City Manager's Office
215 E. McKinney St., Denton, TX 76201 • (940) 349-8307

MEMORANDUM

DATE: August 21, 2026
TO: The Honorable Mayor Watts and Council Members
FROM: Cassey Ogden, Interim City Manager
SUBJECT: Friday Staff Report

Upcoming Meetings

1. Public Utilities Board on **Monday, August 24, 2026,** at **9:00 a.m.** in the City Council Work Session Room.
2. Development Code Review Committee on **Monday, August 24, 2026,** at **3:00 p.m.** at the Development Service Center.
3. CANCELLED - Zoning Board of Adjustment on **Monday**, **August 24, 2026,** at **5:30 p.m.** at the Development Service Center.
4. CANCELLED - City Council Meeting – Special Called on **Tuesday, August 25, 2026,** at **9:00 a.m.** in the City Council Chambers.
5. Community Partnership Committee on **Tuesday, August 25, 2026,** at **9:00 a.m.** in the City Council Work Session Room.
6. Mobility Committee on **Wednesday, August 26, 2026,** at **10:00 a.m.** in the City Council Work Session Room.
7. Civil Service Commission on **Wednesday, August 26, 2026,** at **1:00 p.m.** in the Central Fire Station EOC Training Room.
8. Sustainability Framework Advisory Committee on **Wednesday, August 26, 2026,** at **1:00 p.m.** in the City Council Work Session Room.
9. Planning and Zoning Commission on **Wednesday, August 26, 2026,** at **6:00 p.m.** in the City Council Chambers.
10. Board of Ethics on **Thursday, August 27, 2026,** at **5:30 p.m.** in the City Council Work Session Room.

Please check the City of Denton website for final meeting days and times as information is subject to change after the Friday Report is published. Public Meetings & Agendas | Denton, TX (civicplus.com)

General Information & Status Updates

A. School Zone Right Turn Signal – In the spring of 2025, Transportation Services explored a request regarding pedestrian safety at the US 380/University Boulevard and Malone Street crossing and the possibility of implementing a time-of-day no-turn-on-red digital sign restriction for school kids during school times only. Traffic Operations installed the sign last week, with the goal of enhancing pedestrian/bike safety when crossing US 380/University Boulevard at Malone Street for Newton Razor Elementary and Calhoun Middle School students. It's the first-of-its-kind digital Intelligent Transportation Systems (ITS) lane control sign installed in Denton. Staff contact: Chandra Muruganandham, Transportation Services

B. NCTCOG Awards $2.3 Million to the City of Denton – The North Central Texas Council of Governments (NCTCOG) developed the Metropolitan Transportation Plan (MTP - Mobility 2050) for the DFW region. To supplement infrastructure projects, NCTCOG offers a voluntary list of policies for local governments and transportation agencies to adopt, addressing a range of transportation issues. Agencies that implement these policies can earn Transportation Development Credits (TDCs) to offset local funds for new federal projects.

The City of Denton received $2.3 million in TDCs, enabling the City to utilize this funding as a local match for any qualified transportation-related external grant awards. The Exhibit below illustrates the awarded applicants with the amount of TDCs awarded. Staff contact: Farhan Butt, Transportation Services

C. NCTCOG Award for Technology Project Identification – The Technology and Innovation Program promotes the regional adoption of emerging transportation technologies. NCTCOG awarded the City of Denton $800,000, with a $160,000 local match covered by NCTCOG via regional Transportation Credits. Awardees are invited to a workshop on Oct. 2, 2026, to discuss next steps. Staff contact: Farhan Butt, Transportation Services

D. Mayor's Pet Spotlight – Luna is a gentle 3-year-old, 5-pound cat who has been patiently awaiting her forever home since May. Luna is the perfect balance of calm and playful, and enjoys everything from relaxing in a cozy spot to chasing toys around the house. Her foster reports that she is smart, easily engaged, and fully litter trained. Luna has lived with other cats before, but her forever home should be dog free. Luna is currently in a foster home, interested adopters can email animal.services@cityofdenton.com or call (940) 349-7594 to schedule an appointment to meet her. Staff contact: Jenny McGee, Animal Services.

E. Inclement Weather Shelter – From Aug. 13 through Aug. 19, the Inclement Weather Shelter was opened seven times. The inclement weather shelter is opened in accordance with the City's Use of Facilities for Inclement Weather Policy to provide overnight cooling for individuals when there is a Major or Extreme HeatRisk, representing an increased risk of heat-related impacts affecting all individuals without proper hydration and adequate cooling. The below table details the shelter's utilization and capacity through this period and **Attachment A** is the Denton County Public Health Heat-Related Illness Surveillance Report for the week of Aug. 9 through Aug. 15. Additional information on shelter and weather resources, including instructions on how to sign up for inclement weather alerts, can be found on the City's website. Staff contact: Julia Alessandra, Community Services

HeatRisk	**HeatRisk: 3 (Major)**		**HeatRisk: 3 (Major)**		**HeatRisk: 3 (Major)**		**HeatRisk: 3 (Major)**	
Date	**13-Aug-26**		**14-Aug-26**		**15-Aug-26**		**16-Aug-26**	
Denton Community Shelter	**Occupied**	**Available**	**Occupied**	**Available**	**Occupied**	**Available**	**Occupied**	**Available**
Beds	**168**	**27**	**177**	**18**	**166**	**29**	**176**	**19**

HeatRisk	**HeatRisk: 4 (Extreme)**		**HeatRisk: 4 (Extreme)**		**HeatRisk: 4 (Extreme)**	
Date	**17-Aug-26**		**18-Aug-26**		**19-Aug-26**	
Denton Community Shelter	**Occupied**	**Available**	**Occupied**	**Available**	**Occupied**	**Available**
Beds	**175**	**20**	**179**	**16**	**187**	**8**

Responses to Council Member Requests for Information

A. Reporting Flooding Issues – On Aug. 9, Mayor Pro Tem Stevens shared an inquiry from a resident regarding maintenance of drainage inlets related to flooding. The City has an established process for inspecting and maintaining drainage infrastructure. All stormwater inlets and junction boxes are inspected. The City also responds to reported blockages and conducts additional post-storm inspections at locations with recurring issues. Residents may report flooding issues by utilizing Denton 311. There are existing reporting options in the Streets and Drainage category of "Clean Storm Drain" and "Ground Water". Staff are also adding a "Flooding" option which will be available soon. Staff contact: Stephen Gay, Water Utilities & Street Operations

Upcoming Community Events and Public Meetings

Please visit the City of Denton website for upcoming community events and details.

Attachments

A. Attachment A – HRI Report Week 32, 2026 6

Informal Staff Reports

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Denton County Public Health
Heat-Related Illness Surveillance Report

MMWR Week 32 (August 09 – August 15, 2026)

Table 1. Denton County Heat-Related Illnesses and Deaths by Type

MMWR Week	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	Total YTD
Week Ending	5/2	5/9	5/16	5/23	5/30	6/6	6/13	6/20	6/27	7/4	7/11	7/18	7/25	8/1	8/8	8/15	8/22	8/29	9/5	9/12	9/19	9/26	10/3	10/10	
Heat-Related Death*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									0
Heat Stroke	0	1	0	0	0	1	0	0	1	2	0	1	2	1	1	0									10
Heat Exhaustion	2	1	3	0	0	5	4	5	1	6	10	5	25	14	9	5									95
Heat Cramps	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0									2
Sunburn	0	1	1	1	1	5	2	4	0	3	0	0	0	0	1	0									19
Other Heat-Related Illness†	0	0	2	0	1	2	1	3	4	3	6	3	10	5	3	8									51
Total HRI	2	3	6	1	2	13	7	12	6	15	16	9	37	21	14	13	0	0	0	0	0	0	0	0	177

Figure 1. Daily Temperatures and Heat-Related Illnesses in Denton County, April 26, 2026 – Present ‡

