, and months prior to submission as two of the bids were for different equipment than this project altogether. Upon bid submission, I'm alleging the Mayor had **already made** the purchases for random items at Best Buy. Contrary to what you see, Best Buy **did not** make a formal bid as the Mayor wrote on one of the falsified bids for this project. In fact, **in direct violation of our purchasing code ordinance, no company or organization ever made an actual bid** to the Mayor or Ovilla City for AV approved by the Council in the budget.

I found no evidence of a list of any kind provided by any company, including the Mayor, for items required to reach the Council's AV objective. Please note the unacceptable incompleteness of the bids, remembering the Mayor only

turned them in **after** the Best Buy purchases were made, and only **after** being pressed by the City Staff who knew the law and the Ordinances.

The Staff is not the policeman of the Mayor, the City Council is. I charge the Mayor with abusing his power by recklessly spending more than the approved AV budget by more than 20% (from \$5,000.00 to over \$6,000.00. See the Best Buy Bill dated 11/03/11 and all receipts obtained from PIA, attached) without gaining Council approval prior to spending a budgeted item.

In this complaint, please note that I used the word 'systematically'. During the Mayor's time in office, up to and including today, the City Council appears to have enabled the Mayor to operate outside our elected official's authority, abuse his authority with employees, forcing them with his power as the Mayor to overlook what the Council should have been in control of, and we, gentlemen, the citizens of Ovilla suffer the consequences. May I humbly suggest that you begin immediately inspecting what you expect.

The first example of this systematic abuse is mentioned June 8, 2009, in the original Council Chamber, is Mayor Vansyckle's assertion, when, according to PIA results, **Exhibit E**, the Mayor stated, *"It was expected that donations would cover the expenses for the inside renovations. Funds to pay for the new chairs and photo frame replacements had already been donated. Not all price quotes were submitted to date"*

On July 13, 2009 there was a discussion in the city council meeting about the city hall renovations and *"Mayor Vansyckle advised those present that all renovations for The Council Chamber were from donated funds and not a part of this item under discussion."*

On August 11, 2009, an excerpt from the city council meeting was approved in the Council minutes, *"Mayor Vansyckle discussed the progress of the renovated Council Chamber Room, reiterating that none of the renovations was at the taxpayer's expense."*

The next mention, August 24, 2009, in the old chamber referring to the 'free Council Chamber' renovation was *"Mayor Vansyckle advising of a raffle for a power saw and a riding lawnmower planned for Heritage Day to help defray the cost of the Council Chamber Room remodel."*

September 14, 2009, *"Mayor Vansyckle discussed the progress of the renovated Council Chamber Room. Reiterating that none of the renovation was at*

taxpayer's expense." After that meeting, on September 14, 2009, only 2 more donations came in. The Mayor knew or should have known in September, the financial part of the project was a failure. But the citizens who would ultimately pay for the Mayor's out of control behavior were intentionally kept in the dark.

On March 8, 2010, five months later, in a Discussion Item Only, about the renovation of the Council Chamber, did Mayor Vansyckle finally come clean and reveal the ugly truth. The council approved minutes state that, "*Mayor Vansyckle had hoped that the donated funds collected from the previous fiscal-year for the newly renovated Council Chamber Room would have completely covered all expenses. Unfortunately, city funds were necessary to cover the financial obligations; however, staff is still accepting donations to reduce the city's cost of \$6,289.00.*"

Notice that in **Exhibit F**, the donations had been finished since October 30, 2009 with a \$100.00 donation, and there were no donations thereafter. Sadly, on **Exhibit F I** can count only nine citizens, of which three are anonymous, who donated to The Council Room Project. It is interesting to note that it was five months later when the Mayor, without City Council approval, or City Council approved budgeting monies for the renovation, charged the citizens of Ovilla for nearly 40% of the total construction to come out of the city's general fund.

In my experience, the failure of accountability, of proper oversight, proper accounting, the huge lack of citizen contribution participation, collecting only 60% of the money when continuing to spend and authorize spending in the name of the City, without any concept of the future consequences to the taxpayer were, failure to report the overspending to the Council or the City Administrator, in my view, were not legal as he did it in our name without council approval. Nor did the Mayor use appropriate methods of handling construction of property owned by the citizens, or taxes not budgeted prior to expenditure to cover the failed project. Yet, the spending continued as though the elected official had no political or legal worries by ignoring accepted policies of protocol and accountability.

I'm equally sure it was not ethical or legal to ultimately force the Council, because the unauthorized expenditures made by Vansyckle in the name and on behalf of the City, into obtaining taxpayers monies out of the budgeted general fund to cover an out-of-control elected official.

