



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda

### Charter Review Committee

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Thursday, September 5, 2024

5:30 PM

Development Services Center

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#### **REGISTRATION GUIDELINES FOR ADDRESSING THE CHARTER REVIEW COMMITTEE**

Individuals may speak during a Charter Review Committee meeting under one of the following categories:

Public comments can be given for any item considered by the Charter Review Committee, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time and cannot use more than one method to comment on a single agenda item. Public comments are limited to two (2) minutes per citizen.

#### **In Person for Regular or Consent Agenda Items:**

To provide in-person comments regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the Secretary prior to the item being called.

#### **eComment:**

The agenda is posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Charter Review Committee immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

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After determining that a quorum is present, the Charter Review Committee of the City of Denton, Texas, will convene in a meeting on Thursday, September 5, 2024, at 5:30 p.m. in the Development Services Center Training Rooms 3, 4, and 5 at 401 Elm Street, Denton, Texas at which the following items will be considered:

#### **1. ITEMS FOR CONSIDERATION**

- A. [CRC24-015](#) Receive comments from members of the public.  
[Estimated time: 10 minutes]
- B. [CRC24-016](#) Consider approval of the minutes of the August 22, 2024 Charter Review Committee Meeting.  
[Estimated time: 5 minutes]  
*Attachments:*     [Exhibit 1. Meeting Minutes](#)
- C. [CRC24-020](#) Review and consider committee procedures and rules.  
[Estimated time: 10 minutes]

- D. [CRC24-014](#) Receive a report, hold a discussion, and give staff direction on modifying the Mayor and Council stipend.  
[Estimated time: 20 minutes]  
**Attachments:** [Exhibit 1. Agenda Information Sheet](#)  
[Exhibit 2. Presentation](#)
- E. [CRC24-017](#) Receive a report, hold a discussion, and give staff direction on requiring a statement less than 200 words on the grounds of removal for recall petitions.  
[Estimated time: 30 minutes]  
**Attachments:** [Exhibit 1. Agenda Information Sheet](#)  
[Exhibit 2. Presentation](#)
- F. [CRC24-019](#) Receive a report, hold a discussion, and give staff direction on additional sections of the Charter submitted for review.  
[Estimated time: 20 minutes]  
**Attachments:** [Exhibit 1. Agenda Information Sheet](#)

## **2. CONCLUDING ITEMS**

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Charter Review Committee or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting and under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

### C E R T I F I C A T E

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on MONTH DAY, YEAR, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

\_\_\_\_\_  
OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.





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## Legislation Text

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**File #: CRC24-015, Version: 1**

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### **AGENDA CAPTION**

Receive comments from members of the public.

[Estimated time: 10 minutes]



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## Legislation Text

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**File #: CRC24-016, Version: 1**

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### **AGENDA CAPTION**

Consider approval of the minutes of the August 22, 2024 Charter Review Committee Meeting.

[Estimated time: 5 minutes]

## City of Denton Charter Review Committee

After determining that a quorum was present, the Charter Review Committee of the City of Denton, Texas convened in a meeting on Thursday, August 22, 2024, at 5:32 p.m. in Training Rooms 3-5 at the Development Service Center, 401 N. Elm Street, Denton, Texas.

**PRESENT:** Kristine Bray, Brian Danhof, Jesse Davis, Jeremy Fykes, Nate Johnson, Gabriel Kirkpatrick, Weaver McClure, Lesly Molina Poer, Julie Remski, Esperanza Trevino, Jane Zygiel.

**ABSENT:** Angela Brewer-Isma, Michelle Jones, Peter Mungiguerra

The posted agenda noted the registration process for in-person, call-in, and public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the Charter Review Committee received each online commentary. In-person, and online comments received are reflected on the exhibit to the minutes of this meeting.

### 1. ITEMS FOR CONSIDERATION

#### A. CRC24-011 Receive comments from members of the public.

There were two presentations from the public from Charles Lee and Mary Kuhfeldt. Citizen comments received are noted on Exhibit A.

#### B. CRC24-012 Consider approval of the minutes of the August 8, 2024 Charter Review Committee Meeting.

Lesly Molina Poer made a motion to approve the minutes as presented, motion seconded by Jane Zygiel. Motion carried.

AYES (11): Bray, Danhof, Davis, Fykes, Johnson, Kirkpatrick, McClure, Molina Poer, Remski, Trevino, Zygiel

NAYS (0): None

ABSENT (3): Brewer-Isma, Jones, Mungiguerra

#### C. CRC24-008 Receive a report, hold a discussion, and give staff direction on modifying the mix of single and at-large districts.