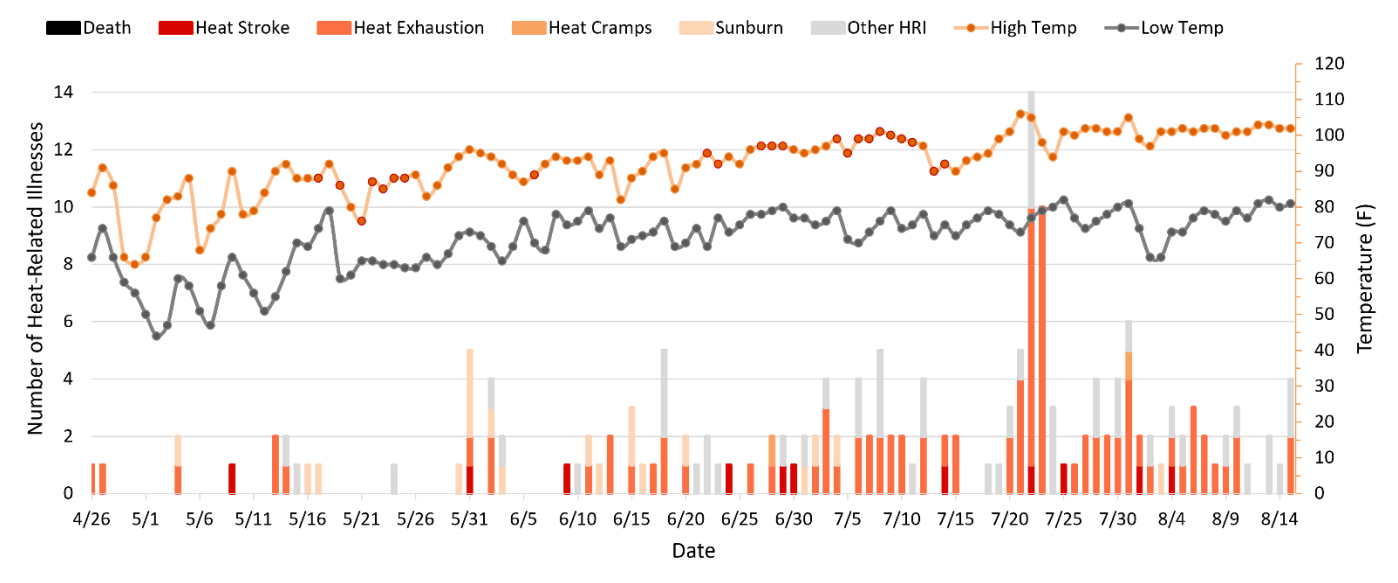
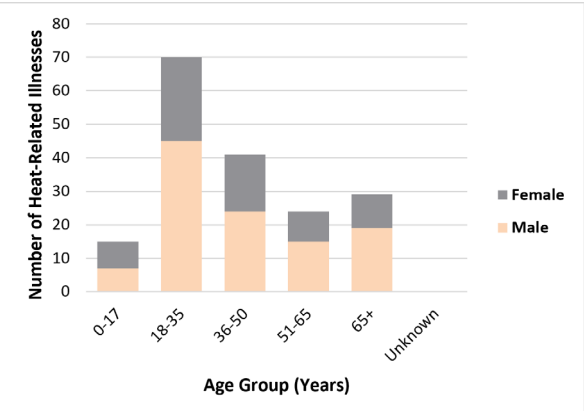


Figure 2. Heat-Related Illnesses in Denton County by Gender and Age Group



High temperatures forecasted for the next week is around mid-100's with a heat index of 109. Lows are predicted to be in the 80s‡.

Data used in this report is obtained from hospitals participating in ESSENCE Surveillance from April 26th, 2026 through the present.

**Data Source: Denton County Medical Examiner's Office*

†Includes heat-related overexposure, rash, stress, and malaise

‡Temperature Data Source: National Weather Service

INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL

SUBJECT:
City of Denton Boards and Commissions nominations, vacancies, and absence policies.

SUMMARY:
On July 12, 2026, Mayor Pro Tem Stevens submitted a two-minute pitch to request an Informal Staff Report and Work Session to discuss boards and commissions nominations, vacancies, and absence policies. On July 21, 2026, the City Council gave direction to proceed with the two-minute pitch proposal as outlined in Ordinance 24-1725.

BACKGROUND:
The City Secretary's Office is responsible for administering all City of Denton boards and commissions, including managing applications, appointments, attendance tracking, and vacancy processes. These responsibilities are guided by the City Charter, the Code of Ordinances, and the Boards and Commissions Handbook, which together outline how nominations, absences, and vacancies are handled.

The City of Denton's network of 27 resident boards, commissions/committees is made up of 21 advisory boards, commissions, and committees, and 6 quasi-judicial boards, commissions, and committees. Five (5) of the 27 committees are required by state law and/or the City's Charter. The City Council participates in three Council committees, and 5 hybrid council-resident committees.

The City maintains 117 Council-appointed seats across its boards, commissions, and committees. As of this publication, there are 21 true vacancies—meaning seats with no member currently serving—and 16 members in holdover status awaiting reappointment or replacement. In total, 37 seats (approximately 32 percent of all Council-appointed positions) are not filled by members serving active, current terms.

Nominations:
Board and commission members serve at the pleasure of the City Council under Charter Section 14.16. Appointments and reappointments are made through the standard nomination and application process outlined in the Boards and Commissions Handbook. Members continue to serve beyond their term expiration until they resign or are replaced, a status commonly referred to as "holdover." Resignations must be submitted in writing and become effective immediately upon submission, without the option to withdraw.

When a Council Member submits a nomination, the City Secretary's Office notifies the nominee by email and requests completion of the Boards and Commissions Application. Once the application is received, staff conducts the vetting process. For boards and commissions without special qualification

requirements, vetting includes verifying the applicant's residency through city and county records, confirming they are at least 18 years of age, and ensuring they are not in arrears to the City (such as through utilities, libraries, code enforcement, parks, or municipal court obligations).

After nominees are confirmed as qualified, the City Secretary's Office places the nomination on the next available City Council consent agenda for consideration.

Periodically, and upon request, the City Secretary's Office will provide each individual Council Member a report with a list of their existing appointments, including when their terms are set to expire, and any existing vacancies. At the request of a Council Member, the City Secretary's Office will provide a list of current applicants for any given board. The City Secretary's Office maintains applications that are submitted on the public website for six months after the date of submission.

Absences:
Attendance requirements are established in Denton Code of Ordinances §2-83(c) and the Boards and Commissions Handbook. Members are expected to attend all regularly scheduled meetings and must notify the chair or staff liaison in advance if they cannot attend. Absences are designated as excused or unexcused. Excused absences are defined in the Code of Ordinances and include illness, family emergencies, jury duty, military service, municipal training, or business-related needs. Absences that fall within these categories are approved administratively by the City Secretary's Office.

Members may also request an excused absence for reasons outside the listed criteria. These requests are reviewed by the City Secretary's Office and then placed on the next available City Council consent agenda for approval.

More than three unexcused absences in a year, or attendance below 50 percent of regular meetings, constitutes cause for removal. Staff liaisons are required to report violations immediately to the City Secretary, who initiates the notice and removal process. Although not explicitly stated in policy, both the City Secretary's Office and board liaisons monitor attendance and should provide timely notice to members approaching their absence limits. While the absence policy applies to all boards, commissions, and committees, enforcement has been inconsistent.

Board members have 10 days from the date of a missed meeting to submit the Board Absence Form. If the form is not submitted within that timeframe, the absence is recorded as unexcused, regardless of the reason.

Vacancies:
Vacancies occur when members resign, are removed for cause, or when terms expire without a replacement appointment. Members may continue serving in holdover status until they are reappointed or replaced, ensuring continuity of service. True vacancies are seats with no current member assigned, indicating either a resignation or removal outside the term, or a previous appointee who is unwilling or unable to continue serving in a holdover. The City's policies do not currently

specify additional steps or consequences for vacancies that remain open for extended periods, such as six months or longer.

DISCUSSION

Several gaps and inconsistencies within the City's current boards and commissions policies warrant consideration by the Council.

Attendance Policy

The existing attendance policy of allowing either three unexcused absences *or* attendance below 50 percent of meetings can be confusing and difficult to apply uniformly across all boards. Because meeting frequency varies significantly (some meet biweekly while others meet only a few times per year), using a fixed number of absences does not consistently reflect meaningful participation. To address this, Council could consider simplifying the policy by using a percentage-based threshold rather than a set number of absences, which would create a consistent and equitable measure across all boards.

Removal Process

Second, the process for initiating removal due to attendance violations could benefit from clarification. While current policy states that staff liaisons must notify the City Secretary of violations, the steps that follow—particularly regarding who is responsible for initiating a removal item, how communication should occur with the affected member, and the expected timelines—could be made more explicit to ensure that the process is applied consistently.

