

RESOLUTION NO. R2009- 015

A RESOLUTION RE-ESTABLISHING A STANDING COMMITTEE OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS TO BE KNOWN AS THE AUDIT/FINANCE COMMITTEE AND ASSIGNING IT ADDITIONAL DUTIES; DISSOLVING THE INVESTMENT COMMITTEE; RESCINDING RESOLUTION NO. R2006-013, R2006-026, AND SECTION V. OF THE ATTACHMENT TO RESOLUTION NO. R2008-009; FURTHER, RE-ESTABLISHING A STANDING COMMITTEE OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS FOR THE CITY COUNCIL TO BE KNOWN AS THE APPOINTEE PERFORMANCE REVIEW COMMITTEE; RESCINDING RESOLUTION NO. R2007-043; FURTHER RE-ESTABLISHING A STANDING COMMITTEE OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS FOR THE CITY COUNCIL TO BE KNOWN AS THE CITY COUNCIL COMMITTEE ON THE ENVIRONMENT; RESCINDING RESOLUTION NO. R2005-040; FURTHER, RE-ESTABLISHING A STANDING COMMITTEE OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS FOR THE CITY COUNCIL ETHICS COMMITTEE; FURTHER, ESTABLISHING A STANDING COMMITTEE OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS FOR THE CITY COUNCIL HOTEL OCCUPANCY TAX (HOT) COMMITTEE; FURTHER, RE-ESTABLISHING A STANDING COMMITTEE OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS FOR THE CITY COUNCIL MOBILITY COMMITTEE; RESCINDING RESOLUTION NO. R2005-041; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Denton deems it to be in the best interest of the City and beneficial to enhanced efficiency of governmental operations to consolidate the resolutions and ordinances creating the City Council oversight committees; and

WHEREAS, the City Council opines that appointments to Council committees will be made in a more timely fashion upon the consolidation of the resolutions and ordinances creating these City Council committees; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

TITLE I. RELATING TO THE AUDIT/FINANCE COMMITTEE

SECTION 1. History of the Audit/Finance Committee and findings.

- A. On April 18, 2006, the Denton City Council established an Audit/Finance Committee by Resolution No. R2006-013 (as amended by Resolution No. R2006-026) to act as an advisory body to the Denton City Council to provide governance and oversight of the organization's audit activities, internal controls, and financial and operational reporting.
- B. On February 17, 1987, the Denton City Council approved a resolution creating an Investment Policy and establishing an Investment Committee by Resolution No. R87-019.

- C. The City Council is of the opinion and hereby finds, that it is in the public interest that an Audit/Finance Committee be re-established and that such Committee should meet regularly to determine general investment strategies and to monitor such results.

SECTION 2. Re-establishment of the Audit/Finance Committee and statement of duties and purpose of the Committee.

- A. The City Council hereby re-establishes a standing Audit/Finance Committee to be composed of three (3) members of the City Council to be appointed by the Mayor and approved by the City Council. The City Manager, or his or her designee, will provide guidance and assistance to the Committee and be responsible for ensuring that records are maintained in accordance with requirements of the city secretary's office.
- B. The Committee members shall serve at the pleasure of the City Council until successors are duly appointed by the Mayor and approved by the Denton City Council. The presiding officer of the Committee shall be chosen annually by the Committee. Members of the Committee must be current elected City Council members of the City of Denton, Texas.
- C. The duties and purpose of the Committee shall be to assist the City Council in fulfilling its organizational oversight responsibilities relating to the audit function, the investment function, and any other financial related activities as delegated by the City Council. Further, the Committee shall assist Council in its oversight duties related to the City's internal audit function as needed or as directed by Council.

SECTION 3. The Investment Committee shall be dissolved and its duties and responsibilities are included in the duties of the Audit/Finance Committee as outlined in Section 2.C.

SECTION 4. Resolutions No. R2006-13, R2006-026 and Section V. of the attachment to Resolution No. R2009-006 are hereby rescinded.

TITLE II. RELATING TO THE CITY COUNCIL APPOINTEE
PERFORMANCE REVIEW COMMITTEE

SECTION 1. History of the City Council Appointee Performance Review Committee and findings.

- A. On December 11, 2007, the Denton City Council re-established the City Council Appointee Performance Review Committee by Resolution No. R2007-043 to act as an advisory body to the Denton City Council to recommend performance review standards to the City Council for City

Council appointees, to include the City Manager, City Attorney, Municipal Court Judge and City Auditor.

- B. The Denton City Council finds that it is in the public interest to re-establish the Committee as a standing committee of the City Council.

SECTION 2. Re-establishment of the City Council Appointee Performance Review Committee and statement of duties and purpose of the Committee.

