

# LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

## OFFICE USE ONLY

Date Received

1 Name of Local Government Officer

DON NAYLOR

2 Office Held

SAFETY COORDINATOR

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

ESTH LLC., LAKEWAY, TX

4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3. DAUGHTER WORKS FOR ESTH.

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted 0 Description of Gift NO GIFTS

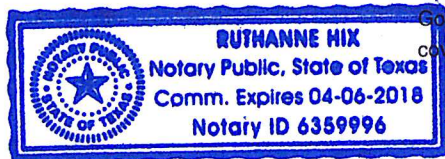
Date Gift Accepted 0 Description of Gift NO GIFTS

Date Gift Accepted 0 Description of Gift NO GIFTS

(attach additional forms as necessary)

6 AFFIDAVIT

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.



Don Naylor  
Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Don Naylor, this the 13th day of January, 20 16, to certify which, witness my hand and seal of office.

Ruthanne Hix  
Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

## LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

### INSTRUCTIONS FOR COMPLETING THIS FORM

*The following numbers correspond to the numbered boxes on the other side.*

**1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.

**2. Office Held.** Enter the name of the office held by the local government officer filing this statement.

**3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an employment or other business relationship with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.

**4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.

**5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.

**6. Affidavit.** Signature of local government officer.

**Local Government Code § 176.001(2-a):** "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

**Local Government Code § 176.003(a)(2)(A):**

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

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(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.



## Brazos River Authority

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To: All Brazos River Authority Employees

From: Monica Wheelis MW  
Human Resources Manager

Date: January 4, 2016

Subject: Human Resources Policy Changes

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The Brazos River Authority's Board of Directors approved the following HR policy changes to be effective November 1, 2015. A description of the changes to the policies is listed below, along with a hyperlink to WaterWorks where you will find the all of the HR policies in their entirety (will be updated shortly).

A complete listing of all Human Resources Policies can be found on WaterWorks at:

<http://waterworks.brazos.org/HR/Pages/Policies.aspx>

### Added the following policy:

#### Policy 2.18 – Conflicts Disclosure

Chapter 176, Local Government Code, requires employees, under certain conditions, to file a conflicts disclosure statement in regards to vendors who contract or seek to contract with the Brazos River Authority (BRA). Pursuant to the statute, any employee who exercises discretion in the planning, recommending, selecting, or contracting of a vendor must file a conflicts disclosure statement if the vendor:

1. has an employment or other business relationship with the employee or a family member of the employee that results in the employee or family member (within the first degree of consanguinity or affinity – see nepotism chart in Section 3 of this manual) of the employee that results in the employee or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the employee becomes aware that a contract has been executed or the BRA is considering entering into a contract with the vendor, or
2. has given the employee or a family member of the employee one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the employee becomes aware that a contract has been executed or the BRA is considering entering into a contract with the person (the employee is not required to file a conflicts disclosure statement in regards to a



gift if the gift is 1) a political contribution as defined by Title 15, Election Code, or 2) food accepted as a guest), or

3. has a family relationship (within the third degree of consanguinity or second degree of affinity – see nepotism chart in Section 3 of this manual) with the employee.

If an employee is required to file a conflicts disclosure statement, it must be filed by 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement.

#### **Policy 2.19 – Restriction on Employment**

A former Brazos River Authority (BRA) employee or officer, who during their period of service or employment, participated in a procurement or contract negotiation with a person or business entity, may not accept employment from that person or business for a period of two (2) years from the date which the former employee's or officer's BRA service or employment ceased.

#### **Policy 7.02 – Safety Sensitive Positions**

A position shall be deemed "Safety Sensitive" when the employee holding the position has the responsibility for his or her own safety or other people's safety in the workplace, including but not limited to:

1. An employee is required to wear PPE to conduct some or all of their primary job functions; and/or
2. An employee must routinely drive or operate equipment so that they can perform their primary job functions.

#### **Revised the following policies as indicated:**

**Policy 1.08 – 'Equal Employment Opportunity'** is being updated to add "Genetic Information" to the list of protections from harassment or discrimination against any applicant or employee.

**Policy 7.08 – 'Weapons'** is being updated to reflect the change to allow open carry.

**Policy 18.17 – 'Reporting of PTO'** is being changed to include the following statements for both Non-exempt and Exempt employees: "Employees who routinely work in excess of eight (8) hours per day are not required to use PTO to supplement holiday pay and may record the excess time off as Leave No Pay (LNP) on their time sheets" and "Refer to the Absences Policy in Section 2 of this policy manual, for additional information regarding excessive absences".

**The policies in Section 2 'Employee Responsibilities' and Section 7 'Health and Safety' were reordered.**