Vacancy Deadlines

Currently, there is no required timeframe in which a vacancy must be filled, which can result in seats remaining open for an extended period and boards operating without full membership. While the prior proposal (Ordinance 24-1063) did not pass, a more moderate deadline, such as six months, could provide structure without adding unnecessary rigidity. Any proposed deadline could apply only to true vacancies—not to holdover situations where a seated member continues to serve until replaced—to avoid unintended disruption to board continuity.

Policy Options (for work session discussion)

- Adopt a percentage-based attendance threshold in place of the existing rule.
- Clarify the removal process, including roles, communication expectations, and timelines.
- Establish a fill-by deadline and process for persisting vacancies.

CONCLUSION:

Staff recommends adding this pitch to the Boards and Commissions Work Session discussion scheduled for September 15, 2026, to receive direction on how Council would like to proceed.

ATTACHMENTS:

Exhibit 1 – City of Denton Charter
Exhibit 2 – City of Denton Boards and Commissions Handbook
Exhibit 3 – City of Denton Code of Ordinances Section 2-83

STAFF CONTACT:
Kristi Fogle
Chief of Staff, Office of the City Manager
kristi.fogle@cityofdenton.com

REQUESTOR: Mayor Pro Tem Stevens

STAFF TIME TO COMPLETE REPORT: 6 hours

PARTICIPATING DEPARTMENTS: City Secretary's Office, City Manager's Office, City Attorney's Office

PART I
CHARTER[1]

ARTICLE I. INCORPORATION, FORM OF GOVERNMENT AND POWERS

Sec. 1.01. Incorporation.

The inhabitants of the City of Denton, in Denton County, Texas, within the corporate limits as now established or as hereafter established in the manner prescribed by this charter, shall be and continue to be municipal corporation and the inhabitants thereof shall be a body politic and corporate in perpetuity under the name of the "City of Denton," possessing all power, property and interests which it possessed immediately prior to the time this charter takes effect or may hereafter acquire, and having the duties, obligations and liabilities now incumbent upon or hereafter incurred by the city as a municipal corporation.

Sec. 1.02. Boundaries.

The boundaries and limits of the City of Denton until changed in the manner herein provided, shall be the same as have heretofore been established and as exist on the date of the adoption of this charter, which boundaries are more fully set out and described by metes and bounds in a book entitled "Official Corporate Limits of the City of Denton, Texas," which is now, and shall hereafter be, on file in the office of the city secretary of the City of Denton.

Sec. 1.03. Extension of city limits.

The city council, by a vote of not less than four-fifths (⅘) of its membership, shall have the power by ordinance to provide for the alteration and extension of said boundary limits, and the annexation of territory lying adjacent to the City, with or without the consent of the inhabitants of the territory annexed. Upon the introduction of any such ordinance to the City Council, such ordinance shall be published one time in the official newspaper of the City of Denton. Amendments may later be incorporated into the proposed ordinance by a vote of not less than four-fifths (⅘) of the membership of the City Council and publication one time in the official newspaper of the City of Denton. The proposed ordinance, or any amendment thereof shall not thereafter be finally acted upon until at least thirty (30) days after the publication thereof; and upon the final passage of any such ordinance, or any amendment thereto, the boundary limits of the City shall thereafter be as fixed thereby. When any additional territory has been so annexed, same shall be a part of the City of Denton, and the property situated therein shall be subject to and shall bear its pro rata part of the taxes levied by the city, and the inhabitants thereof shall be entitled to and shall possess all the rights and privileges of the citizens of the City of Denton, and shall be under obligations as such citizens.

[1]Editor's note(s)—Published herein is the city's Home Rule Charter which was adopted by the voters at an election held on February 24, 1959. The original arrangement and section numbers have been retained. Subsequent amendments to the Charter are denoted by a history note at the end of the affected section and/or by a note explaining the effect of the amendment. Obviously misspelled words have been corrected without notation. Words added for clarity are enclosed in brackets.

Sec. 1.04. Form of government.

The municipal government provided by this charter shall be known as the "council-manager government." Pursuant to its provisions and subject only to the limitations imposed by the state Constitution and by this charter, all powers of the City shall be vested in an elective council, hereinafter referred to as "the council," which shall enact local legislation, adopt budgets, determine policies and appoint the city manager, who shall execute the laws and administer the government of the city. All powers of the city shall be exercised in the manner prescribed by this charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

Sec. 1.05. Powers of the city.

The City of Denton shall have and may exercise all the powers granted to cities by the Constitution or laws of Texas including specifically those powers made available to cities of more than five thousand (5,000) inhabitants by what is known as the Home Rule Amendment to the Constitution of Texas (Article XI, Section 5 and the Home Rule Enabling Act (Vernon's Texas Codes Annotated, Texas Local Government Code Section 5.004, Chapter 9, Chapter 26, and Subchapter E of Chapter 51), as these laws now read or may hereafter be amended. The city may acquire property within or without its corporate limits for any municipal purpose; may cooperate with the government of Texas or any agency thereof, or with the federal government or any agency thereof, or with the government of any county, city, or political subdivision to accomplish any lawful purpose for the advancement of the health, morals, safety, convenience, or welfare of the city or its inhabitants; may sell, lease, mortgage, hold, manage, and control such property as its interest may require; provided the city shall not sell, convey, lease, mortgage, or otherwise alienate the entire assets of any public utility system or any portion thereof essential to continued effective utility service without the prior approval by a majority of the qualified voters of the city who vote at an election held for this purpose; and may exercise the power of eminent domain when necessary or desirable to carry out any of the powers conferred upon it by this Charter or the Constitution or laws of Texas. The enumeration of particular powers in this Charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have and may exercise all other powers which under the Constitution and general laws of this state it would be competent for this Charter to specifically enumerate.

(Ord. No. 99-057, Amend. No. 2, 2-16-99, ratified 5-1-99)

Sec. 1.06. Liabilities, exemptions and limitations.

(a) No property belonging to the city shall be subject to any execution of any kind or nature.

(b) No fund belonging to the city shall be subject to garnishment, attachment or sequestration, and the city shall never be required to answer in any garnishment proceedings.

(c) No assignment of wages or other compensation earned, or to be earned, by any employee of the city shall be valid and the city shall never be required to recognize any such assignment or to answer in any proceeding thereon.

(d) The City of Denton shall never be liable for death or personal injury of a person or for property damages of any kind unless within ninety (90) days after the occurrence causing the damage, death, injury, or destruction a notice in writing by or on behalf of the person injured or claiming damages, if living, or the person's representative, if dead, or the owners of the property injured or destroyed is delivered to the city manager stating specifically and accurately in complete detail when, where, and how the exact death, injury, destruction, or damages occurred, the full extent of the injury, the basis of the claim, and the amount of damages claimed or asserted. This notice shall also include the residence of the claimant by street number on the date the claim is presented, the residence of the claimant for six (6) months immediately preceding

the occurrence of the death, injury, or destruction, and the names and addresses of all witnesses that are known at the time upon who it is relied to establish the claim for damages; provided, however, nothing in this subsection shall be construed to affect or repeal the provision in subsection (e) of this section relating to the liability of the city for damages on account of injuries received on the public streets, highways, alleys, grounds, public works, and public places of the city.

(e) The City of Denton shall never be liable for personal injury or property damages resulting from any defect in any public street, highway, alley, grounds or public work of the city unless the specific defect causing the injury or damage shall have been known to the city manager from personal inspection or written notice thereof for a period of at least twenty-four (24) hours prior to the occurrence of the injury or damage and proper diligence shall not have been used to rectify the defect after such inspection or notice. Such notice shall be required whether the defect arose from any act or omission of the city itself through its agent or employee, or otherwise.

(f) No provision of this section shall ever be so construed to expand the liability of the city.

(Ord. No. 99-057, Amend. No. 3, 2-16-99, ratified 5-1-99; Ord. No. 2006-232, Amend. No. 2, 8-28-06, ratified 11-7-06)

Sec. 1.07. Gender neutral.

Whenever used in this Charter, a word importing a specific gender only shall extend and be applied to include all genders, and, where applicable, to firms, partnerships, and corporations.