Committee discussion.

Jesse Davis made a motion to not recommend modifying the mix of single and at-large districts. Weaver McClure seconded. Motion failed.

AYES (7): Danhof, Davis, Fykes, McClure, Molina Poer, Remski, Zygiel

NAYS (4): Bray, Johnson, Kirkpatrick, Trevino

ABSENT (3): Brewer-Isma, Jones, Mungiguerra

#### D. CRC24-009 Receive a report, hold a discussion, and give staff direction on the need for additional Council seats based on population size and projected growth.

Committee discussion.

Jesse Davis made a motion to not recommend the addition of new Council seats. Brian Danhof seconded. Motion failed.

AYES (6): Danhof, Davis, Fykes, McClure, Remski, Zygiel  
NAYS (5): Bray, Johnson, Kirkpatrick, Molina Poer, Trevino  
ABSENT (3): Brewer-Isma, Jones, Mungiguerra

**E. CRC24-013 Receive a report, hold a discussion, and give staff direction on increasing the two-year Council term to either three or four-year terms.**

The item was presented, and discussion followed.

Jeremy Fykes made a motion to not recommend modifying the two-year Council term. Jane Zygiel seconded. Motion carried.

AYES (10): Bray, Danhof, Davis, Fykes, Johnson, Kirkpatrick, McClure, Molina Poer, Remski, Zygiel  
NAYS (1): Trevino  
ABSENT (3): Brewer-Isma, Jones, Mungiguerra

**F. CRC24-014 Receive a report, hold a discussion, and give staff direction on modifying the Mayor and Council stipend.**

The item was presented, and discussion followed.

Lesly Molina Poer made a motion to postpone discussion and direction until the September 5 meeting. Julie Remski seconded. Motion carried.

AYES (11): Bray, Danhof, Davis, Fykes, Johnson, Kirkpatrick, McClure, Molina Poer, Remski, Trevino, Zygiel  
NAYS (0): None  
ABSENT (3): Brewer-Isma, Jones, Mungiguerra

**3. CONCLUDING ITEMS**

Members provided concluding items.

With no further business, the meeting was adjourned at 7:16 p.m.

\_\_\_\_\_  
Kristine Bray  
Chair

\_\_\_\_\_  
Kristi Fogle  
Recording Secretary

MINUTES APPROVED ON: \_\_\_\_\_







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## Legislation Text

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**File #:** CRC24-020, **Version:** 1

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### **AGENDA CAPTION**

Review and consider committee procedures and rules.

[Estimated time: 10 minutes]



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## Legislation Text

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**File #:** CRC24-014, **Version:** 1

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### **AGENDA CAPTION**

Receive a report, hold a discussion, and give staff direction on modifying the Mayor and Council stipend.  
[Estimated time: 20 minutes]



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## AGENDA INFORMATION SHEET

**DEPARTMENT:** City Manager's Office

**CM/DCM/ACM:** Sara Hensley

**DATE:** August 22, 2024

### **SUBJECT**

Receive a report, hold a discussion, and give staff direction on modifying the Mayor and Council stipend.

### **BACKGROUND**

The Denton City Charter was originally adopted in February 1959. Section 14-13 of the Charter states that amendments to the charter may be framed and submitted to the voters subject to requirements of the Texas Local Government Code, Chapter 9, and all other applicable laws. Since its original adoption, the charter was further amended in 1976, 1980, 1999, 2006, 2009, and 2017.

On June 4, 2024, the City Council approved Resolution 24-1158 to create the Charter Review Committee and issue the charges put forward by the Council. Charge G put forward by Council directs the Committee to, "consider and advise the City Council of Denton whether and in what manner as to modify the Mayor and Council stipend."

During the 2017 Charter Election, voters approved the adoption of a Mayor and Council stipend for the first time in City history. Previously, Council Members were reimbursed for expenses accrued in their official roles but were otherwise not compensated. The Denton City Charter currently allows for a stipend of \$1,000 per month for the Mayor and \$750 per month for Council Members.

Staff will present relevant information, industry best practice recommendations, and other considerations related to modifying the Mayor and Council stipend.

### **EXHIBITS**

1. Agenda Information Sheet
2. Presentation

Respectfully submitted:  
Kristi Fogle  
Chief of Staff



# Charter Review Committee

# Meeting Agenda

- **Committee Action:** Modify the mix of single member and at-large districts
- **Committee Action:** Additional council seats based on population size and projected growth
- Increase the two-year Council term to either a three or four-year term.
- Modify the Mayor and Council stipend.





