

ORDINANCE NO. 21-1837

AN ORDINANCE OF THE CITY OF DENTON AMENDING SECTION 2-30 OF THE CODE OF THE CITY OF DENTON TO CHANGE THE TITLE AND INCREASE THE TIME FOR A REQUESTING COUNCILMEMBER TO DESCRIBE THE REQUEST; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 27, 2019 by Ordinance No. 19-2026, the City Council adopted Section 2-30 of the City of Denton Code of Ordinances to provide procedures to ensure there is a consensus of the City Council regarding the use of staff time when responding to requests from elected officials; and

WHEREAS the City Council now desires to amend the City Council request procedures to change the section title to more accurately reflect the response types and to increase the time for the requesting councilmember to speak from one minute to two minutes; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. Chapter 2, Article II, Section 2-30 of the Code of Ordinances of the City of Denton shall now read as follows:

**Chapter 2 - ADMINISTRATION**

**ARTICLE II. – ADMINISTRATIVE ORGANIZATION**

Sec. 2-30. - City Council Requests for Information or Agenda Items.

(a) Definitions.

(1) For purposes of Section 2-30 the following definitions apply:

- a. “Request for Information” – Requests made by a member of the City Council to seek clarification on Board, Commission, Committee or City Council agenda items; address perceived service issues, infrastructure maintenance, or construction concerns caused by or impacting City operations and/or the quality of life for Denton residents; and requests for policy-related research to evaluate policies implemented by other agencies and/or assess the impact a new policy or potential program may have if implemented by the City of Denton.
- b. “City Staff” – Includes employees of the City of Denton consisting of, or reporting to, the City Manager or the City Attorney.

(b) City Council Requests for Information from City Staff.

(1) All City Council requests for information from City Staff, must be submitted to the City Manager’s Office via email and include at a minimum, the following details:

- a. Request Type;
- b. Purpose;

- c. Time Sensitivity; and
  - d. Preferred Response Format.
- (2) The City Manager's Office and/or the City Attorney's Office will estimate the amount of time required to respond to each request.
- (3) Requests estimated to take more than a total of two hours to complete will be brought forward within the next 30 calendar days, to a City Council work session to seek consensus from the full City Council regarding the use of City Staff time to fulfill the request. Requests for information referred to a work session will follow the procedures provided in sub-section (b) of Section 2-30.
- (c) City Council Requests for Information Referred to a Work Session.
- (1) A standing work session item will be added to each City Council agenda for City Council requests to be considered.
- a. The requesting Council Member will be required to provide a clear, written explanation describing the reason for the information requested. This description will be included as an attachment to the work session agenda materials and must be provided to the City Secretary in time to fully comply with Texas Open Meeting Act requirements.
- (2) During the work session, the requesting Council Member will have a maximum of two minutes to describe and justify their request.
- a. Remaining Council Members will then have a maximum of one minute each to provide feedback and indicate their support for the use of City Staff time to respond to the request.
- (3) Staff will respond to all requests where a consensus of at least four elected officials is established. To the extent possible, responses will be made in the requested format including Informal Staff Reports, Legal Status Reports, City Council work session topics, or ordinances and resolutions to be considered on future City Council agendas.

SECTION 2. This ordinance shall become effective immediately upon its passage and approval.

SECTION 3. To the extent not otherwise provided, this ordinance shall repeal every prior ordinance in conflict herewith, but only insofar as the portion of such ordinance shall be in conflict; and as to all other sections of the ordinance not in direct conflict herewith, this ordinance shall be and is hereby made cumulative except as to such prior ordinances or portions thereof as are expressly repealed hereby.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. The City Secretary is hereby directed to record and publish the above regulations in the City's Code of Ordinances.

The motion to approve this ordinance was made by Jesse Davis and seconded by Brian Beck, the ordinance was passed and approved by the following vote [7 - 0]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vicki Byrd, District 1:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Beck, District 2:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jesse Davis, District 3:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alison Maguire, District 4:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deb Armintor, At Large Place 5:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul Meltzer, At Large Place 6:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED AND APPROVED this the 28<sup>th</sup> day of September, 2021.

  
GERARD HUDSPETH, MAYOR

ATTEST:  
ROSA RIOS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:  
CATHERINE CLIFTON, INTERIM CITY ATTORNEY

BY:   
Digitally signed by Catherine Clifton  
DN: dc=cw, dc=cityofdenton, de=codad,  
ou=Department Users and Groups, ou=General  
Government, ou=Legal, cn=Catherine Clifton,  
email=Catherine.Clifton@cityofdenton.com  
Date: 2021.09.17 10:37:50 -0500