I can find no evidence that any City Council agenda contained any discussion or action item outside those mentioned above. The City Council, in 2009 and 2010, permitted the citizens of Ovilla to become the victim of an out-of-control elected official, who once again demonstrated in the current AV project that the official has no concept or intension of following accounting protocol, bid process, purchasing expertise, staying within a budgeted item, protecting the city by following protocol, spending monies unauthorized by the City Council or the handling of citizens' tax monies with unauthorized credit card expenditures. In effect, the Mayor apparently has been permitted by the intentional failure of Council oversight to act above the law.

Economics 101 teaches, that "there ain't no a free lunch". Another interesting idea is, "if it's too good to be true, it is". But if one lives in a world where they are permitted by the Council, who trusts because of political debt, and is continually looking the other way, to make up their own rules as they go along, continually violate ordinances and the Code of Ethics and when it blows up, command the City staff to clean it up, the stink finally gets on all of us.

In my opinion, as a taxpayer and citizen, the City Council should have never permitted any construction of City-owned property of any description until the individual offering "free" construction or any other "free" item could have validated he had collected 100% of the alleged donated monies and had the monies placed in a city controlled escrow account. Then and only then, the Council could have made the construction project an agenda item with Council approval, using legal protocols and the City Administrator, according to Code, with full knowledge of the progress and expenditures.

Handling one's Council responsibilities is not easy. It's most difficult when the abuser is owed so much politically.

The City Council's failure to reign in an elected official, who has continually seized authority he does not legally or ethically possess, has contributed, in my observation, to enabling the particular official until, one more time, we have the AV Project abuse of power today.

My **Exhibit G** is a copy of the Ethics Code. I have numbered the bullets to make them easier to follow. In addition to points of law and City Code of Ordinances Mr. Vansyckle may have violated, I charge the Mayor in the AV project, based on the aforementioned of violating #1, #2, #3, #5, #8, and #9.

#1. If Convicted, based on highest ideals of honor and integrity (high moral standards), he has not merited the respect and confidence of the citizens of Ovilla with their money and required accountability standards.

#2. The best interests of the citizens have not been served in any part of the AV project.

#5, Mr. Vansyckle has failed to represent the official policies of the city code of ordinances by violating his Oath of Office in abusing his authority and in injecting himself in place of the City Administrator and Staff as the City's equipment procurement expert and spending monies not approved with a credit card he has no written authority to possess much less use.

#8. Mr. Vansyckle failed to conduct fully the AV business in open meetings. Recordings of City Council meetings where the AV project is discussed, Mr. Vansyckle avoids direct answers to specific questions on his purchases and implementation progress. He continually used a 'straw man' excuse to explain why the AV system is not functioning, constantly referring to Ferris City and Ferris elected officials. I wonder if Ferris obtained their *working* AV system with knock-offs, items not originally discussed and approved by the Council, bypassing the City Administrator, failing to properly obtain at least three bids to protect the City's treasury and overspending the Council approved budget.

We, as citizens, fully expect the City Council to regain control our out-of-control mayor, including, after your investigation, finding the will to forward this allegation to the appropriate authorities for an unbiased, complete investigation into these charges.

Phil Lynch

A handwritten signature in cursive script, appearing to read 'Phil Lynch', written in black ink.

City of Ovilla
General Fund
Budget 2011-2012

EXHIBIT
A
1 page

General Fund		2011-2012 Budget
5105600 · Insurance		
	5105610 · Insurance - Property	2,500.00
	5105620 · Insurance - Liability	780.00
	5105630 · Insurance - Fidelity Bond	250.00
	5105635 - Public Official Surety Bond	900.00
Total 5105600 · Insurance		4,430.00
5105700 · Other Expenses		
	5105705 · Postage	6,000.00
	5105710 - Cash - Over/Short	10.00
	5105725 - Records Management Expense	1,000.00
	5105730 · Memberships	2,100.00
	5105740 · Advertising	5,000.00
	5105752 - Pre-Employment Screening	300.00
	5105760 · Bank Service Charge	25.00
	5105764 - Filing Fees	250.00
	5105765 · Miscellaneous	2,000.00
	5105700- Other Expenses - Other	0.00
Total 5105700 · Other Expenses		16,685.00
5106400 · Minor Capital Outlay		
	5106420 · Buildings	0.00
	5106430 · Improvements Other Than Bldgs	0.00
	5106440 · Machinery & Equipment	1,000.00
	5106465 · Furniture	500.00
	5106490 · Other	0.00
Total 5106400 · Minor Capital Outlay		1,500.00
5107400 · Capitalized Assets		
	5107420 · Buildings	0.00
	5107430 · Improvements Other Than Bldgs	0.00
	5107440 · Machinery & Equipment	1,000.00
	5107470 - Audio & Visual Equipment	5,000.00
	5107490 · Other	0.00
Total 5107400 · Capitalized Assets		6,000.00
5109000 · Reserves		
	5109001 - Reserve for Contingency	86,561.00
	5109005 - Reserve for Sales Tax Street	0.00
Total 5109000- Reserves		86,561.00
Total 10 · Administration		492,501.00