# Public Comment



## Charge D:

Modify the mix of single and at-large districts.

- Do not recommend moving forward with modifying the mix of single and at-large districts
- Recommend moving forward with modifying the mix of single and at-large districts, and prescribe in what manner the committee wishes to modify



## Charge F:

Addition of Council seats based on population size and projected growth.

- Do not recommend moving forward with the addition of new Council seats
- Recommend moving forward with modifying the addition of new Council seats, and prescribe in what manner the committee wishes to modify



# Article II. The Council

Sec. 2.01. Number, selection and term

Sec. 2.02. Qualifications

Sec. 2.03. Presiding officer: Mayor and mayor pro tem

Sec. 2.04. Vacancies in council

Sec. 2.05. Meetings of the council

Sec. 2.06. Quorum, voting

Sec. 2.07. Rules of procedure, minutes

Sec. 2.08. Powers of the council

Sec. 2.09. Ordinances

Sec. 2.10. Council not to interfere in appointments or removals

Sec. 2.11. Employee bonds

Sec. 2.12. City secretary

Sec. 2.13. Independence annual audit



## Charge E:

Increase the two-year Council term to a three or four-year term.

# Current Provision

## Section 2.01. Number, selection and term

- (c) (1) **Each member of the council including the mayor shall hold a place on the city council, and shall be elected to such place for a two-year term.** No member of the council or the mayor, who has been elected to three (3) consecutive full terms in a place, shall be eligible to file for election for that same place, whether elected before or after the effective date of this provision, without having first been off the council for at least one annual council election cycle. Nothing herein shall be deemed to prohibit the council members or the mayor from being elected to other places on the council or as mayor, so long as otherwise eligible, except that no council member or the mayor shall be elected to or serve for more than twelve (12) consecutive years.
- (2) A person who has become ineligible to serve pursuant to Section 2.01(c)(1) shall not be eligible to be elected to a place on the council or as mayor without having first been off the council for at least one annual council election cycle, after which such person shall regain eligibility for office, if otherwise eligible under this Charter.

# Current Provision Breakdown

- Two-year term
- Term limit of three consecutive terms in a place
- Nothing prevents a Council Member from seeking election to another place, except if they have served twelve consecutive terms
- A Council Member who becomes ineligible to run under these provisions can restore eligibility by being off Council for one term

# Considerations

- **Council History:** 2-year terms since inception
- **State Law:**
  - **Texas Local Government Code Section 22.035.** The Mayor and Council are elected for a term of two years unless a longer term is established under Article XI, Section 11, of the Texas Constitution.
  - **Texas Constitution Article XI, Section 11.** A Home Rule City may provide by charter or charter amendment, for a longer term of office than two (2) years for its officers, either elective or appointive, or both, but not to exceed four (4) years.

# Considerations

## **Best Practice Recommendations:**

- National Civic League Model Charter:
  - Recommends 4-year staggered terms
- Texas Municipal League's Texas General Home Rule Charter (2010):
  - Majority of Texas cities call for staggered two-year terms (recent movement to three or four)

# Surrounding City Comparison

City	Population*	# of Members	Term Length	Last Revision
Denton	142,262	7	2 years	N/A
Addison	17,026	7	2 years	1993
Arlington	393,469	9	3 years	2022
Carrollton	132,284	8	3 years	2001
Frisco	202,075	7	3 years	2010
Irving	254,962	9	3 years	2023
Lewisville	125,028	7	3 years	2003
Prosper	31,507	7	3 years	2006

\*ACS 2022 5-Year Estimate

# Comparable City Comparison

City	Population*	# of Members	Term Length	Last Revision
Denton	142,262	7	2 years	N/A
Abilene	126,356	7	3 years	2022
Killeen	159,643	8	2 years	2022
McAllen	144,579	7	4 years	2021
Mesquite	147,317	7	4 years	2018
Midland	134,444	7	3 years	1996
Round Rock	130,406	7	3 years	2017
Waco	144,816	6	2 years	2006

\*ACS 2022 5-Year Estimate



# Large City Comparison

City	Population*	Term Length	Last Revision
Austin	958,202	4 years	2012
Dallas	1,300,642	2 years	2024 (proposed)
El Paso	677,181	4 years	2013
Ft. Worth	924,663	2 years	N/A
San Antonio	1,445,662	2 years	2024 (proposed)

