



## CANDIDATE LETTER MAY 2, 2020 SPECIAL ELECTION CITY COUNCIL DISTRICTS 1 AND 2

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December 27, 2019

This Candidate Packet is prepared to acquaint candidates with applicable City regulations, as well as State and local legal requirements related to running for City Council. The packet contains much information, but is not all-inclusive of the laws governing elections. Therefore, we recommend you familiarize yourself with information provided in this packet and contact the noted authority should you have any questions. Contact information for those authorities listed is provided later in this letter (Candidate Packet, Section 1).

### **ELECTION DAY, RESIDENCY AND QUALIFICATIONS**

On Saturday, May 2, 2020, qualified residents of Denton will elect members to the Denton City Council for Places 1 and 2, during a Special Election. The specific requirements for each Place are the following:

- Shall have domiciled for at least one year next preceding his or her election within the corporate limits of Denton, shall continuously be domiciled within the corporate limits of Denton, and as follows when seeking office for the particular seat noted below:
  - If running for District 1 or 2, must reside in the respective district for which office is sought for at least one year preceding his or her election and throughout the term of office.

Additional qualifications are as follows:

- Be a United States citizen.
- Be a registered voter of the city at the time of filing for office.
- Be 18 years of age or older on or before the first day of the term in which they are elected.
- Have not been determined mentally incompetent by a final judgment of a court.
- Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities.
- Not be in arrears in the payment of any taxes or other liabilities due the City of Denton.
- Have resided continuously in Texas on or before one year preceding the filing deadline.
- Shall have and maintain the eligibility requirements for municipal officers set forth in Section 141.001 of the Texas Election Code, Vernon's Texas Civil Statutes Annotated hereinafter referred to as "Election Code" as it may now read or hereafter be amended.
- Shall not hold any other public office of emolument.
- If a member of the council shall, after being elected, cease to possess any of the above-noted qualifications or eligibility requirements, or shall hold another office of emolument, or enter a plea of guilty to a felony, or be convicted of a felony, he or she shall immediately forfeit his or her office.

Article II (THE COUNCIL) of the Denton City Charter (excerpt provided) contains information relative to City Council composition, roles and responsibilities. A full version of the City Charter can be found on the City's [website](#). **(See Candidate Packet, Section 2)**

Article III (NOMINATIONS AND ELECTIONS) of the Denton City Charter (excerpt provided) covers the annual order/regulation of elections, application for candidacy and runoff elections. A full version of the City Charter can be found on the City's [website](#). **(See Candidate Packet, Section 3)]**



## **IMPORTANT DATES/CALENDAR**

- **CANDIDATE ELECTION CALENDAR OF IMPORTANT DATES** – City Secretary’s Office  
[Provides important dates related to the May 2, 2020 Special Election. (**See Candidate Packet, Section 4**)]
- **DRAWING FOR BALLOT POSITION** – City Secretary’s Office  
[The Texas Election Code requires the order in which candidates are listed on the ballot be determined by a drawing. The drawing will be held at 11:00 a.m., **Monday, March 9, 2020**, in the City of Denton Council Chambers, 215 E. McKinney. The candidate or their representative may draw for the ballot position. If a candidate or representative is not at the drawing, the city secretary will draw on behalf of the candidate. An additional notification will be sent as the date draws near. Staff will also be providing a presentation covering political signs.]

## **CANDIDACY**

- **CONDUCT OF VOTING GENERALLY** – Texas Election Code, Title 6, Chapter 61 – Secretary of State  
[Provides information on expected conduct during the election process. (**See Candidate Packet, Section 5**)]
- **APPLICATION FOR A PLACE ON THE CITY OF DENTON SPECIAL ELECTION BALLOT AND INSTRUCTIONS** – Secretary of State  
[The Application must be signed before a Notary Public and be accurately completed in its entirety. Notary Public services are available from the City Secretary’s Office at no cost. As the Application is a sworn document, it cannot be changed once filed. Formal review of the Application and conformance with the requirements set forth earlier will be conducted after its submission. (**See Candidate Packet, Section 6**)