(Ord. No. 99-057, Amend. No. 4, 2-16-99, ratified 5-1-99; Ord. No. 25-445, Prop. A, § 1, 5-13-25, ratified 5-3-25)

ARTICLE II. THE COUNCIL

Sec. 2.01. Number, selection and term.

(a) The city council shall have seven (7) members, six (6) councilpersons and a mayor. The manner of their election is prescribed herein. Each councilperson shall be elected to and occupy a place on the council, such places being numbered one (1), two (2), three (3), four (4), five (5) and six (6). The mayor's position on the council shall be place seven (7).

(b) Four (4) members of the council whose positions shall be places one (1), two (2), three (3) and four (4), shall be residents of and elected by the qualified voters of single-member geographical districts of the city, known as districts one (1), two (2), three (3) and four (4), as such districts may from time to time be determined by the city council in accordance with Section 2.01(d), and created and described by ordinance. Two (2) members of the council and the mayor shall be elected by the qualified voters of the entire city, commonly known as at large. One (1) at large member, place five (5), shall be a resident of district one (1) or two (2), and one (1) at large member, place six (6), shall be a resident of district three (3) or four (4).

(c) (1) Each member of the council including the mayor shall hold a place on the city council, and shall be elected to such place for a two-year term. No member of the council or the mayor, who has been elected to three (3) consecutive full terms in a place, shall be eligible to file for election for that same place, whether elected before or after the effective date of this provision, without having first been off the council for at least one annual council election cycle. Nothing herein shall be deemed to prohibit the council members or the mayor from being elected to other places on the council or as mayor, so long as otherwise eligible, except that no council member or the mayor shall be elected to or serve for more than twelve (12) consecutive years.

(2) A person who has become ineligible to serve pursuant to Section 2.01(c)(1) shall not be eligible to be elected to a place on the council or as mayor without having first been off the council for at least one annual council election cycle, after which such person shall regain eligibility for office, if otherwise eligible under this Charter.

(d) The council shall from time to time create and describe by ordinance election districts known as districts one (1), two (2), three (3) and four (4). Such districts shall be created so that each will contain, as nearly as possible, a population equivalent to the others, according to the latest available census data.

(Ord. No. 76-12, Amend. No. 1, 4-5-76; Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 2009-199, Amend. No. 1, 9-1-09, ratified 11-3-09)

Sec. 2.02. Qualifications.

(a) Each member of the council, in addition to having the other qualifications prescribed by law:

(1) Shall be registered to vote in the city;

(2) Shall have domiciled for at least one year next preceding the member's election within the corporate limits of Denton and, if running within a single member geographic district, or at large place five (5) requiring a domicile in district one (1) or two (2), or at large place six (6) requiring a domicile in district three (3) or four (4), as set forth in Section 2.01, for at least one year preceding the election in the district in which elected; further, shall continuously be domiciled within the corporate limits of Denton and, if elected within a single member geographic district, or at large place five (5) requiring a domicile in district one (1) or two (2), or at large place six (6) requiring a domicile in district three (3) or four (4), in the district in which elected throughout the term of office.

(3) Shall not hold any other public office of emolument;

(4) Shall have and maintain the eligibility requirements for municipal officers set forth in Section 141.001 of the Texas Election Code, Vernon's Texas Civil Statutes Annotated hereinafter referred to as "Election Code" as it may now read or hereafter be amended.

(b) If a member of the council shall, after being elected, cease to possess any of these qualifications or eligibility requirements, or shall hold another office of emolument, or enter a plea of guilty to a felony, or be convicted of a felony the member shall immediately forfeit office.

(c) City Councilmember Stipend. 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 ($750.00) for each member of the City Council elected from a district or at large position, and one thousand dollars ($1,000.00) 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 amount of the stipend shall not exceed three (3) percent of the then-current stipend amount unless approved by a two-thirds (⅔) vote of the Council. The stipend shall be reported in the annual city budget as a separate line item.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 99-057, Amend. No. 5, 2-16-99, ratified 5-1-99; Ord. No. 2009-199, Amend. No. 2, 9-1-09, ratified 11-3-09; Ord. No. 2017-237, § 1(Amends. A, E), 8-15-17, ratified 11-7-17; Ord. No. 2017-373, § 2(Props. A, E), 11-20-17; Ord. No. 25-445, Prop. A, § 2, 5-13-25, ratified 5-3-25)

Sec. 2.03. Presiding officer: Mayor and mayor pro tem.

The mayor shall preside at the meetings of the council and shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of martial law, but shall not interfere with the managerial duties and responsibilities of the city manager. The mayor shall have all the same powers and privileges as any other councilmember, including entitlement to vote upon all matters considered by the council, but shall have no veto power. The council shall, as soon as possible after the annual election, elect from its membership a mayor pro tem. The mayor pro tem shall act as mayor during the absence or disability of the mayor.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 2009-199, Amend. No. 3, 9-1-08, ratified 11-3-09)

Sec. 2.04. Vacancies in council.

Where a vacancy in any place on the council, including that of mayor, shall occur, the vacant place shall be filled by a special election, and, where necessary, by a runoff election, in the same manner as provided in this Charter for the regular election of the councilperson. Such special election shall be held on the first authorized uniform election date following the creation of the vacancy in accordance with the requirements of the Election Code and all other applicable laws. The runoff election, where necessary, shall be held in accordance with the requirements of the Election Code and all other applicable laws; provided, however, that where a vacancy shall occur within one hundred and twenty (120) days of a regular election, no special election to fill the vacancy shall be called, unless more than one vacancy occurs.

(Ord. No. 76-12, Amend. No. 2, 4-5-76; Ord. No. 99-057, Amend. No. 6, 2-16-99, ratified 5-1-99; Ord. No. 2009-199, Amend. No. 3, 9-1-09, ratified 11-3-09; Ord. No. 25-445, Prop. B, § 1, 5-13-25, ratified 5-3-25)

Sec. 2.05. Meetings of the council.

(a) As soon as practicable after each city council election and in accordance with state law, the council shall meet at the city hall and the newly-elected members shall qualify and assume the duties of office. Thereafter, the council shall meet regularly at city hall at such times as may be prescribed by its rules but not less frequently than once each calendar month. Special called meetings may be held from time to time at city hall or other locations accessible to the public.

(b) Special meetings shall be called by the city secretary upon request of the mayor, city manager, or a majority of the members of the council.

(c) The city manager shall attend all meetings of the council and may take part in the discussion of all matters coming before the council but shall have no vote.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 2006-232, Amend. No. 3, 8-28-06, ratified 11-7-06)

Sec. 2.06. Quorum, voting.

(a) A majority of the members of the council shall constitute a quorum for the transaction of business, and the affirmative vote of a majority of the council shall be necessary to repeal any ordinance or take any official action in the name of the city, except as otherwise provided in this Charter or by the general laws of the State of Texas.

(b) The ayes and noes shall be taken upon the passage of all ordinances or resolutions and the vote of each member shall be recorded in the minutes.

(Ord. No. 76-12, Amend. No. 3, 4-5-76; Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

Sec. 2.07. Rules of procedure, minutes.

The council shall determine its own rules of procedure and order of business. Except as may otherwise be provided by state law, such as certain executive sessions under the Texas Open Meetings Act, being Chapter 551 of the Texas Government Code, minutes of all meetings of the council shall be taken and preserved as a permanent record open to the public for inspection.

(Ord. No. 2006-232, Amend. No. 4, 8-28-06, ratified 11-7-06)

Sec. 2.08. Powers of the council.

Except as otherwise provided by this charter all powers of the city and the determination of all matters of policy shall be vested in the council. Without limitation of the powers granted or delegated to the city by the Constitution, statutes, or this Charter, the council shall have power to:

(a) Appoint and remove the city manager.

(b) Appoint and remove the city attorney, the city auditor, and the municipal court judge.

(c) Approve members of all boards, commissions and committees serving the city.

(d) Adopt the budget of the city.

(e) Fix the salary of the city manager, city auditor, city attorney, and the municipal court judge.

(f) Authorize by ordinance the issuance of bonds, assignments of revenue or warrants.

(g) Approve plats.

(h) Adopt and modify the official map of the city.

(i) Adopt and modify the zoning plan, including any and all zoning and land use regulations to the fullest extent allowed by law.

(j) Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings, structures, or improvements which may be erected therein, and provide for the condemnation of dangerous or dilapidated buildings or structures which increase the fire hazard and the manner of their removal or destruction.