\*ACS 2022 5-Year Estimate



## Committee Discussion

- Do not recommend moving forward with increasing the 2-year Council term to three or four-year terms
- Recommend moving forward with increasing the 2-year Council term to either three or four-year terms



## Charge G:

Modify the Mayor and Council stipend

# Current Provision

## Section 2.02. Qualifications

(c) City Councilmember Stipend. Each member of the City Council shall receive compensation in the form of a monthly stipend as set forth in this section. The initial monthly stipend shall be seven hundred fifty dollars (\$750.00) for each member of the City Council elected from a district or at large position, and one thousand dollars (\$1,000.00) for the Mayor elected at large. These initial amounts shall become effective on ratification of this charter provision.

City Council may, by a separate ordinance, approve an adjustment in the stipend no more frequently than once per fiscal year, but no increase in such compensation shall take effect until commencement of the terms of the Mayor and/or Council Members elected at the next regular election. Any increase in the amount of the stipend shall not exceed three (3) percent of the then-current stipend amount unless approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Council. The stipend shall be reported in the annual city budget as a separate line item.

# Current Provision Breakdown

- Mayor stipend: \$1,000 per month
- Council stipend: \$750 per month
- Council, by ordinance, may approve an adjustment in the stipend no more than once per fiscal year.
  - No increase will take effect until the next regular term cycle.
  - Any increase should not exceed 3 percent of the then-current stipend amount unless approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Council.
  - The stipend shall be reported in the annual city budget as a separate line item.

# Considerations

- **History:** The Mayor and Council stipend was established through the 2017 Charter Amendment Election. Previously, Council received reasonable reimbursement for related expenses, but was not otherwise compensated.
- **State Law:** Local Government Code Section 141.004, authorizes councils to establish a salary for themselves by ordinance

# Considerations

## **Best Practice Recommendations:**

- National Civic League Model Charter:
  - The City should reimburse Council Members for expenses incurred in performing their duties.
  - Council should determine salary by ordinance, allowing for more flexibility and annual adjustments.
  - The Mayor should receive an amount higher than the Council Members, as the Mayor has additional responsibilities (intergovernmental, ceremonial, city-related promotional).

## **Types of Council Pay:**

- Per Council Meeting Rate
- Monthly rate
- Annual salary rate
- Rate based on Annual Median Income (AMI), etc.

## Estimated Take Home

Stipend	Federal FICA	Federal Medicare	Federal Income Tax	Estimated Net
\$1,000	\$62.00	\$14.50	<i>varies</i>	\$923.50
\$750	\$46.50	\$10.87	<i>varies</i>	\$692.62

## Inflation Adjustment

2017 Total	Cumulative Price Increase	Increase Amount	Today's Total
\$1,000	28.17%	\$281.17	\$1,281.70
\$750	28.17%	\$211.26	\$961.28



# Surrounding City Comparison

City	Population*	Monthly Compensation	Charter / Ordinance	Last Revision
Denton	142,262	Mayor: \$1,000, Council: \$750	Charter	2017
Addison	17,026	Mayor: \$400, Council: \$200	Ordinance	2023
Arlington	393,469	Mayor: \$3,000, Council: \$2,400	Ordinance	2007
Carrollton	132,284	Mayor: \$375, Council: \$200	Ordinance	2001
Frisco	202,075	Mayor: \$850, Council: \$700	Ordinance	2019
Irving	254,962	Mayor: \$1,200, Council: \$900	Ordinance	2013
Lewisville	125,028	\$50 per meeting attended	Charter	2004
Prosper	31,507	“Reasonable reimbursement”	Charter	N/A

\*ACS 2022 5-Year Estimate

# Comparable City Comparison

City	Population*	Compensation (monthly unless otherwise noted)	Charter / Ordinance	Last Revision
Denton	142,262	Mayor: \$1,000 Council: \$750	Charter	2017
Abilene	126,356	\$1/year	Charter	2022
Killeen	159,643	Mayor: \$350, Council: \$250	Charter	2022
McAllen	144,579	Mayor: \$1,200/year Council: \$5/meeting	Charter	2021
Mesquite	147,317	Mayor: No more than \$100 Council: \$10/meeting	Charter	2018
Midland	134,444	Mayor: \$25-\$75 (set by council) Council: \$10/meeting	Charter	1955
Round Rock	130,406	Mayor: \$1,000 Council: \$750 Vehicle stipend: \$200	Ordinance	2007
Waco	144,816	Not Available	N/A	N/A