Sec. 9.03.034 Powers and duties

The city administrator shall be the administrative officer of the city. He or she shall be responsible to the governing body of the city for the proper administration of all affairs of the city. To that end, he or she shall be empowered and shall be required to:

- (1) Prepare job descriptions for all officers and employees of the city, and fill budgeted positions on the city staff, other than department heads. Recommend to the mayor and city council the appointment of department heads. He or she shall be empowered to suspend department heads and recommend their termination to the mayor and city council. He or she shall direct and supervise the day-to-day activities of all employees through department heads.
- (2) Prepare the budget draft annually in conjunction with the heads of departments, and submit it to the governing body together with a message describing the important features and be responsible for the administration of the adopted body [budget].
- (3) Prepare and submit to the governing body, with the assistance of the heads of departments, at the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year.
- (4) Keep the governing body advised of the financial condition and future needs of the city, and make such recommendations as may be deemed desirable. Make proposals for applications for federal grants and make required reports for such grants as may be applicable and desirable for city needs.
- (5) Keep the governing body informed on a timely basis of the significant activities of the city, with special emphasis on the expansion projects associated with the growth of the city.
- (6) Recommend to the governing body a standard schedule of pay for each appointive office and position in the service, including minimum, intermediate and maximum rates.
- (7) Recommend to the governing body (from time to time) adoption of such measures, ordinances, and resolutions as may be deemed necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.
- (8) Attend all meetings of the governing body unless excused therefrom, and be prepared to answer questions that may be asked.
- (9) Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; and purchase materials and supplies necessary for operation or maintenance of city services for amounts up to and including two thousand dollars (\$2,000.00), and up to and including four thousand nine hundred ninety-nine and 99/100 dollars (\$4,999.99) with the proper approval of the governing body to the extent funds have been provided in the budget. No purchase shall be made, contract let or obligation incurred which exceeds the current budget appropriation without a supplemental appropriation by the governing body. No contract shall be let except by

the mayor and the city council. The city administrator may issue such rules governing procedures for purchasing within the administrative organization as the governing body shall approve.

- (10) Transfer any unneeded surplus in the amount budgeted from one account to another account in which a deficiency exists, if and when, in the judgment of the city administrator, actual or probable receipts are less than the amount estimated and therein appropriated for expenditures of the several departments. The city administrator may authorize the transfer of funds by department heads among major account divisions within department budgets.
- (11) See that all laws and ordinances are duly enforced and see that all franchises, permits and privileges granted by the city are faithfully observed.
- (12) Investigate the affairs of the city, or any department or division thereof. Investigate all complaints in relation to matters concerning the administration of the governing of the city, and regarding service maintained by the public utilities in the city, and see that the quality of service be maintained by the public works department.
- (13) Perform such other duties as may be required by the governing body not inconsistent with the law or ordinances of the city.

(1989 Code, ch. 8, sec. 9.04)

Sec. 9.03.035 Conflict of interest

He or she shall hold no other public office, nor any office, whether public or not, within the city and shall not be employed by or affiliated with any business or organization doing business with the city, in order to assure the duties and responsibilities of this office may be performed in a timely and responsible manner. This section shall not be interpreted to prevent the city administrator from holding offices in civic organizations, with city council approval. (1989 Code, ch. 8, sec. 9.05)

State law reference—Conflicts of interest of officers, V.T.C.A., Local Government Code, ch. 171.

