



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: City Manager's Office

CM/ DCM/ ACM: Bryan Langley, Deputy City Manager

DATE: July 25, 2017

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding the Charter Review Committee recommendations.

BACKGROUND

At the July 18, 2017 City Council Work Session, the City Council provided direction to staff regarding the Charter Review Committee (CRC) recommendations. The City Council formed the CRC by resolution in October 11, 2016 and charged the Committee with evaluating seven potential changes to the City's Charter. The CRC's final report is attached as **Exhibit 2**. Additionally, all of the CRC agendas, minutes, and materials provided to the committee are available on the City's [website](http://www.cityofdenton.com) under Government and then Boards, Commissions, and Committees.

Below is a brief summary of the charges and if the CRC proposed a revision to the Charter.

#	Subject	Charge	CRC Recommendation
1	Districts	• Should the composition of the Council change to 6 single-member council districts and 1 at-large mayoral district? (Sec. 2.01)	• No revision
2	Terms	• Should the current 3 consecutive two-year term limitations be changed? (Sec. 2.01)	• No revision
3	District Residency	• Should the current one-year district residency eligibility requirement be amended? (Sec. 2.02)	• Proposed revision
4	Recall Percentage	• Should the percentage signature requirement for recall petitions be increased? (Sec. 4.13)	• Proposed revision
5	City Auditor	• Should the appointment, duties, and responsibilities of the city auditor be clarified? (Sec. 6.04)	• Proposed revision
6	Ethics	• Should the current conflict of interest and nepotism provisions be replaced with alternative ethics provisions? (Secs. 14.04 and 14.05)	• Proposed revision to Charter and recommended ordinance elements
7	Stipend	• Should a salary or stipend be established for council members?	• Proposed revision

At the July 18 Work Session, Council provided direction to adopt and proceed with the CRC's recommendations on charges #1, #2, #3, #4, #5, and #7 as shown in the CRC's final report; however, there was still discussion regarding how to address charge #6 on Ethics.

Council discussed the language recommended for ethics in the Charter language, including if the model city charter language was a better fit, if the recommended language was clear enough or should be modified, and how ethics provisions for city employees should be addressed.

A couple questions were also raised during the Concluding Items section of the City Council meeting on July 18. Below is some information on those items:

1. Public Utilities Board (PUB) terms: Below is the Charter language for the Public Utilities Board (Article XII, Section 12.07).

- (a) There is hereby created a public utilities board to be composed of seven (7) members, or as many members as there are councilmembers, whichever is greater, appointed by the council for four-year terms and until their respective successors have been appointed and qualified. Members of the board may be removed by the council only for cause and only after charges have been filed and published and the member has been given a reasonable opportunity to defend himself in an open public hearing before the council. Vacancies shall be filled for any unexpired term in the same manner as provided for regular appointments.
- (b) The city manager and director of utilities shall be ex officio members of the board. They shall attend all meetings of the board and shall have the right to discuss any matter that is under consideration by the board but shall have no vote.
- (c) Members of the public utilities board shall have the same qualifications as are required by membership on the city council.
- (d) At its organizational meeting, and annually thereafter as soon as the newly appointed member (or members) has qualified; the board shall select from its own membership a chairman, vice-chairman, and secretary. A majority of the regularly appointed members shall constitute a quorum. The board shall determine its own rules and order of business. The board shall meet at least once each month; all meetings shall be conducted in accordance with the Texas Open Meetings Act, chapter 551 of the Texas Government Code, as it may now read or hereafter be amended and all other applicable laws and a permanent record of proceedings shall be maintained, except as otherwise provided by law.

2. Date of Municipal Election: The Charter Review Committee discussed if the municipal elections should be moved from May to November to align with other state and federal elections. Although not a formal charge, the Charter Review Committee discussed this topic across a couple of meetings. The discussion can be seen in the attached segments of meeting minutes (**Exhibit 4**) from February 1, 2017 (pg 21-22) and February 15 (pg 16-17).

OPTIONS

Based upon Council's discussion from the last session, staff has attempted to outline some of the options discussed for charge #6 and will facilitate a discussion for Council using the presentation shown in **Exhibit 5**.

SCHEDULE

- **August 1 City Council meeting** – Review drafted ballot language
- **August 15 City Council meeting** – Consideration of an ordinance to call an election
- **August 21 – Deadline to file with the County for a November 2017 election**

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Charter Review Committee presented their final report and recommendations to the City Council in a work session on June 27, 2017. The Committee's final report details the meetings held, including 8 Committee meetings and 3 subcommittees (Stipend, Recall, and Ethics) that held a total of 10 subcommittee meetings.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Organizational Excellence

EXHIBITS

Exhibit 1 – Agenda Information Sheet (AIS)

Exhibit 2 – Charter Review Committee Final Report

Exhibit 3 – Model City Charter Provision

Exhibit 4 – CRC Meeting Minutes

Exhibit 5 – Presentation for July 25

Respectfully submitted:

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