\*ACS 2022 5-Year Estimate

# Full-Time Council Comparison

City	Population*	Annual Salary	Charter / Ordinance	Last Revision
Austin	958,202	\$134,191/Mayor, \$116,688/Council	Ordinance	2023
Dallas	1,300,642	\$60,000/Mayor, \$37,500/Council	Charter	2015
El Paso	677,181	<i>Annual Median Household Income</i>	Ordinance	2018
Ft. Worth	924,663	\$29,000/Mayor, \$25,000/Council	Charter	2006
San Antonio	1,445,662	\$61,725/Mayor, \$45,722/Council	Charter	2018

\*ACS 2022 5-Year Estimate



## Committee Discussion

- Do not recommend moving forward with modifying the Mayor and Council stipend
- Recommend moving forward with modifying the Mayor and Council stipend, and prescribe in what manner the committee wishes to modify

# Next Meeting

Thursday, September 5

Development Services Center

5:30 – 7:00 pm

## Meeting Topics:

- Statement less than 200 words on grounds of removal for recall petitions
- Increase Municipal Judge from two-year term to four years





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## Legislation Text

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**File #: CRC24-017, Version: 1**

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### **AGENDA CAPTION**

Receive a report, hold a discussion, and give staff direction on requiring a statement less than 200 words on the grounds of removal for recall petitions.

[Estimated time: 30 minutes]



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## AGENDA INFORMATION SHEET

**DEPARTMENT:** City Manager's Office

**CM/DCM/ACM:** Sara Hensley

**DATE:** September 5, 2024

### **SUBJECT**

Receive a report, hold a discussion, and give staff direction on requiring a statement less than 200 words on the grounds of removal for recall petitions.

### **BACKGROUND**

The Denton City Charter was originally adopted in February 1959. Section 14-13 of the Charter states that amendments to the charter may be framed and submitted to the voters subject to requirements of the Texas Local Government Code, Chapter 9, and all other applicable laws. Since its original adoption, the charter was further amended in 1976, 1980, 1999, 2006, 2009, and 2017.

On June 4, 2024, the City Council approved Resolution 24-1158 to create the Charter Review Committee and issue the charges put forward by the Council. Charge H put forward by Council directs the Committee to, "consider and advise the City Council of Denton whether and in what manner as to require a statement less than 200 words on the grounds of removal for recall petitions."

Section 4.12 of the Denton City Charter currently requires that recall petition papers contain a "clear and concise statement of the grounds of their removal."

Staff will present relevant information, industry best practice recommendations, and other considerations related to requiring a statement less than 200 words on the grounds of removal for recall petitions.

### **EXHIBITS**

1. Agenda Information Sheet
2. Presentation

Respectfully submitted:  
Kristi Fogle  
Chief of Staff





# Charter Review Committee



# Meeting Agenda

- **Committee Discussion & Action:** Modify the Mayor and Council stipend.
- Statement less than 200 words on the grounds of removal for recall petitions
- Additional sections of the Charter submitted by Committee Members.



## Public Comment



## Charge G:

Modify the Mayor and Council stipend.

- Do not recommend moving forward with modifying the Mayor and Council stipend
- Recommend moving forward with modifying the Mayor and Council stipend, and prescribe in what manner the committee wishes to modify





## Charge H:

Require a statement less than 200 words on the grounds of removal for recall petitions.

# Current Provision

## **Sec. 4.12. Recall petition, committee of petitioners.**

Recall petition papers shall contain the name of the councilman (or names of the councilmen) whose removal is sought, and a **clear and concise statement of the grounds for his (or their) removal**. There shall appear at the head of each petition the names and addresses of five electors, who, as a committee of the petitioners shall be regarded as responsible for the circulation and filing of the petition. Each signer of any petition paper shall sign his name in ink or indelible pencil and give after his name his place of residence by street and number, or other description sufficient to identify the place, and the date his signature was affixed. No signature to such petition shall remain effective or be counted which was placed thereon more than forty-five (45) days prior to the filing of such petition with the city secretary. The signatures to a recall petition need not all be appended to one paper, but to each separate petition there shall be attached an affidavit of the circulator thereof that he, and he only, personally circulated the foregoing paper, that it bears a stated number of signatures, that all signatures were appended thereto in his presence and that he believes them to be the genuine signatures of the persons whose names they purport to be.