Also included are the following:

- Texas Government Code, Title 9, Chapter 143 (Candidate for City Office). (**See Candidate Packet, Section 7**)
- Texas Government Code, Title 5, Chapter 573 (Degrees of Relationship; Nepotism Prohibition). (**See Candidate Packet, Section 8**)
- Related Consanguinity and Affinity Relationship Chart. (**See Candidate Packet, Section 9**)
- **FILING PERIOD FOR APPLICATION FOR A PLACE ON THE DENTON SPECIAL ELECTION BALLOT** - Secretary of State  
[The first day to file for office is 8 a.m., **Wednesday, February 5, 2020**. The last day to file for office is 5 p.m., **Tuesday, March 3, 2020**. Candidates are encouraged to apply well before the deadline to allow sufficient time to address any filing deficiencies that may be identified during the formal review period. (**See Candidate Packet, Section 10**)]
- **CODE OF FAIR CAMPAIGN PRACTICES (FORM CFCP)** – Secretary of State  
[Also included is Texas Election Code, Title 15, Chapter 258 (Fair Campaign Practices). **THIS FORM IS STRICTLY VOLUNTARY**. The Texas Election Code encourages every candidate subscribe to the Code of Fair Campaign Practices. This form may be submitted at any time. (**See Candidate Packet, Section 11**)]
- **CITY OF DENTON CODE OF ELECTION ETHICS** – City Secretary’s Office  
[In 2001, the City of Denton established the Code of Election Ethics to foster truthful, fair and open campaigns for public office. While candidates are encouraged to subscribe to the City of Denton Code of Election Ethics, acceptance is voluntary. This form may be submitted at any time. (**See Candidate Packet, Section 12**)]
- **FIRST STEPS FOR CANDIDATES RUNNING FOR A CITY OFFICE** – Texas Ethics Commission  
[This is an at-a-glance guide on certain requirements of filing for candidacy and applicability of reporting requirements. (**See Candidate Packet, Section 13**)]



## **CAMPAIGN TREASURER**

- *APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) AND INSTRUCTION GUIDE* – Texas Ethics Commission  
[This form must be filed *BEFORE* any funds can be collected or expended for campaign purposes, or at the time of filing for candidacy, whichever comes first. Candidates may appoint themselves as their own campaign treasurer. **(See Candidate Packet, Sections 14 through 16)**]
- *AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM ACTA) AND INSTRUCTION GUIDE* – Texas Ethics Commission  
[Also includes Texas Election Code, Title 15 Chapter 252 (Campaign Treasurer). A campaign treasurer or information contained in the original form filed may be changed at any time. Changes can only be made by using this form. Only the information being changed from the original CTA or previously filed ACTA should be noted on this form. **(See Candidate Packet, Sections 17 and 18)**]

## **POLITICAL ACTIVITY/CAMPAIGN CONTRIBUTIONS**

The City of Denton does not limit employees from publicly endorsing a candidate, placing a yard sign on private property, wearing or distributing campaign material, making financial contributions, or campaigning for a candidate, are permissible under City policy so long as those activities take place while the employee is off-duty and does not include the use of any City equipment or resources.

The Texas Election Code sets forth certain requirements for campaign contributions/expenditures. Important information is noted below.

