

City of Denton Charter Amendment Election

August 15, 2017
City Council Meeting

Background

- **October 11, 2016:** Council approved a resolution forming a Charter Review Committee (CRC)
 - Created a 21 person member committee to review seven areas for possible revisions to the Charter and to provide recommendations
- **December 2016 – May 2017:** Charter Review Committee Work
 - Held 8 Committee meetings and formed 3 subcommittees (Stipend, Recall, and Ethics) that held a total of 10 subcommittee meetings
 - Created a final report with recommendations on May 17, 2017
- **June 27, 2017:** CRC Chair Joe Mulroy presented the Committee's recommendations to Council
- **July 18, July 25, and August 1, 2017:** City Council provided direction to staff to proceed with the CRC's recommendations on the charges, except for a modification on Charge #6 on Ethics Charter language

Charges for the Charter Review Committee

#	Subject	Charge	CRC Recommendation	City Council Direction
1	Districts	<ul style="list-style-type: none"> Should the composition of the Council change to 6 single-member council districts and 1 at-large mayoral district? (Sec. 2.01) 	<ul style="list-style-type: none"> No revision 	<ul style="list-style-type: none"> Agreed
2	Terms	<ul style="list-style-type: none"> Should the current 3 consecutive two-year term limitations be changed? (Sec. 2.01) 	<ul style="list-style-type: none"> No revision 	<ul style="list-style-type: none"> Agreed
3	District Residency	<ul style="list-style-type: none"> Should the current one-year district residency eligibility requirement be amended? (Sec. 2.02) 	<ul style="list-style-type: none"> Proposed revision 	<ul style="list-style-type: none"> Agreed
4	Recall Percentage	<ul style="list-style-type: none"> Should the percentage signature requirement for recall petitions be increased? (Sec. 4.13) 	<ul style="list-style-type: none"> Proposed revision 	<ul style="list-style-type: none"> Agreed
5	City Auditor	<ul style="list-style-type: none"> Should the appointment, duties, and responsibilities of the city auditor be clarified? (Sec. 6.04) 	<ul style="list-style-type: none"> Proposed revision 	<ul style="list-style-type: none"> Agreed
6	Ethics	<ul style="list-style-type: none"> Should the current conflict of interest and nepotism provisions be replaced with alternative ethics provisions? (Secs. 14.04 and 14.05) 	<ul style="list-style-type: none"> Proposed revision to Charter and recommended ordinance elements 	<ul style="list-style-type: none"> Modified proposed Charter language
7	Stipend	<ul style="list-style-type: none"> Should a salary or stipend be established for council members? 	<ul style="list-style-type: none"> Proposed revision 	<ul style="list-style-type: none"> Agreed

Proposed Charter Amendments

Charge #3 – District Residency

- Clarify that a person running for office must have resided within the corporate limits of Denton and within the district or at-large place in which elected for at least one year preceding his or her election
- Change “resided” to “domiciled” – defined as principal place of establishment to address concerns of multiple addresses or residences

Charge # 4 – Recall Petition

- Increase the signature requirement for a recall petition from 25% of votes cast for that seat to 35%

Proposed Charter Amendments

Charge #5 – City Auditor

- Clarify city internal auditor's main duties and responsibilities in the Charter
- Clarify that the internal auditor position is to be held on a continuous full time basis

Charge # 6 – Ethics

- Repeal the Personal Interest and Nepotism provisions and replace with a provision requiring the adoption of an Ethics ordinance by the City Council that addresses 4 ethics components at a minimum

Proposed Charter Amendments

Charge #7 – Stipends

- Adopt a new provision providing for stipends for City Council Members
- \$750/month for Council Member and \$1,000/month for Mayor; Council can vote to increase a maximum of 3% annually

Upon further review, outside counsel recommended tweaking the Charter language for Charge #7 to simplify and consolidate two sentences as follows:

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) for each member of City Council elected from a district or at large position, and One Thousand Dollars (\$1,000) 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 stipend approved by ordinance shall not exceed three (3) percent per adjustment of the current stipend amount. Any increase greater than 3 percent shall require a two-thirds (2/3) vote of approval by the Council. Any increase in the amount of the stipend shall not exceed three percent of the then-current stipend unless approved by a two-thirds vote of the council.~~ The stipend shall be reported in the annual city budget as a separate line item.

Charter Election

- A detailed ordinance with proposed Charter amendments must be considered and approved by the City Council
 - Part of that ordinance includes ballot language for each proposition
- Draft ballot language was reviewed with the City Council on August 1, 2017
 - Must be simple and easy to understand
 - Reflect the character, purpose, and chief functions of the amendment
 - Ballot language was drafted with in-house counsel and outside counsel that specializes in election matters
 - Council requested a couple minor revisions on August 1, which have been incorporated into the ballot language and ordinance
- An educational brochure and information would be put together for voters and placed on the website
- Notices would be published in the newspaper according to Texas statutes

Next Steps

- Timeline
 - August 15, 2017 City Council meeting - Consideration of an ordinance to call a Charter amendment election
 - August 21, 2017 – Deadline to file with the County for a November 2017 election
 - September 2017 – Educational brochure and informational materials
 - November 7, 2017 – Election date