



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: City Manager's Office

CM: Sara Hensley

DATE: November 15, 2022

SUBJECT

Consider approval of a resolution of the City of Denton removing a member of the Committee on Persons with Disabilities; and providing an effective date.

BACKGROUND

Member Beth Haswell-Kirkby has been a member on the Committee on Persons with Disabilities (COPWD) since September 28, 2021. Her current term expires August 31, 2023. Nominated by Council Member Jesse Davis, she fills the All-3 Position on COPWD.

Certain sections of the Denton Code of Ordinances govern board/commission member attendance as follows:

- Section 2.83(c):

"Absences. Every board, commission, and committee member shall attend all regularly called and scheduled meetings of the board, commission, or committee of which he or she is a member... Members who cannot attend the meeting must contact the chairperson or an appropriate staff liaison concerning his or her absence prior to the meeting."
- Section 2.83(c)(3):

"Absences resulting in cause for removal: An unexcused absence of any board, commission, committee, member from more than three (3) regularly called and scheduled meetings of which he or she is a member in any one (1) year, or lack of attendance at fifty (50) percent of the number of regular/scheduled meetings in a year, shall be considered "cause," as that term is used in Section 14.16 of the Charter, for removal by the city council."

Further, Article XIV, Section 14.16 of the City Charter states, "*Members of boards and commissions of the City of Denton shall serve at the pleasure of the council. Members of such boards and commissions may be removed by the council only for cause and only after being given notice by the council.*" This provision is permissive, but not mandatory.

Members at time of appointment/reappointment are provided a copy of the B&C Handbook as well as Attendance Policy Guidelines and Absence Form as part of their packet.

Member Haswell-Kirkby was emailed well in advance of the meeting dates as were all other members. Following an unreported absence, members are notified of the ability to seek an exception within 10-working days of the date the absence occurred. No request was received asking the absences to be excused prior to the start of the meetings or following the absence.

On October 7, 2022, the city secretary sent written notification to Member Haswell-Kirkby as required under the Denton Boards & Commissions Handbook (Exhibit 2) requesting his resignation be submitted no later than 5 p.m., Monday, October 21, 2022. To date no response was received from Member Haswell-Kirkby.

Member Haswell-Kirkby has been notified the item is scheduled for City Council consideration and that she has the option to register to speak in-person/call in.

Article XIV, Section 14.16 of the Charter states, “Members of boards and commissions of the City of Denton shall serve at the pleasure of the council. Members of such boards and commissions may be removed by the council only for cause and only after being given notice by the council.”

EXHIBITS

Exhibit 1 – Agenda Information Sheet

Exhibit 2 – Notification Letter to Member

Exhibit 3 – Proposed Resolution

Respectfully submitted:

Rosa Rios
City Secretary