

**AGENDA ITEM SUMMARY SHEET**

**CITY OF ROLLINGWOOD, TEXAS**

**ETING DATE: September 20, 2023**

**Submitted by: Brook Brown**

**Agenda Item \_\_:** Discussion and possible action in regard to adoption of ordinance addressing eligibility requirements for Rollingwood boards and commission.

**Background:** *Requirements for public office typically define certain minimum criteria with respect to age, residency, citizenship and disqualifications (felony conviction, incompetence) and are intended to assure that public officials have an understanding of and acceptance of US history and governmental systems (citizenship), share the interests of the residents they serve (residency), are of voting age (age) and have the capacity to understand, accept, and observe the responsibilities of public office (no ethical or mental disqualification). These offices serve important functions within our community, and eligibility requirements serve to insure that these positions are filled by persons who hold minimum qualifications for public office.*

*Before the spring of 2020, the Rollingwood code required candidates for Rollingwood boards and commissions meet the same eligibility requirements as a candidate for Rollingwood city council. The reason to apply the same requirements is that these positions are frequently a "training ground" for Rollingwood city council. In the spring of 2020, the City Council repealed City Ordinance 2-193 which had the effect of eliminating all requirements for holding a position on a Rollingwood board or commission. In September 2022, the Council amended the Code to reinstate the previous eligibility requirements so that a candidate for a Rollingwood Board or Commission would meet the same requirements as applicable to a candidate for Rollingwood city council.*

*I was the author of the 2022 code change and subsequently received several letters of concern that the new ordinance would prevent a number of non-US citizens who were residents of Rollingwood from serving on a Rollingwood board or commission. Based on these concerns and further discussions with Rollingwood residents regarding this issue, the attached amendment relaxes the eligibility requirements for those Rollingwood boards and commissions that are advisory in nature, by eliminating the requirements for US citizenship and the 12-month residency within the state for these boards and commissions. Because a US citizen can establish primary residency using a voter's certificate, the proposed ordinance also defines a procedure to establish that Rollingwood is a candidate's primary residence.*

**Action requested:** *Adoption of the attached proposed ordinance.*

**Resources:**

**TEXAS STATUTORY REQUIREMENTS FOR ELECTIVE OFFICE IN TYPE A CITY**

**Eligibility to run for office:**

To run for office in a general law city in Texas, you must, among other requirements:

Citizenship: be a citizen of the United States;

Age: be at least 18 years old on the date of the election; and

Registered voter: be a registered voter (see below)

Residency in state and city: have lived in the State of Texas for at least 12 consecutive months prior to the filing date for the election, and in your city or ward for at least 6 months prior to the filing date for the election.

Not disqualified: Not a felon and not adjudicated incompetent Texas

Election Code Section 141.001. See also:

<https://www.tml.org/DocumentCenter/View/1249/FINAL-2019-A-Guide-to-Becoming-a-City-Official>