Sec. 9.03.036 Emergency expenditures

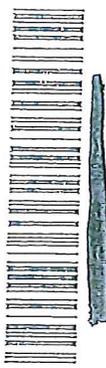
In case of accident, disaster, or other circumstance creating a public emergency, the city administrator may award contracts and make purchases for the purpose of meeting said emergency, but he or she shall file within seventy-two (72) hours with the governing body a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures. (1989 Code, ch. 8, sec. 9.06)

Sec. 9.03.037 Bond

The city administrator shall furnish a surety bond to be approved by the city council, said bond to be conditioned on the faithful performance of duties. The premium of the bond shall be paid by the city. (1989 Code, ch. 8, sec. 9.07)

EXHIBIT

C
4 pages



XXXX-XXXX-XXXX- [redacted]

Statement Date
11/03/11

INDIVIDUAL CARDHOLDER ACTIVITY

WOODALL, PAM				XXXX-XXXX-XXXX- [redacted]	
Monthly Limit		Cash Limit*			
\$7,500		\$00			
Sale Date	Post Date	Reference Number	Type of Activity	Amount	
10-03	10-05	05410191277174570063908	BEST BUY 00009720 RICHFIELD MN	4,937.02	
10-05	10-07	05410191279174570086949	BEST BUY 00009720 RICHFIELD MN	89.99	
10-13	10-17	55541861288072000490125	FOUR SEASONS HOTELS HOUSTON TX 000005567 ARRIVAL: 10-10-11	684.45	
10-18	10-20	05410191292174570076752	BEST BUY 00009720 RICHFIELD MN	187.45	
10-20	10-24	05410191294174570115855	BEST BUY 00009720 RICHFIELD MN	20.00	
10-20	10-24	55541861294004015098538	GUITAR CENTER #440 DALLAS TX	138.48	
10-21	10-24	05410191295174570129210	BEST BUY 00009720 RICHFIELD MN	369.96	
10-26	10-27	05410191299295101206957	BEST BUY MHT 00002568 FARMERS BRANC TX	105.44 CR	
10-31	11-01	55436871304733046288578	TEXAS MUNICIPAL CLERKS 940-5653488 TX	250.00	
				TOTAL PURCHASES/ADVANCES/CREDITS	6,571.91

MAJOR -

Pam school

XXXXXXXXXX				XXXX-XXXX-XXXX- [redacted]	
Monthly Limit		Cash Limit*			
\$10,000		\$00			
Sale Date	Post Date	Reference Number	Type of Activity	Amount	
10-07	10-07	55432861280000306703511	HOTELS.COM US 800-219-4306 WA	275.16	
10-17	10-24	55499671295200983602001	ICSC NEW YORK NY	270.00	
				TOTAL PURCHASES/ADVANCES/CREDITS	545.16

RYLAND ROAD				XXXX-XXXX-XXXX- [redacted]	
Monthly Limit		Cash Limit*			
\$5,000		\$00			
Sale Date	Post Date	Reference Number	Type of Activity	Amount	
10-19	10-20	55541861292010181363868	THE HOME DEPOT 6505 WAXAHACHIE TX	98.50	
10-21	10-31	55541861301010181128530	THE HOME DEPOT 6505 WAXAHACHIE TX	611.72	
11-02	11-03	555475013000253083010212	LONE STAR WESTERN & CA WAXAHACHIE TX	243.25	
				TOTAL PURCHASES/ADVANCES/CREDITS	953.47

*Cash Advance Limit is a portion of your Total Monthly Limit
**Available Cash Line is a portion of your Available Credit Line

Audio/Visual Equipment

<u>Date</u>	<u>Purchased From</u>	<u>Description</u>	<u>Amount</u>
9/27/2011	Best Buy		4,937.02
10/20/2011	Best Buy	Projection Screen	89.99
10/5/2011	Best Buy	Handheld Wireless Microphone	20.00
10/18/2011	Best Buy		187.45
10/21/2011	Best Buy		369.96
10/20/2011	Guitar Center		138.48
10/26/2011	Best Buy		(105.44)
11/7/2011	John Binford	Tablet PC Testing, Drop Box	206.25
11/11/2011	John Binford	Set Up Tablets, wireless router	168.75
			<u>6,012.46</u>

Bill Vansyckle

From: BBFBCustomerSupport@bestbuy.com
Sent: Thursday, October 20, 2011 1:36 PM
To: Bill Vansyckle
Subject: Thank you for your Best Buy For Business order

Order Date: 10/20/2011

Thank you for your order



Billing Address
Bill Vansyckle
City of Ovilla
105 COCKRELL HILL RD
OVILLA, TX 75154

Shipping Address
Bill Vansyckle
City of Ovilla
105 COCKRELL HILL RD
OVILLA, TX 75154

Dear Bill Vansyckle,

We are currently processing your order and will notify you by e-mail when your order ships, is ready for store pickup, or when a home delivery date has been confirmed. Please note that a Best Buy For Business Account Manager may contact you if additional information is needed to complete the order. To check the status of your order, select the "Order Status" button below. For more information, see our [Shipping Policy](#).