## **CAMPAIGN FINANCE AND OTHER REPORTING REGULATIONS**

- *“GUIDE TO LOCAL FILING AUTHORITY’S DUTIES UNDER THE CAMPAIGN FINANCE LAW”* – Texas Ethics Commission  
[Explains the responsibilities of the City Secretary’s Office under the Texas campaign finance law. In summary, this office is required to make forms available, accept certain filings but does not regulate the content of those filings and is not required to remind filers of reporting deadlines. **(See Candidate Packet, Section 19)**]
- *“A BRIEF OVERVIEW OF THE TEXAS ETHICS COMMISSION AND ITS DUTIES”* – Texas Ethics Commission  
[Provides information on the forms mandated and administered by the Texas Ethics Commission and outlines their area of authority. **(See Candidate Packet, Section 20)**]
- *CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES* – Texas Ethics Commission  
[This guide helps candidates gain a better understanding as to the reporting requirements for campaign finance reports. **(See Candidate Packet, Section 21)**]
- *2020 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH ELECTIONS HELD ON UNIFORM ELECTION DATES* – Texas Ethics Commission  
[This schedule outlines filing deadlines for campaign finance reporting as related to the May 2, 2020 Special Election. It also notes deadlines for semi-annual reports required to be filed depending on when the original Campaign Treasurer Appointment (CTA) form was filed. **(See Candidate Packet, Section 22)**]
- *REGULATING POLITICAL FUNDS AND CAMPAIGNS* – Texas Election Code, Title 15, Chapter 251, General Provisions – Texas Ethics Commission  
[Requirements on political fund expenditures and submittal of campaign finance reports. **(See Candidate Packet, Section 23)**]



- **RESTRICTIONS ON CONTRIBUTIONS AND EXPENDITURES** – Texas Election Code, Title 15, Chapter 253 – Texas Ethics Commission  
[Restrictions relative to political fund expenditures and submittal of campaign finance reports. (**See Candidate Packet, Section 24**)]
- **POLITICAL REPORTING** – Texas Election Code, Title 15, Chapter 254 – Texas Ethics Commission  
[Requirements on political fund expenditures and submittal of campaign finance reports and the contents of those reports. Most candidates will be required to file at least two Title 15 reports although those involved in a runoff election will have to file an additional report. Candidates will be required to file semiannual report(s) until a **DESIGNATION OF FINAL REPORT** form is filed. However, filing of a Candidate/Officeholder Report of Unexpended Contributions may still be required.
  - The **30TH DAY BEFORE SPECIAL ELECTION (Thursday, April 2, 2020 due date at 5 p.m.)** report covers the period beginning on the day a campaign treasurer was appointed or the first day after the period covered by the last required report, as applicable, and continuing through the 40th day before the election (Monday, March 23, 2020).
  - The **8TH DAY BEFORE SPECIAL ELECTION (Friday, April 24, 2020 due date at 5 p.m.)** report covers the period beginning on the 39th day before the election (Tuesday, March 24, 2020) and continuing through the 10th day before the election (Wednesday, April 22, 2020).
  - The **8TH DAY BEFORE RUNOFF ELECTION (Friday, June 5, 2020 due date at 5 p.m.)** report covers the period beginning the day after the last day covered in the 8<sup>th</sup> Day Before Special Election report (Thursday, April 23, 2020) and continuing through the 10th day before runoff election day (Wednesday, June 3, 2020). This information is based on the expectation the runoff election will be held Saturday, June 13, 2020, which is subject to change at this point. NOTE: Candidates will be notified of the official date for the runoff election, if applicable.

Carefully read the Election Code requirements and the Texas Ethics Commissions' instructions included with report forms to ensure all required reports are timely/accurately filed. Submission deadlines and reporting periods applicable to each filing are further outlined in the Candidate Calendar provided in this packet. (**See Candidate Packet, Section 25**)