(k) Adopt and modify the building code.

(l) After receiving a recommendation from the planning commission adopt, modify and carry out plans proposed by the planning commission for the clearance of slum districts and rehabilitation of blighted areas, and for the replanning, improvement and redevelopment of any area or district which may have been destroyed in whole or in part by disaster.

(m) Regulate, license and fix the charges or fares made by any person, firm or corporation owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets or alleys of the city.

(n) Provide by ordinance for the exercise of the police powers of the city.

(o) Establish and maintain a free public library and to cooperate for such purposes with any person, firm, association or political subdivision in the manner prescribed by ordinance.

(p) Provide by ordinance for the exercise by this city of any and all powers of local self-government not made self-enacting by this charter or by statute.

(q) Inquire into the conduct of any office, department or agency of the city and make investigations of municipal affairs.

(r) Provide for an independent audit.

(s) Perform the districting and redistricting function.

(Ord. No. 76-12, Amend. No. 4, 4-5-76; Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 2006-232, Amend. No. 5, 8-28-06, ratified 11-7-06)

Sec. 2.09. Ordinances.

(a) In addition to such acts of the council as are required by statutes or by this charter to be by ordinance, every act of the council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness, shall be by ordinance. The enacting clause of all ordinances shall be: "The Council of the City of Denton hereby ordains:"

(b) Every ordinance shall be introduced in written, printed, or electronic form and passed in compliance with section 2.06 of this Article, authenticated by the signatures of the mayor (or mayor pro tem) and the city secretary and systematically recorded in an ordinance book in a manner approved by the council. It shall be necessary to record only the caption or title of each ordinance in the minutes of the council.

(c) A full text of every penal ordinance, or in lieu thereof a descriptive caption or title stating in summary the purpose of the ordinance and the penalty for violation thereof, shall be published at least twice in the official newspaper of the City of Denton within ten (10) days after the passage of such ordinance; provided that any penal ordinance shall become effective not less than fourteen (14) days from the date of its passage. All other ordinances, except those specifically required by this charter to be published, are not required to be published in either the official newspaper of the city or in any other publication, and such ordinances shall become effective upon passage or on the date specified therein.

(d) The council shall have power to cause the ordinances of the city to be corrected, amended, revised, codified and printed in code form as often as the council deems necessary and advisable, and such printed code, when adopted by the council, shall be in full force and effect without the necessity of publishing the same or any part thereof in the official newspaper except that the ordinance adopting the same shall be published one time in the official newspaper of the city. Such printed code shall be admitted in evidence in all courts and places without further proof.

(Ord. No. 2006-232, Amend. No. 6, 8-28-06, ratified 11-7-06)

Sec. 2.10. Council not to interfere in appointments or removals.

Neither the council nor any of its members shall direct or request the appointment of any person to, or removal from, office by any officer appointed by the city council under Section 2.08 of this Charter or by any of the officer's subordinates. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the officers appointed by the city council and neither the council nor any member thereof shall give orders to any subordinates of the officers appointed by the city council, either publicly or privately.

(Ord. No. 2009-199, Amend. No. 4, 9-1-09, ratified 11-3-09; Ord. No. 25-445, Prop. A, § 3, 5-13-25, ratified 5-3-25)

Sec. 2.11. Employee bonds.

The council shall require bonds of all municipal officers and employees who receive or pay out any monies of the city. The amount of such bonds shall be determined by the council and the cost thereof shall be borne by the city.

Sec. 2.12. City secretary.

The city secretary shall be appointed by the city manager subject to the approval of the council. The city secretary shall serve as clerk of the council, give notice of its meetings, keep the journal of its proceedings, authenticate by the city secretary's signature and record in full in a book kept for the purpose all ordinances and resolutions, and perform such other duties as this charter may provide or as the city manager may assign.

(Ord. No. 25-445, Prop. A, § 4, 5-13-25, ratified 5-3-25)

Sec. 2.13. Independent annual audit.

(a) Prior to the end of each fiscal year, the council shall designate a certified public accountant who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the city government and shall submit a report to the council and to the city manager. Such accountant shall have no personal interest, direct or indirect, in the fiscal affairs of the city government or of any of its officers. The accountant shall not maintain any accounts or records of the city business, but within specifications approved by the council, shall post-audit the books and documents kept by the department of finance and any separate or subordinate accounts kept by any other office, department or agency of the city government.

(b) A copy of such audit shall be kept in the office of the city secretary subject to inspection by any citizen during regular office hours.

(Ord. No. 25-445, Prop. A, § 5, 5-13-25, ratified 5-3-25)

ARTICLE III. NOMINATIONS AND ELECTIONS

Sec. 3.01. Municipal elections.

(a) The regular election for the choice of members of the City Council as provided in Article II shall be held each year on the uniform election day for municipal elections in May established by the Election Code. The Council may by resolution or ordinance order special elections which shall be held as nearly as practicable according to the provisions for a regular election. The hours and places for holding all City elections shall be determined by the City Council. All elections shall be conducted in accordance with the Election Code and all other applicable laws as they now read or may hereafter be amended.

(b) On the uniform election day for municipal elections in May established by the Election Code, the voters shall elect:

(1) The mayor, place seven (7), for a term of two (2) years.

(2) Two (2) councilmembers, places five (5) and six (6), for terms of two (2) years each.

(3) One (1) councilmember for an interim term of one (1) year. This position shall be denominated for such interim term as place four (4) and such councilmember shall be elected from the city at large and may be a resident of any district.

At the next following regular annual municipal election after the one referred to above in this section, the district and at large system provided in Section 2.01 shall take full effect.

(c) Councilmembers holding office at the time the charter amendments to Section 2.01 are adopted (places one (1), two (2) and three (3)) shall serve the remainder of their unexpired terms as at large members of the council.

(d) If any councilmember whose term would not otherwise expire at the time of the canvass of the results of the election specified in Section 3.01(b) shall enter said election, such councilmember's term shall be deemed to have been vacated at the time of the canvass of said election results, whether the candidacy of said councilmember is successful or not.

(e) Neither the mayor nor any member of the council shall become a candidate for election to any position on the council, other than for reelection to the same seat, unless such candidate shall first submit to the city secretary a written resignation from the council to be effective at the time of the canvass of the results of the next regularly scheduled election. If such candidate's unexpired term would otherwise extend beyond the date of such canvass, the city secretary shall notify the council and an election shall be held on the date of the next regularly scheduled election to fill the unexpired term of said resigning councilmember.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 99-057, Amend. No. 7, 2-16-99, ratified 5-1-99; Ord. No. 2006-232, Amend. No. 7, 8-28-06, ratified 11-7-06; Ord. No. 25-445, Prop. A, § 6, Prop. B, § 2, 5-13-25, ratified 5-3-25)

Sec. 3.02. Nominations.

(a) Any qualified person may have their name placed on the ballot as a candidate for councilmember by filing with the city secretary not more than ninety (90) days nor less than thirty (30) days prior to the date of election an application in substantially the following form:

I, _____, do hereby declare that I am a candidate for the Council of the City of Denton and request that my name be printed upon the official Ballot for that office in the next city election. I am aware of the nepotism law, chapter 573 of the Government Code. I am qualified to serve on the council with respect to the qualifications set forth in the Charter. I reside at _____, Denton, Texas.

	Signed

The foregoing petition was filed with the City Secretary on the _____ day of _____, 19___.

	City Secretary

(b) As an alternative method, any qualified person may be nominated for councilmember by a written petition signed by the greater twenty five (25) qualified voters of the city or one-half of one percent of the total votes received by all candidates for mayor in the most recent mayoral general election, provided the candidate signs the petition certifying acceptance. One such petition shall be circulated and signed for each nominee or candidate. With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify it. Nominating petitions shall be filed with the city

secretary not more than ninety (90) days nor less than thirty (30) days before the election day, and shall be in substantially the following form:

We, the undersigned electors of the City of Denton, hereby nominate _____ whose residence address is _____ as a candidate for councilmember of the City of Denton, to be voted for at the election to be held on the _____ day of _____, 19___; and we individually certify that we are qualified to vote for a candidate for the council.

Name	Address	Date of Signing

(Spaces for the greater twenty five (25) or one-half of one percent of the total votes received for candidates for Mayor signatures and required data)

Acceptance of Nomination

I am qualified to serve on the council of the City of Denton with respect to the qualifications set forth in this Charter. I hereby accept the nomination for councilmember and agree to serve if elected.