Order Number: 224993682

[Order Status](#)

Qty	Product Description	Price	Total Price
1	Audio-Technica Freeway 200 Series Handheld Wireless Microphone System Item BB10975531 Retek SKU 8889651 Return Process In-store or by mail. See Policy	\$20.00	\$20.00
Store Pickup - FARMERS BRANCH TX, 4255 LYNDON B JOHNSON FWY MIDWAY/LBJ SHOPPING CTR (Store# 256)			

Total: \$20.00

Tax: \$0.00

ORDER TOTAL: \$20.00

At Best Buy For Business, we work hard to earn your business every day:

- * More than 100,000 business-class technology products including notebooks, networks, servers and software.
- * More brand-name manufacturers: Apple, HP, Lenovo, Microsoft, Toshiba and many more.
- * Personalized service: online, in stores, by phone and at your office
- * Volume discounts, commercial warranty plans and available financing.

Bill Vansyckle

From: BBFBCustomerSupport@bestbuy.com
Sent: Tuesday, October 04, 2011 2:03 PM
To: Bill Vansyckle
Subject: Thank you for your Best Buy For Business order

Order Date: 10/04/2011

Thank you for your order



Billing Address
 Bill Vansyckle
 City of Ovilla
 105 COCKRELL HILL RD
 OVILLA, TX 75154

Shipping Address
 Bill Vansyckle
 City of Ovilla
 105 COCKRELL HILL RD
 OVILLA, TX 75154

Dear Bill Vansyckle,

We are currently processing your order and will notify you by e-mail when your order ships, is ready for store pickup, or when a home delivery date has been confirmed. Please note that a Best Buy For Business Account Manager may contact you if additional information is needed to complete the order. To check the status of your order, select the "Order Status" button below. For more information, see our [Shipping Policy](#).

Order Number: 224926260

[Order Status](#)

Qty	Product Description	Price	Total Price
1	Elite Manual Series M99NWS1 - projection screen - 99 in (252 cm) Item BB10820180 ReTek SKU 9613594 Return Process In-store or by mail. See Policy . Standard Delivery Ground	\$89.99	\$89.99

Total: \$89.99

Tax: \$0.00

ORDER TOTAL: \$89.99

At Best Buy For Business, we work hard to earn your business every day:

- * More than 100,000 business-class technology products including notebooks, networks, servers and software.
- * More brand-name manufacturers: Apple, HP, Lenovo, Microsoft, Toshiba and many more.
- * Personalized service: online, in stores, by phone and at your office
- * Volume discounts, commercial warranty plans and available financing.

Have you enrolled in the Best Buy Reward Zone program?

As a member, you earn rewards points on most business purchases, redeemable

CITY OF OVILLA
Purchase Requisition

EXHIBIT
D
2 pages

Date:	
Name	Bill VANSYCKIE
Department:	
Account Number:	
Date Required:	

Description of Item: PUB. ID - VISUAL

Quantity: _____

Explanation: _____

Required if expenditure exceed \$500

I. QUOTE #1	
Vendor Name & Number:	DELL
Address:	WES
Contact Person & Phone	WA IRENE CORNEL
Price:	6,842. ⁴⁹ (NOT ALL REQUIRES Equal P. 2107)
II. QUOTE #2	
Vendor Name & Number	
Address:	
Contact Person & Phone	
Price:	
III. QUOTE #3	
Vendor Name & Number	
Address:	
Contact Person & Phone	

Comments: _____

Name: _____

Date: _____

EXHIBIT

E

3 pages



October 5, 2011

Emailed: morrisgresham@sbcglobal.net

Mr. Morris Gresham
202 Brookwood Court
Ovilla, TX 75154

RE: Public Information Request 2011.09.21

Dear Mr. Gresham,

The City of Ovilla in receipt of your email request for information dated September 21, 2011. Pursuant to Chapter 552 of the Government Code, the information attached is responsive to your request:

"I have all the data on the council chambers renovation, including the mayor's statements that it would be at no cost to the City. Since it did, indeed, cost the City, I'd like to know if the City Council approved the original expenditure or if it was only at the instruction of the mayor."

I have researched the minute books and do not have a definitive answer for you. I have pulled excerpts from approved minutes of Council meetings where the Council Chamber Room renovations were mentioned and/or discussed. Those statements are highlighted.

On June 08, 2009, Item 4, was a Discussion/Action item referring to the necessary renovations to the city hall, police department and old fire station. These renovations were for the outside of the buildings; however, this is the first mention of the Council Chamber Room renovations. I have attached the excerpts from the minutes-highlighted:

ITEM 4. Discussion/Action – Receive, review, and consider necessary and miscellaneous building renovations to City Hall, the police station and the old fire station.