- **CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT/FINAL REPORT (FORMS C/OH and C/OH-FR) AND INSTRUCTION GUIDE** – Texas Ethics Commission  
[These provide the schedules and instructions on applicable contributions and expenditures reported on running a campaign. All reports are filed with the City Secretary's Office. It is important candidates understand the importance of adhering to reporting requirements. Questions or complaints regarding filed reports must be directed to the Texas Ethics Commission.
  - This section includes Form C/OH-FR (last page). Filing this form terminates the campaign treasurer appointment, but will not necessarily end the requirement to file campaign finance reports. (**See Candidate Packet, Sections 26 and 27**)
- **CORRECTION/AMENDMENT AFFIDAVIT FOR CANDIDATE/OFFICEHOLDER (FORM COR-C/OH) AND INSTRUCTION GUIDE** – Texas Ethics Commission  
[This form allows corrections to previously filed reports. The affidavit must identify the information being changed. (**See Candidate Packet, Section 28**)]
- **CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS (FORM C/OH-UC) AND INSTRUCTION GUIDE** – Texas Ethics Commission  
[If the candidate had unexpended political contributions, interest, assets, or other money earned from political contributions at the time a final report was filed, this report is required annually. This report is required until a report of the final disposition of unexpended contributions has been filed. (**See Candidate Packet, Sections 29 and 30**)]



## **PERSONAL FINANCIAL STATEMENT**

Candidates are required to file a Personal Financial Statement (Form PFS). The form, instruction guide, hints and regulations are provided. Officeholders and candidates holding or running for an elected office in municipalities with populations of 100,000 or more are required to file this form. **The candidate's deadline for filing the PFS is 5 p.m., Monday, March 23, 2020, with the City Secretary's Office, Denton City Hall, 215 E. McKinney. It is important you utilize the form provided with the candidate packet to ensure you use the most current form provided by the State. The reporting period is January 1, 2019 through December 31, 2019. (See Candidate Packet, Sections 31 through 34)]**

## **POLITICAL ADVERTISING**

The City of Denton, State of Texas and Texas Department of Transportation (TxDOT) set forth certain requirements/restrictions on political signs on residential property and public rights-of-way. See below:

- DENTON CODE OF ORDINANCES CHAPTER 33 - Signs and Advertising Devices, [Section 33.16.3](#) – Denton Development Services, Zoning Compliance Division  
[Requires that political signs in residential neighborhoods cannot exceed a size of thirty-six (36) square feet and be more than eight (8) feet high. The City of Denton prohibits the placement of political signs in the City public right-of-way, as this is a public safety issue. **(See Candidate Packet, Sections 35 and 36)]**
- *"A SHORT GUIDE TO THE PROHIBITION AGAINST USING POLITICAL SUBDIVISION RESOURCES FOR POLITICAL ADVERTISING IN CONNECTION WITH AN ELECTION"* – Texas Ethics Commission  
[Provides information relative to the prohibition of using City resources for political advertising for the general/special/runoff elections. **(See Candidate Packet, Section 37)]**
- *"POLITICAL ADVERTISING: WHAT YOU NEED TO KNOW"* – Texas Ethics Commission  
[Outlines state-mandated disclosures/notices on political advertising. **(See Candidate Packet, Section 38)]**
- *REGULATING POLITICAL ADVERTISING AND CAMPAIGN COMMUNICATIONS* – Texas Election Code, Title 15, Chapter 255 – Secretary of State  
[Outlines legal requirements/restrictions on political advertising. **Section 255.007 of the Texas Election Code** requires the following notice be written on each political advertising sign:  

"NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE), TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY"  
**(See Candidate Packet, Section 39)]**
- POLITICAL SIGNS – Texas Department of Transportation (TxDOT)  
[Regulates the placement of political signs on state highways. **(See Candidate Packet, Sections 40)**
- CAMPAIGN SIGNS – TxDOT  
[Addresses TxDOT's role and enforcement for wrongfully placing campaign signs on right of ways, trees, telephone poles, traffic signs and private property. **(See Candidate Packet, Section 41)]**