	Signature of Candidate

Statement of Circulator

The undersigned is the circulator of the foregoing petition containing signatures. Each signature was appended thereto in my presence and is the genuine signature of the person whose name it purports to be.

	Signature of Circulator
	Address of Circulator

The foregoing petition was filed with the City Secretary on the _____ day of _____, 19___.

	City Secretary

(Ord. No. 99-057, Amend. No. 8, 2-16-99, ratified 5-1-99; Ord. No. 25-445, Prop. A, § 7, 5-13-25, ratified 5-3-25)

Sec. 3.03. Official ballot.

The city secretary shall make up the official ballot from the names presented to the city secretary. The order in which the names of the candidates for each place shall appear on the ballot shall be determined by lot in a drawing held under the supervision of the city secretary, at which drawing each candidate or the candidate's designated representative shall have a right to be present. All official ballots shall be printed at least twenty (20) days prior to the date of any general or special election, and absentee voting shall be governed by the general laws of the State of Texas.

(Ord. No. 25-445, Prop. A, § 8, 5-13-25, ratified 5-3-25)

Sec. 3.04. Canvass: Election returns, results.

(a) Immediately after counting the votes, the presiding judge shall deliver the official returns of the election to the city secretary. Not earlier than the third day or later than the sixth day after the election or as otherwise required by the Election Code and all other applicable laws, the city council shall canvass the returns and declare the results. The returns of every municipal election shall be recorded in the minutes of the council.

(b) The candidates receiving the majority of the votes cast for each place shall be declared elected. If no candidate receives a majority, or if there is a tie for any one place, the council shall order a runoff election which shall be held not earlier than the twentieth or later than the thirtieth day after the date the final canvass of the regular election is completed or as otherwise required by the Election Code and all other applicable laws. Only the names of the candidates who tie for the highest number of votes cast for that place, or the two (2) candidates who receive the highest number of votes with neither having a majority of votes cast for that place, shall be printed on the ballot for each election. In the event of a tie vote at the runoff election, the candidates who tie shall cast lots in the presence of the City Secretary to determine which one shall be declared elected, and said lots shall be cast within five (5) days of the runoff election in accordance with Section 2.028 of the Election Code and all other applicable laws.

(c) Immediately after the election results have been declared the mayor shall deliver certificates of election to the successful candidates. Each councilmember shall take the oath of office as soon thereafter as practicable at which time the term of office shall begin.

(Ord. No. 76-12, Amend. No. 1, 4-5-76; Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 99-057, Amend. No. 9, 2-16-99, ratified 5-1-99; Ord. No. 25-445, Prop. A, § 9, 5-13-25, ratified 5-3-25)

Sec. 3.05. Regulation of elections.

Except as otherwise provided by this charter, all city elections shall be governed by the applicable provisions of the Election Code of the State of Texas, as now or hereafter amended. The council shall have the power to make such additional regulations as may be necessary.

State law reference(s)—Elections, V.T.C.A., Election Code § 1.005 et seq.

ARTICLE IV. INITIATIVE, REFERENDUM AND RECALL

Sec. 4.01. Power of initiative.

The electors shall have power to propose any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, and to adopt or reject the proposed ordinance at the polls, such power being known as the initiative. Any initiative ordinance may be submitted to the council by a petition signed by qualified voters of the city equal in number to at least twenty-five percent of the number of votes cast at the last regular municipal election.

Sec. 4.02. Power of referendum.

The electors shall have power to approve or reject at the polls any ordinance passed by the council or submitted by the council to a vote of the electors, except an ordinance appropriating money, issuing bonds or authorizing the levying of taxes, such power being known as the referendum. Within twenty (20) days after the enactment by the council of any ordinance which is subject to a referendum, a petition signed by qualified voters of the city equal in number to at least twenty-five percent (25%) of the number of votes cast at the last preceding

regular municipal election may be filed with the city secretary requesting that any such ordinance be either repealed or submitted to a vote of the electors.

Sec. 4.03. Form of petition, committee of petitioners.

Initiative petition papers shall contain the full text of the proposed ordinance. Referendum petition papers shall contain the full text of the ordinance which they propose to repeal. The signatures to initiative or referendum petitions need not all be appended to one paper, but to each separate petition there shall be attached a statement of the circulator thereof as provided by this section. Each signer shall sign the signer's name in ink or indelible pencil and shall give after the signer's name the signer's place of residence by street and number, or other description sufficient to identify the place. There shall appear on each petition the names and addresses of the same five (5) electors, who, as a committee of the petitioners, shall be regarded as responsible for the circulation and filing of the petition. Attached to each separate petition paper there shall be an affidavit of the circulator thereof that the circulator, and the circulator only, personally circulated the foregoing paper, that it bears a stated number of signatures, that all the signatures were appended thereto in the circulator's presence and that the circulator believes them to be the genuine signatures of the persons whose names they purport to be.

(Ord. No. 25-445, Prop. A, § 10, 5-13-25, ratified 5-3-25)

Sec. 4.04. Filing, examination and certification of petitions.

All papers comprising an initiative or referendum petition shall be assembled and filed with the city secretary as one instrument. Within twenty (20) days after a petition is filed, the city secretary shall determine whether each paper of the petition bears the required affidavit of the circulator and whether the petition is signed by a sufficient number of qualified voters. After completing an examination of the petition, the city secretary shall certify the result thereof to the council at its next regular meeting. If the city secretary shall certify that the petition is insufficient the city secretary shall set forth in the certificate the particulars in which it is defective and shall at once notify the committee of the petitioners of those findings.

(Ord. No. 25-445, Prop. A, § 11, 5-13-25, ratified 5-3-25)

Sec. 4.05. Amendment of petitions.

An initiative or referendum petition may be amended at any time within ten (10) days after the notification of insufficiency has been sent by the city secretary, by filing a supplementary petition upon additional papers signed and filed as provided in the case of an original petition. The city secretary shall within five (5) days after such an amendment is filed, examine the amended petition and, if the petition is still insufficient, the city secretary shall file a certificate to that effect in the city secretary's office and notify the committee of the petitioners of those findings and no further action shall be had on such insufficient petition. The findings of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

(Ord. No. 25-445, Prop. A, § 12, 5-13-25, ratified 5-3-25)

Sec. 4.06. Effect of certification of referendum petition.

When a referendum petition, or amended petition as defined in section 4.05 of this article, has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or further action thereunder shall be suspended if it shall have gone into effect, until and unless approved by the electors as hereinafter provided.

Sec. 4.07. Consideration by council.

Whenever the council receives a certified initiative or referendum petition from the city secretary, it shall proceed at once to consider such petition. A proposed initiative ordinance shall be read and provision shall be made for a public hearing upon the proposed ordinance. The council shall take final action on the ordinance within sixty (60) days after the date on which such ordinance was certified to the council by the city secretary. A referred ordinance shall be reconsidered by the council and its final vote upon such reconsideration shall be upon the question, "Shall the ordinance specified in the referendum petition be repealed?"

Sec. 4.08. Submission of electors.

If the council shall fail to pass an ordinance proposed by initiative petition, or shall pass it in a form different from that set forth in the petition therefor, or if the council shall fail to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the electors at the next uniform election date in accordance with the Election Code and all other applicable laws.

(Ord. No. 25-445, Prop. B, § 3, 5-13-25, ratified 5-3-25)

Sec. 4.09. Form of ballot for initiated and referred ordinances.

Ordinances submitted to a vote of the electors in accordance with the initiative and referendum provisions of this charter shall be submitted by ballot title, which shall be prepared in all cases by the city attorney. The ballot title may be different from the legal title of any such initiated or referred ordinance and shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance. If a paper ballot is used it shall have below the ballot title the following propositions, one above the other, in the order indicated: "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE." Any number of ordinances may be voted on at the same election and may be submitted on the same ballot, but any paper ballot used for voting thereon shall be for that purpose only. If voting machines are used, the ballot title shall have below it the same two (2) propositions, one above the other or one preceding the other in the order indicated, and the elector shall be given an opportunity to vote for or against the ordinance.

Sec. 4.10. Results of election, publication.