- A. The City Council hereby re-establishes the City Council Appointee Performance Review Committee as a standing committee of the City Council. The Committee shall consist of three (3) City Council members to be appointed by the Mayor of the City of Denton, and approved by the Denton City Council. The City Manager will be responsible for ensuring that records are maintained in accordance with requirements of the city secretary's office.
- B. The Committee members shall serve at the pleasure of the City Council until successors are duly appointed by the Mayor and approved by the Denton City Council. The presiding officer of the Committee shall be chosen annually by the Committee. Members of the Committee must be current elected City Council members of the City of Denton, Texas.
- C. The duties and purpose of the Committee shall be to assist the City Council in performance review of the City Council appointees and to insure that the appointees' job descriptions are accurate and properly reflect current job duties in order to make recommendations to the City Council to assist the Council in evaluating the job performance of the Council Appointees. Additionally, the Committee will make recommendations regarding employment agreements, including renewals, of council appointee positions and any other duties as assigned by the City Council.

SECTION 3. Resolution No. R2007-043 is hereby rescinded.

TITLE III. RELATING TO THE COMMITTEE ON
THE ENVIRONMENT

SECTION 1. History of the Committee on the Environment and findings.

- A. On October 18, 2005, the Denton City Council established the City Council Committee on the Environment by Resolution No. R2005-040 to act as an advisory body to the Denton City Council to address issues facing the Council that deal with Denton's stewardship, management, and conservation of environmental issues, environmental resources and related matters.

- B. The City Council is of the opinion and hereby finds, that it is in the public interest that the City Council Committee on the Environment be re-established as a standing committee and that such Committee should meet regularly to consider environmental matters impacting the City of Denton and to recommend appropriate action to the City Council, as necessary.

SECTION 2. Re-establishment of the City Council Committee on the Environment and statement of duties and purpose of the Committee.

- A. The Denton City Council hereby re-establishes a standing committee to be called the City Council Committee on the Environment. The Committee shall consist of three (3) City Council members who will be appointed by the Mayor of the City of Denton and approved by the Denton City Council. The City Manager will be responsible for ensuring that records are maintained in accordance with requirements of the city secretary's office.
- B. The Committee members shall serve at the pleasure of the City Council until successors are duly appointed by the Mayor and approved by the Denton City Council. The presiding officer of the Committee shall be chosen annually by the Committee. Members of the Committee must be current elected City Council members of the City of Denton, Texas.
- C. The duties of the Committee shall be to review, discuss, deliberate and consider environmental issues and resources and make recommendations to the Denton City Council. The Committee will also deliberate and make recommendations regarding any other matter delegated to the Committee by the City Council.

SECTION 3. Resolution No. R2005-040 is hereby rescinded.

TITLE IV. RELATING TO THE CITY COUNCIL ETHICS COMMITTEE

SECTION 1. History of the City Council Ethics Committee and findings.

- A. On September 7, 2004, the Denton City Council established the City Council Ethics Committee by Ordinance No. 2004-255, which is being rescinded by Ordinance No. 2009-137 adopted on this date, to act as an advisory body to the Denton City Council on issues that may arise under the Ethics Policy for the City of Denton.
- B. The Denton City Council finds that it is in the public interest to re-establish the Committee as a standing committee of the City Council.

SECTION 2. Re-establishment of the City Council Ethics Committee and statement of duties and purpose of the Committee.

- A. The City Council hereby re-establishes the City Council Ethics Committee as a standing committee of the City Council. The Committee shall consist of three (3) City Council members to be appointed by the Mayor of the City of Denton, and approved by the Denton City Council. The City Manager, or his or her designee, shall serve as the recording secretary to the Committee and shall provide such administrative services as necessary.
- B. The Committee members shall serve at the pleasure of the City Council until successors are duly appointed by the Mayor and approved by the Denton City Council. The presiding officer of the Committee shall be chosen annually by the Committee. Members of the Committee must be current elected City Council members of the City of Denton, Texas.
- C. The duties and purpose of the Committee shall be to advise the Denton City Council on the Ethics Policy and to gather information from the Citizens of Denton regarding the Ethics Policy, conduct hearings and inquiries as herein set forth and consider other matters as delegated by the City Council.