The city hall building, police station and the old fire station had been in need of miscellaneous outside repairs for some time. Code Enforcement Officer Mike Dooly presented Council with repair quotes from various companies. All the repairs to the outside buildings would aesthetically match the new Fire Station. Mr. Dooly noted that the listed repairs were imminent and necessary safety repairs: rain gutter replacements, wood replacements due to rotting and deterioration and, a sagging roof with drainage issues. The amended budget of \$12,500 would not cover the cost of funds required for all the necessary renovations. Council Member Hunt asked that he would like to review the specific areas of needed improvement. Council Member Graham stating the need for exact specifications and reiterated the comment made by Council Member Hunt.

Ms Sharon Jungman addressed Council with a list of options to update the Council Chamber room. Mayor Vansyckle announced that it was expected that donations would cover the expenses for the inside renovations. Funds to pay for new chairs (for the Council Chamber room) and photo frame replacements had already been donated. Not all price quotes were submitted to date.

CITY OF OVILLA Purchase Requisition

Date:	
Name:	<i>CITY OF OVILLA</i>
Department:	
Account Number:	
Date Required:	

Description of Item: *Audio - Visual Equipment for Council Chambers*

Quantity: _____

Explanation: _____

Required if expenditure exceed \$500

I. QUOTE #1	
Vendor Name & Number:	<i>Best Buy</i>
Address:	<i>DARTMOUTH COOP.</i>
Contact Person & Phone	<i>ZACK POWACK</i>
Price:	<i>5,089.96</i>
II. QUOTE #2	
Vendor Name & Number	<i>ITD Home.</i>
Address:	<i>WEB</i>
Contact Person & Phone	<i>NAME.</i>
Price:	<i>3,063.-</i>
III. QUOTE #3	
Vendor Name & Number	<i>DELL</i>
Address:	<i>WEB</i>
Contact Person & Phone	<i>NOVA</i>

Comments: *1,244.98 ≠ 865.07*
NOT Her Equip. needed

Name: *[Signature]*

Date: _____

On July 13, during the Regular Council Meeting, renovations were addressed – only regarding the outside of the buildings. Please see the highlighted excerpt below.
TABLED ITEM FROM JUNE 08, 2009

Discussion/Action – Receive, review, and consider necessary and miscellaneous building renovations to City Hall, the police station and the old fire station.

Consider motion to remove item from table-

Mayor Pro-tem Leverentz made a motion to remove the tabled item from the table for consideration. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

Council, City Administrator and Code Enforcement Officer Dooly reviewed and discussed the electrical bids submitted for new lighting for the exterior of the building. Code Enforcement Officer Dooly informed Council that the outside motion detectors are not working properly. Council Member Graham received clarification from Mr. Dooly that staff was not asking Council to appoint a contractor to complete all the work this evening, only addressing the electrical work to be done. Council Member Wade voiced concern for the necessity of some areas designating points of new lighting on the bids and ascertained why the public works maintenance crew could not perform some of the work. Mr. Dooly responded that Ovilla did not have an electrician on staff. Additionally, Council Member Wade questioned why public works maintenance crews could not complete the outside painting as well. City Administrator Randy Whiteman explained that scaffold equipment and height were factors. Painting the outside of the building on scaffolds was much different and considerably dangerous as opposed to painting the inside of the building. The City Administrator stated he believed professional painters should perform that task. Council Member Wade stated he wanted to address the purchase of scaffolds as a new agenda item at an upcoming meeting.

Mayor Pro-tem Leverentz made a motion that Council approves Brite Electric for commercial grade lighting repairs and installation at the old fire station and city hall. Council Member Hunt seconded the motion.

Before the motion could pass Council Member Dickey interceded and made a motion to place everything back on the table to allow continued discussion and the issue of possibly purchasing scaffolds. Council Member Wade seconded the motion to table the item.

Mayor Pro-Tem Leverentz and Council Member Hunt opposed.

VOTE: The motion carried 3-2. The agenda item was placed back on the table.

(Mayor Vansyckle advised those present that all renovations to the Council Chamber were from donated funds and not a part of this item under discussion.)

On August 10, 2011, this excerpt was in the approved Council minutes:

Mayor Vansyckle discussed the progress of the renovated Council Chamber Room, reiterating that none of the renovation was at taxpayer's expense.

This excerpt was taken from the Council approved minutes of August 24, 2009

Mayor Vansyckle – Advised of a raffle for a power saw and riding lawnmower planned for Heritage Day to help defray the cost of the Council Chamber Room remodel.