(a) If a majority of the electors voting on a proposed initiative ordinance shall vote in favor thereof, it shall thereupon be an ordinance of the city. A referred ordinance which is not approved by a majority of the electors voting thereon shall thereupon be deemed repealed.

(b) Initiative ordinances adopted and referendum ordinances approved by the electors shall be published, and may be amended or repealed by the council in the same manner as other ordinances.

Sec. 4.11. Recall of councilmen.

Any member of the city council may be removed from office by a recall election.

Sec. 4.12. Recall petition, committee of petitioners.

Recall petition papers shall contain the name of the councilmember (or names of the councilmembers) whose removal is sought, and a clear and concise statement of the grounds for removal. There shall appear at the head of each petition the names and addresses of five electors, who, as a committee of the petitioners shall be regarded as responsible for the circulation and filing of the petition. Each signer of any petition paper shall sign the

signer's name in ink or indelible pencil and give after the signer's name the signer's place of residence by street and number, or other description sufficient to identify the place, and the date his signature was affixed. No signature to such petition shall remain effective or be counted which was placed thereon more than forty-five (45) days prior to the filing of such petition with the city secretary. The signatures to a recall petition need not all be appended to one paper, but to each separate petition there shall be attached an affidavit of the circulator thereof that the circulator, and the circulator only, personally circulated the foregoing paper, that it bears a stated number of signatures, that all signatures were appended thereto in the circulator's presence and that the circulator believes them to be the genuine signatures of the persons whose names they purport to be.

(Ord. No. 25-445, Prop. A, § 13, 5-13-25, ratified 5-3-25)

Sec. 4.13. Filing and certification of petitions, recall election.

(a) All papers comprising a recall petition shall be assembled and filed with the city secretary as one instrument. Within seven (7) days after a petition is filed, the city secretary shall determine whether each paper bears the names of five (5) electors who constitute a committee of the petitioners, and the required affidavit of the circulator thereof, and whether the petition is signed by qualified voters of the constituency of the councilmember whose removal is sought equal in number to at least twenty-five (25) percent of the number of the votes cast for that councilmember and all of that councilmember's opponents in the last preceding general municipal election in which the councilmember was a candidate. As used herein "constituency" shall mean the qualified voters eligible to vote for the councilmember whose removal is sought, either by geographical district or at large, as the case may be.

(b) If the city secretary finds the petition insufficient the city secretary shall return it to the committee of the petitioners, without prejudice, however, to the filing of a new petition based upon new and different grounds, but not upon the same grounds. If the city secretary finds the petition sufficient and in compliance with the provisions of this Article of the Charter the city secretary shall submit the petition and the certificate of its sufficiency to the council at its next regular meeting and immediately notify the councilmember whose removal is sought of such action.

(c) If the councilmember whose removal is sought does not resign within seven (7) days after such notice the city council shall thereupon order and fix a date for holding a recall election not less than thirty (30) nor more than sixty (60) days after the petition has been presented to the council. If no general election is to be held within this time the council shall provide for a special election.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 25-445, Prop. A, § 14, 5-13-25, ratified 5-3-25)

Sec. 4.14. Recall election ballots.

Ballots used at recall elections shall conform to the following requirements:

(a) With respect to each person whose removal is sought the question shall be submitted: "SHALL (name of person) BE REMOVED FROM THE CITY COUNCIL BY RECALL?"

(b) Immediately below each such question shall be printed the two following propositions, one above the other, in the order indicated:

"YES"

"NO"

Sec. 4.15. Results of recall election.

If a majority of the votes cast at a recall election shall be against the recall of the councilmember named on the ballot, the councilmember shall continue in office. If a majority of the votes cast at a recall election be for the recall of the councilmember named on the ballot, the councilmember shall be deemed removed from office and the vacancy shall be filled in the manner prescribed in Article II, section 2.04 of this charter.

(Ord. No. 25-445, Prop. A, § 15, 5-13-25, ratified 5-3-25)

Sec. 4.16. Limitations on recalls.

No petition shall be filed against a councilmember within six (6) months after the councilmember takes office nor against a councilmember who has been subjected to a recall election and not removed thereby until at least six (6) months after such election. Should a regular election occur during the time when a recall petition is current and should the person(s) being recalled be reelected, the recall petition shall be null and void.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 25-445, Prop. A, § 16, 5-13-25, ratified 5-3-25)

Sec. 4.17. District judge may order election.

Should the city council fail or refuse to order any recall election when all of the requirements for such election have been complied with by the petitioning electors in conformity with this Article of the charter, then any citizen may file for a writ of mandamus from a District Judge of Denton County or other court, upon proper application therefor, to order such election and effectuate the provisions of this Article of the charter.

(Ord. No. 25-445, Prop. B, § 4, 5-13-25, ratified 5-3-25)

ARTICLE V. THE CITY MANAGER

Sec. 5.01. The city manager: Qualifications.

The city manager shall be chosen by the council solely on the basis of the appointee's executive and administrative qualifications with special reference to the appointee's actual experience in or the appointee's knowledge of accepted practice in respect to the duties of the office, as hereinafter set forth, provided that any person who is appointed city manager must have had at least two (2) years of experience as a city manager or assistant city manager, or the equivalent thereof. At the time of the appointment the appointee need not be a resident of the city or state but during the appointee's tenure of office the appointee shall reside within the city.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 25-445, Prop. A, § 17, 5-13-25, ratified 5-3-25)

Sec. 5.02. The city manager: Term and salary.

(a) The council shall appoint the city manager for an indefinite term and may remove the city manager by a majority vote of its members. At least thirty (30) days before such removal shall become effective, the council shall by a majority vote of its members adopt a preliminary resolution stating the reasons for the removal. The city manager may reply in writing and may request a hearing at a public meeting of the council, which shall be held not earlier than twenty (20) days nor later than thirty (30) days after the filing of such request. Pending such hearing the council may suspend the city manager from duty but may not suspend or

reduce the city manager's salary. After such public hearing, if one be requested, and after full consideration, the council by majority vote of its members may adopt a final resolution of removal.

(b) The city manager's salary shall be fixed by the council.

(Ord. No. 25-445, Prop. A, § 18, 5-13-25, ratified 5-3-25)

Sec. 5.03. The city manager: Powers and duties.

The city manager shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be responsible to the council for the proper administration of all affairs of the city placed under the city manager's control by this Charter or by ordinance or resolution of the council, and to that end the city manager shall:

(a) Appoint and remove any employee of the city, except as otherwise provided by this Charter and except as the city manager may authorize the head of a department to appoint and remove subordinates in such department.

(b) Prepare the annual budget and submit it to the council and be responsible for its administration after adoption.

(c) Prepare and submit to the council at the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.

(d) Attend all meetings of the council, with the right to take part in the discussion, but having no vote.

(e) Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem to the city manager desirable.

(f) Appoint, subject to the approval of the council, the city secretary.

(g) Perform such other duties as may be prescribed by this Charter or required of the city manager by the council not inconsistent with this Charter.

(Ord. No. 2006-232, Amend. No. 8, 8-28-06, ratified 11-7-06; Ord. No. 25-445, Prop. A, § 19, 5-13-25, ratified 5-3-25)

Sec. 5.04. Absence of city manager.

To perform the duties during the temporary absence or disability, the [city] manager shall designate by letter filed with the city secretary a qualified administrative officer of the city. The administrative officer thus designated shall perform the duties of the [city] manager until the city manager shall return or the city manager's disability shall cease or until the council by resolution designates another officer of the city to perform such duties.

(Ord. No. 25-445, Prop. A, § 20, 5-13-25, ratified 5-3-25)

Sec. 5.05. Administrative departments.

The city manager is hereby authorized to organize the employees of the city into various departments and divisions with the concurrence of the city council.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

Secs. 5.06, 5.07. Reserved.

Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former sections 5.06 and 5.07 which pertained to directors of departments and departmental divisions and were derived unamended from the Charter adopted Feb. 24, 1959.

ARTICLE VI. CITY ATTORNEY, MUNICIPAL COURT AND CITY AUDITOR

Sec. 6.01. City attorney: appointment.

The city attorney, who shall be head of the legal department, shall be a qualified attorney-at-law licensed to practice in the State of Texas. The city attorney shall be appointed by the council, and serve at the pleasure of the city council the city attorney shall receive such compensation as may be fixed by the council.