## **POLL WATCHERS AND INSPECTORS**

- *APPOINTMENT OF POLL WATCHER BY CANDIDATE ON THE BALLOT OR DECLARED WRITE-IN CANDIDATE AND POLL WATCHER'S GUIDE AND INSTRUCTIONS* – Secretary of State  
[Also includes Texas Election Code, Title 3, Chapter 33 (Watchers). THIS IS STRICTLY OPTIONAL. However, should a poll watcher be appointed, they should be provided a copy of the Watcher's Guide to ensure an understanding of their responsibilities and limitations that apply to this appointment. **(See Candidate Packet, Sections 42 through 44)**]
- *STATE INSPECTORS – TEXAS ELECTION CODE, TITLE 3, CHAPTER 34* – Secretary of State  
[THIS IS STRICTLY OPTIONAL. A request may be submitted to the Secretary of State for state inspectors' observation of activities within polling locations. The request can be made on the form provided in this packet and must be fully executed before submitting it to the Secretary of State. The due date to submit the form is no later than the fourth business day before the election in which inspectors are requested (Tuesday, April 28, 2020). **(See Candidate Packet, Sections 45 and 46)**]

## **CANDIDATE INFORMATION IS PUBLIC INFORMATION**

All information a candidate files with the City Secretary's Office in relation to candidacy or election to public office becomes a public record at time of filing and is provided in accordance with the Texas Public Information Act.

## **IMPORTANCE OF UPDATED CONTACT INFORMATION**

The mailing address indicated on the Application for a Place on the Special Election Ballot, Campaign Treasurer Appointment, or Amendment of Campaign Treasurer will be used to notify candidates about election related matters. It is important candidates notify this office of any contact information change(s).

## **CONTACT INFORMATION**

### City Secretary's Office

- Rosa Rios, City Secretary, City of Denton 940-349-8309  
[rosa.rios@cityofdenton.com](mailto:rosa.rios@cityofdenton.com)
- Zolaina Parker, Deputy City Secretary, City of Denton 940-349-7735  
[zolaina.parker@cityofdenton.com](mailto:zolaina.parker@cityofdenton.com)
- Jane Richardson, Assistant City Secretary, City of Denton 940-349-8304  
[jane.richardson@cityofdenton.com](mailto:jane.richardson@cityofdenton.com)

### Denton Development Services, Zoning Compliance Division

- Caleb Norris, Zoning Compliance Division 940-349-7454  
[caleb.norris@cityofdenton.com](mailto:caleb.norris@cityofdenton.com)
- Justin James, Zoning Compliance Division 940-349-7457  
[justin.james@cityofdenton.com](mailto:justin.james@cityofdenton.com)
- Denton County Elections Department 940-349-3200  
[www.votedenton.com/](http://www.votedenton.com/)
- Secretary of State, Elections Division 800-252-8683  
[www.sos.state.tx.us](http://www.sos.state.tx.us)
- Texas Department of Transportation 800-558-9368  
[www.txdot.gov/](http://www.txdot.gov/)
- Texas Ethics Commission 512-463-5800  
[www.ethics.state.tx.us](http://www.ethics.state.tx.us)
- U.S. Department of Justice 202-514-2000  
[www.usdoj.gov](http://www.usdoj.gov)



## **CANDIDATE REQUESTS FOR INFORMATION**

In order to provide the most efficient service for candidates during this election season, please direct all requests for information to my attention at [rosa.rios@cityofdenton.com](mailto:rosa.rios@cityofdenton.com) rather than contacting individual city departments. We will coordinate with the proper department(s) to provide the requested information through this office. Readily available information will be provided at no cost to candidates and/or representatives of candidates. However, the City reserves the right to assess charges to requests that are considered beyond readily accessible information.

All requests/responses to candidate requests for information will be posted to the City of Denton's website at [www.cityofdenton.com/vote](http://www.cityofdenton.com/vote).

## **SUMMARY**

This Candidate Packet may include revised forms from those provided in previous years. Therefore, please ensure the forms contained in this packet are used. While many of the forms listed have been linked to the appropriate source, hard copies of these forms can be obtained from this office. This packet is designed to provide valuable information on responsibilities/requirements of filing for candidacy. Do not hesitate to contact the proper authority if you have questions.

Thank you for your interest in serving our community.

Respectfully,

  
Rosa Rios  
City Secretary

  
Zolaina Parker  
Deputy City Secretary