This excerpt was taken from the Council approved minutes of September 14, 2009

Mayor Vansyckle discussed the progress of the renovated Council Chamber Room room, reiterating that none of the renovation was at taxpayer's expense.

From my research, there was one occasion that Mayor Vansyckle listed the Council Chamber room renovations on the agenda as a Discussion Only Item. That date was March 08, 2010 and the excerpt is listed below.

ITEM 6. Discussion Only – Discussion and update of the Council Chamber Room renovations.

Mayor Vansyckle had hoped that the donated funds collected from the previous fiscal-year for the newly renovated Council Chamber Room would have completely covered all expenses. Unfortunately, city funds were necessary to cover the financial obligations; however, staff is still accepting donations to reduce the city's cost of \$6,289.

THERE WAS NO ACTION. DISCUSSION ONLY.

Mr. Gresham, the Council Chamber room renovations were never listed as an action item to be approved by Council because it was supposed to have been paid through donations only. However, all budget(s) and/or budget amendments are approved by Council annually and bi-annually to balance the budget and mid-year budget each year. Our accountant is out of the office this week, but I will confirm with her (upon her return next week) that funds to cover the unexpected expenses from the Chamber Room renovations were taken from the contingency fund.

Total cost -0- (emailed)
Time spent 3 hours
Time YTD 11 hours, 15 minutes

If you have any questions, please contact my office.

Respectfully,


Pam Woodall Higgins
City Secretary
972.617.7262
phiggins@cityofovilla.org

City of Virginia General Fund
 Account C Report
 City Council Remodel

10 - Administration
 5105500 - Repairs & Bldg Improvements
 5105560 - Repairs - Council Room

10:15 AM
 02/2

Accrual Basis
 Amount

Type	Date	Name	Memo	Amount
Deposit	06/29/2009	Donation	Money Order for Council Room Chairs	-400.00
Deposit	06/29/2009	Donation	Money Order for Council Room Chairs	-1,000.00
Bill	08/28/2009	Petty Cash	Repairs Council-Picture Frame	16.28
Deposit	07/10/2009	Michael Dickey	Donation from Mike Dickey for Council Room remo	-400.00
Deposit	07/14/2009	Donation	Donation from D. Muckleroy	-100.00
Bill	07/15/2009	Home Depot Credit Services	Acct. 5434	1,449.50
Deposit	07/24/2009	Gregory Borth	Donation for Lighting	-600.00
Deposit	07/24/2009	Phillip Lynch	Donation for Council chambers	-100.00
Bill	08/04/2009	Keith Ace Hardware	Drop Cloths	44.97
Bill	08/10/2009	Phillips Lumber Company, Inc.	Lumber for Remodel	1,470.04
Bill	08/16/2009	Robert Child	Trim Work	1,400.00
Bill	08/18/2009	Phillips Lumber Company, Inc.	Lumber for Remodel	118.21
Credit	08/19/2009	Phillips Lumber Company, Inc.	Credit for Lumber Returned	-379.22
Bill	08/26/2009	Asuncion Zambrano	Paint & Stain City Council Room	2,950.00
Bill	08/28/2009	Tommy Cole	Electrical Work	1,000.00
Bill	08/28/2009	Tailor Made Counter Top Co., Inc.	Countertops for Council Room	2,800.00
Bill	08/31/2009	Marek Brothers Co. LTD	Drywall for Council Room Remodel	1,593.00
Deposit	09/01/2009	James Waide	Donation for Purchase of Lawn Tractor	-650.00
Bill	09/01/2009	Vision Printing Inc.	Raffle Tickets	95.00
Deposit	09/04/2009	Anonymous	Donation	-3,200.00
Deposit	09/11/2009	Stephen B. Trammell DO	Donation for Council Room Remodel	-500.00
Bill	09/11/2009	Flooring Services, LTD	Tile & Installation	915.50
Bill	09/11/2009	Flooring Services, LTD	Carpet & Installation for Council Chambers	1,310.40
Bill	09/14/2009	Vision Printing Inc.	Raffle Tickets	95.00
Bill	09/14/2009	Home Depot Credit Services	Acct. 5434	392.28
Check	08/23/2009	Lewis	Bolen Lawn Mower for Raffle	718.00
Deposit	09/28/2009	Donation	Raffle Ticket Money For City Council Room	-1,550.00
Deposit	10/16/2009	Access Oak Cliff 3 LTD	Doug Hunts Contribution	-1,000.00
Deposit	10/30/2009	David Griffin	Donation for City Council Room Remodel	-100.00

1 page

6,288.91
6,288.91
6,288.91
6,288.91

Total 5105560 - Repairs - Council Room
 Total 5105500 - Repairs & Bldg Improvements
 Total 10 - Administration

TOTAL

EXHIBIT

G
3 pages

Council, boards and commissions shall **annually** review the Code of Ethics. The Mayor and City Council shall consider recommendations from boards and commissions and updates as necessary.