SECTION 3. Any person, including, any Elected or Appointed Official of the City of Denton, or any person acting on behalf of a public or private entity may request the Committee to consider an issue arising under the Ethics Policy by filing a written Notice of Potential Violation, ("Notice"), of the Ethics Policy with the City Secretary. The City Secretary shall make a copy of the Notice and provide a copy of the Notice to the Elected or Appointed Official who is named in the Notice, and to the Chair of the Committee. Within thirty days, the Chair shall place the notice on the Agenda of the Committee and the Committee shall provide notice of the meeting to the Elected or Appointed Official, and meet and conduct hearings, as necessary. The Committee may, in its discretion, determine to advise the City Council on the Notice. The Committee may extend this time period if the Committee needs additional information in order to properly advise the City Council regarding any issues raised in the Notice.

VI. RELATING TO THE CITY COUNCIL HOTEL OCCUPANCY
TAX (HOT) COMMITTEE

SECTION 1. History of the City Council Hotel Occupancy Tax Committee and findings.

- A. The Denton City Council adopted Ordinance No. 75-53 on December 16, 1975, amending Chapter 23 of the Code of Ordinances by adding Article I entitled "Hotel Occupancy Tax" which provides for the collection of a hotel occupancy tax.

- B. On January 6, 1976, the Denton City Council entered into a contractual agreement with the Denton Chamber of Commerce to promote tourism and advertise the City of Denton as a potential site for public meetings and conventions.
- C. By consensus of the Denton City Council at their work session of September 20, 1994, three representatives of the Denton City Council have served annually on a Hotel Occupancy Tax Fund Committee to monitor allocation and use of hotel occupancy funds.
- D. The Denton City Council finds that it is in the public interest to re-establish the Committee as a standing committee of the City Council.

SECTION 2. Re-establishment of the City Council Hotel Occupancy Tax (HOT) Fund Committee and statement of duties and purpose of the Committee.

- A. The City Council hereby re-establishes a standing committee to be called the HOT Committee. The Committee shall be composed of three (3) members of the City Council to be appointed by the Mayor and approved by the City Council. The City Manager, or his or her designee, will provide guidance and assistance to the Committee and be responsible for ensuring that records are maintained in accordance with requirements of the city secretary's office.
- B. The Committee members shall serve at the pleasure of the City Council until successors are duly appointed by the Mayor and approved by the Denton City Council. The presiding officer of the Committee shall be chosen annually by the Committee. Members of the Committee must be current elected City Council members of the City of Denton, Texas.
- C. The duties and purpose of the Committee shall be to monitor allocation and use of hotel occupancy tax funds, ensuring funds are being used to directly enhance and promote tourism and the hotel/convention industry, recommend organizations to receive funding to the City Council, and other duties as delegated by the City Council.

SECTION 3. Members of the Committee shall also serve as members of the Denton Live Advisory Board.

VII. RELATING TO THE CITY COUNCIL MOBILITY COMMITTEE

SECTION 1. History of the City Council Mobility Committee and findings.

- A. The Denton City Council, on October 18, 2005, heretofore established the City Council Mobility Committee by Resolution No. R2005-041 to act as

an advisory body to the Denton City Council regarding local and regional transportation issues.

- B. The Denton City Council finds that it is in the public interest to re-establish the Committee as a standing committee of the City Council.

SECTION 2. Re-establishment of the City Council Mobility Committee and statement of duties and purpose of the Committee.

- A. The City Council hereby re-establishes a standing committee to be called the City Council Mobility Committee. The Committee shall be composed of three (3) members of the City Council to be appointed by the Mayor and approved by the City Council. The City Manager, or his or her designee, will provide guidance and assistance to the Committee and be responsible for ensuring that records are maintained in accordance with requirements of the city secretary's office.
- B. The Committee members shall serve at the pleasure of the City Council until successors are duly appointed by the Mayor and approved by the Denton City Council. The presiding officer of the Committee shall be chosen annually by the Committee. Members of the Committee must be current elected City Council members of the City of Denton, Texas.
- C. The duties and purpose of the Committee shall be to review, consider and make recommendations to the City Council regarding any changes to the Mobility Plan, local transportation policy, any items concerning regional transportation policies and activities and other duties as delegated to the Committee by the City Council.

SECTION 3. Resolution No. R2005-041 is hereby rescinded.

VIII. RELATING TO ALL CITY OF DENTON CITY COUNCIL COMMITTEES

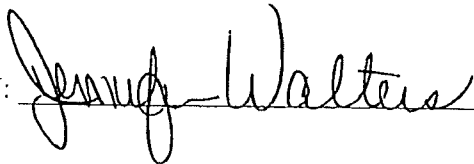
- A. ALL COMMITTEES are subject to the provisions of Texas Government Code §§551 and 552, as amended, and its meetings shall be posted in compliance with the Texas Open Meetings Act. Minutes and records will be maintained in accordance with requirements of the city secretary's office.
- B. This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 16th day of June, 2009.



MARK A. BURROUGHS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY: 