# Current Provision Breakdown

- Clear and concise statement of the grounds for removal
- Names and addresses of five electors, responsible for circulating and filing the petition
- Each signer will include their name, residence, and the date signed
  - Signed in pen or indelible pencil
  - Signatures over 45 days old will not be counted
- Signatures do not have to be appended to the same paper, but each paper must include an affidavit of the circulator

# Considerations

- National Civic League’s Model City Charter
  - Petitions should include a statement, not to exceed 200 words, of the reasons for the recall.
  - Grounds for recall should relate to and affect the administration of the official's office and be of a substantial nature directly affecting the rights and interests of the public.
- 2023 University of Houston Study\*
  - 36% of Texas city charters include a justification of the grounds for recall
    - Most list “incompetency, misconduct, or malfeasance in office” as the justification.
    - A handful of cities require a hearing before the city council to discuss the allegations before submitting to voters.
- Legal Considerations: Modifying this language will require legal review and analysis.

\*Rottinghaus, et. al., 2023

# Surrounding City Comparison

City	Population*	Recall Grounds for Removal	Last Revision
Denton	142,262	“Clear and concise grounds”	1980
Addison	17,026	General grounds if more than one such as incompetency, misconduct, or malfeasance specify each ground	2021
Arlington	393,469	No grounds required	N/A
Carrollton	132,284	Incompetency, Official Misconduct, or Malfeasance	2021
Frisco	202,075	Incompetency, Misconduct, Malfeasance	2019
Irving	254,962	No grounds required	2013
Lewisville	125,028	Incompetency, Misconduct, Malfeasance	1989
Prosper	31,507	Incompetency, Misconduct, or Malfeasance	N/A



# Comparable City Comparison

City	Population*	Recall Grounds for Removal	Last Revision
Denton	142,262	“Clear and concise grounds”	1980
Abilene	126,356	General grounds	2022
Killeen	159,643	General grounds	2022
McAllen	144,579	No recall provision	2024*
Mesquite	147,317	General grounds	2018
Midland	134,444	General grounds	N/A
Round Rock	130,406	Incompetence, Noncompliance with City Charter, Misconduct, or Malfeasance	2017
Waco	144,816	General grounds	2006

# Large City Comparison

City	Population*	Recall Grounds for Removal	Last Revision
Austin	958,202	General grounds	2018
Dallas	1,300,642	General grounds	1993
El Paso	677,181	General grounds	N/A
Ft. Worth	924,663	General grounds	2022
San Antonio	1,445,662	General grounds	1977

\*ACS 2022 5-Year Estimate



## Committee Discussion

- Do not recommend requiring a statement less than 200 words on the grounds of removal for recall petitions.
- Recommend requiring a statement less than 200 words on the grounds of removal for recall petitions.



## Charge K:

Additional sections of the Charter submitted for review.

# Next Meeting

Thursday, September 19

Development Services Center

5:30 – 7:00 pm

## Meeting Topics:

- Increase Municipal Judge from two-year term to four years
- Modify the Ethics Ordinance Requirements







# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Legislation Text

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**File #:** CRC24-019, **Version:** 1

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### **AGENDA CAPTION**

Receive a report, hold a discussion, and give staff direction on additional sections of the Charter submitted for review.

[Estimated time: 20 minutes]



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## AGENDA INFORMATION SHEET

**DEPARTMENT:** City Manager's Office

**CM/DCM/ACM:** Sara Hensley

**DATE:** September 5, 2024

### **SUBJECT**

Receive a report, hold a discussion, and give staff direction on additional sections of the Charter submitted for review.

### **BACKGROUND**

The Denton City Charter was originally adopted in February 1959. Section 14-13 of the Charter states that amendments to the charter may be framed and submitted to the voters subject to requirements of the Texas Local Government Code, Chapter 9, and all other applicable laws. Since its original adoption, the charter was further amended in 1976, 1980, 1999, 2006, 2009, and 2017.

On June 4, 2024, the City Council approved Resolution 24-1158 to create the Charter Review Committee and issue the charges put forward by the Council. Charge K put forward by Council directs the Committee to, "have the discretion to review additional sections of the City Charter not listed on the above charges and consider and advise the City Council of Denton whether and in what manner to revise the current City Charter."

Committee members should submit additional sections of the Charter they wish to review to staff prior to the September 5 Meeting. Each item submitted will be discussed by the Committee and any items receiving approval by a majority of the Committee (8 members) will be reviewed in more detail at a later date.

### **EXHIBITS**

1. Agenda Information Sheet

Respectfully submitted:  
Kristi Fogle  
Chief of Staff