- 7. Consultants hired by the City shall be considered staff members for purposes of governance.

Code of Ethics

A. Code of Ethics

The office of an elected and/or appointed official is one of trust and service to the citizens of Ovilla. This position creates a special responsibility for the Ovilla City Council Member, Mayor and all boards. The professional and personal conduct of Members must be above reproach and avoid even the appearance of impropriety. Any use of the phrase "Members" shall constitute the Mayor, City Council and all board/commission Members. In an effort to further these objectives, certain ethical principles shall govern the conduct of any and all Council Member, Mayor, and/or board /commission Member who shall:

- 1 • Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that every Member may merit the respect and confidence of the citizens of Ovilla;
- 2 • Recognize that the chief function of local government at all times is to serve the best interest of all people. Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests. Members shall not use public resources not available to the public in general, such as city staff time, equipment, supplies or facilities, for private gain or personal purposes;
- 3 • Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;
- 4 • Not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits, which compromise their independence of judgment or action or give the appearance of being compromised;
- 5 • Assure their independence and impartiality on behalf of the common good. Members shall not use their official positions to influence government positions, which may give the appearance of conflict of interest. Members shall represent the official policies or positions of the City Council, board or commission to the best of

their ability when designated as delegates for this purpose. When presenting their *individual* opinions and positions, Members shall explicitly state they do not represent their body or the City of Ovilla, nor will they allow the inference that they do;

- 6 • In accordance with the law, Members shall disclose investments, interest in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where an appreciable conflict of interest may exist;
- 7 • Recognize that public and political policy decisions, based on established values, are ultimately the responsibility of the Mayor and City Council;
- 8 • Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of Ovilla. It is recognized that certain exceptions are made by the State for Executive Sessions; however, any action as a result of that type of meeting will be handled later in Open Session;
- 9 • Respect and adhere to the Council-Administrator structure of Ovilla City government as outlined by the Ovilla City Code of Ordinances. Members therefore shall not interfere with the administrative functions of the City or the professional duties of city staff; nor shall they direct/interfere with the ability of staff to implement Council policy decisions;
- 10 • Because of the value of the independent advice of boards and commissions to the public decision-making process, refrain from using their position to unduly influence the deliberations or outcomes of board of commission proceedings;
- 11 • Support the maintenance of a positive and constructive work place environment for city employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with city employees and in no way create the perception of inappropriate direction to staff.

Compliance and Enforcement:

The Ovilla Code of Ethics expresses the minimum standard of ethical conduct expected for Members of the Mayor, Ovilla City Council, boards and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions are brought to their attention of Members who

appear to be in violation of the Code of Ethics. Therefore, the City Council may impose sanctions on Members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Under the Code of Ordinances, the City Council also may remove Members of boards and commissions from office.

At such time that the City Council determines that an elected official has violated any provision of this policy, that official shall be subject to disciplinary action as prescribed by State law.

From the Ovilla Code of Ethics

“Compliance and Enforcement:

The Ovilla Code of Ethics expresses the minimum standard of ethical conduct expected for Members of the Mayor, Ovilla City Council, boards and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions are brought to their attention of Members who **RULES OF PROCEDURE FOR THE COUNTY CITY OF OVILLA. R2010.013 PAGE 7 OF 21** appear to be in violation of the Code of Ethics.

Therefore, the City Council may impose sanctions on Members whose conduct does not comply with the City’s ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Under the Code of Ordinances, the City Council also may remove Members of boards and commissions from office.

At such time that the City Council determines that an elected official has violated any provision of this policy, that official shall be subject to disciplinary action as prescribed by State law.”

A Censure is public condemnation.

Each elected official has sworn an oath to protect and defend the laws of this State. As an official, if you are aware of a violation of Texas law, it is your sworn oath to this city to report that alleged violation to the authorities. Agregious conduct such as making a false police report, stealing a social security number, operating a business for profit out of the city’s facilities, abuse of power, official oppression, interference with the city’s civil court system, fixing citations, conspiring with the city prosecutor against the city’s interests, and who knows how many other alleged violations?

Thank you tonight for doing your duty.