(Ord. No. 2006-232, Amend. No. 9, 8-28-06, ratified 11-7-06; Ord. No. 25-445, Prop. A, § 21, 5-13-25, ratified 5-3-25)

Sec. 6.02. City attorney: powers and duties.

(a) The city attorney shall represent the city in all litigation and controversies and shall prosecute all cases brought before the municipal court. The city attorney shall draft, approve or file the city attorney's written opinion on the legality of every proposed ordinance before it is acted upon by the council, and shall pass upon all documents, contracts and other legal instruments in which the city may have an interest.

(b) The city attorney shall be the legal advisor of the city manager, city council, and of all boards, commissions, agencies, officers and employees with respect to any legal question involving their official powers or duties. The city attorney shall perform such other duties as may be required by statute, by this Charter or by ordinance.

(c) The council may authorize the appointment of such assistant city attorneys as may be needed to perform the duties of this department. The city attorney may designate an assistant city attorney to act as city attorney in case of the city attorney's temporary absence of not more than three weeks. The council may authorize the appointment of a temporary city attorney to act for the city attorney in the case of a longer temporary absence or disability.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 2006-232, Amend. No. 9, 8-28-06, ratified 11-7-06; Ord. No. 25-445, Prop. A, § 22, 5-13-25, ratified 5-3-25)

Sec. 6.03. Municipal court.

(a) There is hereby established a court which shall be known as the "Municipal Court No. 1 of the City of Denton." Municipal Court No. 1 shall have the jurisdiction and be conducted as a municipal court of record in accordance with Vernon's Texas Codes Annotated Texas Government Code subchapter FF, chapter 30, §§ 30.1211 through 30.01233 inclusive and applicable state law as these laws may now read or hereafter be amended. All costs and fines imposed by the municipal court shall be paid into the city treasury for the use and benefit of the city. The city council may, by ordinance, create additional municipal courts or municipal courts of record if so authorized under the provisions of applicable law.

(b) The municipal judge shall preside over the municipal court. The municipal judge shall be a qualified attorney-at-law licensed to practice in the State of Texas in good standing and shall have such other qualifications as

required by subchapter FF of chapter 30 of the Texas Government Code and other applicable laws as these laws may now read or hereafter be amended. The municipal judge shall be appointed by, and shall serve at the pleasure of the council. The municipal judge shall receive such compensation as may be fixed by the council. The municipal judge shall have all the powers and duties assigned to a municipal judge by the Charter, other city ordinances, subchapter FF of chapter 30 of the Texas Government Code, or other applicable state laws.

(c) There shall be one regularly scheduled session of the court each week and as many other sessions as, in the discretion of the municipal judge, may be necessary for the timely transaction of the business of the court.

(d) The council may appoint such assistant municipal judges or additional municipal judges as may be necessary to perform the duties of the municipal court or a temporary municipal judge to act for the municipal judge in the case of the municipal judge's temporary absence or disability, and such assistant, additional, or temporary municipal judge shall receive such compensation as may be set by the council. All such assistant, additional, or temporary municipal judges, when appointed, shall have all of the other powers and duties assigned to the municipal judge herein.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 99-057, Amend. No. 10, 2-16-99, ratified 5-1-99; Ord. No. 25-445, Prop. A, § 23, 5-13-25, ratified 5-3-25)

Sec. 6.04. City Internal Auditor.

The City Internal Auditor shall be appointed by the City Council, shall serve at the pleasure of the City Council, and shall perform such auditing duties herein described or as may be assigned by the Council. The position of the City Internal Auditor is to be held on a continuous, fulltime basis. On an interim basis, the City Council may engage external independent auditing resources to accomplish the Internal Audit function.

The City Internal Auditor is responsible for providing (a) an independent appraisal of City operations to ensure policies and procedures are in place and complied with, inclusive of purchasing and contracting; (b) information that is accurate and reliable; (c) that assets are properly recorded and safeguarded; (d) that risks are identified and minimized; and (e) that resources are used economically and efficiently, and that the City's objectives are being achieved.

The City Internal Auditor is responsible for directing all internal audit functions for the City of Denton to eliminate waste, fraud, and abuse.

(Ord. No. 2006-232, Amend. No. 9, 8-28-06, ratified 11-7-06; Ord. No. 2017-237, § 1(Amend. C), 8-15-17, ratified 11-7-17; Ord. No. 2017-373, § 2(Prop. C), 11-20-17)

ARTICLE VII. REVENUE AND TAXATION[2]

[2]Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former sections 7.01—7.15 and 7.17—7.23 which pertained to the director of finance; procedures relative to accounting, payment of claims, purchasing, disbursement of funds, payment of claims and audits; the treasurer; the tax assessor-collector; the board of equalization and procedures relative to taxation and were derived from the Charter adopted Feb. 24, 1959, as amended by Ord. No. 76-12, Amend. No. 5, adopted April 5, 1976. Section 2 of Ord. No. 79-86 also renumbered former sections 7.16 and 7.24—7.29 as sections 7.01—7.07.

Sec. 7.01. Property subject to tax.

The city council is authorized to levy and collect taxes, to seize and sell property for delinquent taxes, to create tax liens, and to exercise all other powers and authority pursuant to the Tax Code, Vernon's Texas Codes Annotated and all other applicable laws as they now read or may hereafter be amended.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 99-057, Amend. No. 11, 2-16-99, ratified 5-1-99)

Sec. 7.02. Reserved.

Editor's note(s)—Ord. No. 99-057, Amend. No. 1, adopted February 16, 1999, ratified May 1, 1999, repealed § 7.02, which pertained to payment, delinquencies, and penalties, and derived from Ord. No. 79-86, § 2, adopted Dec. 11, 1979, ratified Jan. 19, 1980.

Sec. 7.03. Reserved.

Editor's note(s)—Ord. No. 99-057, Amend. No. 11, adopted February 16, 1999, ratified May 1, 1999, repealed § 7.02, which pertained to seizure and sale of property for delinquent taxes, and derived from Ord. No. 79-86, § 2, adopted Dec. 11, 1979, ratified Jan. 19, 1980.

Sec. 7.04. Reserved.

Editor's note(s)—Ord. No. 99-057, Amend. No. 11, adopted February 16, 1999, ratified May 1, 1999, repealed § 7.02, which pertained to tax liens, and derived from Ord. No. 79-86, § 2, adopted Dec. 11, 1979, ratified Jan. 19, 1980.

Sec. 7.05. Ratification.

All taxes heretofore assessed by the City of Denton are ratified and all ordinances relating to taxes now in force shall continue until amendment or repeal by the council.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

Sec. 7.06. General powers.

In addition to the powers herein conferred with reference to the assessment and collection of taxes, the City of Denton shall have and may exercise all powers and authority now conferred or that may hereafter be conferred upon cities having a population of more than five thousand (5,000) inhabitants by the general laws of the State of Texas.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

Sec. 7.07. Borrowing in anticipation of property taxes.

In any budget year, in anticipation of the collection of the property tax for such year, whether levied or to be levied in such year, the council may by resolution authorize the borrowing of money by the issuance of negotiable notes of the city, each of which shall be designated "Tax Anticipation Note for the Year 19___" (stating the budget year). Such notes shall not be renewable but shall mature and be paid not later than the end of the fiscal year in which the original notes have been issued.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

ARTICLE VIII. BUDGET

Sec. 8.01. Fiscal year.

The fiscal year of the city government which began on June 1, 1958, shall end on May 31, 1959. The next succeeding fiscal year shall begin on June 1, 1959, and end on September 30, 1959, and shall constitute an interim fiscal period. After September 30, 1959, the fiscal year of the city shall begin on the first day of October and end on the last day of September of each calendar year. The fiscal year established by this charter shall also constitute the budget and accounting year.

Sec. 8.02. Interim budget.

The city manager shall submit to the council an interim budget which shall be prepared, as nearly as practicable in accordance with the requirements for the budget document herein prescribed, for the interim fiscal period hereinabove established. Following the approval of such interim budget, the council shall enact such appropriation or other ordinances as may be necessary for the effectuation of the interim budget.

Sec. 8.03. Preparation and submission of budget.

Within the time period required by law, the city manager shall submit to the council a proposed budget for the ensuing fiscal year. The budget shall provide a complete financial plan for the fiscal year, and the budget shall be prepared on the basis of policy priorities defined by the council for the city manager at least one hundred twenty (120) days before the end of the fiscal year.

(Ord. No. 76-12, Amend. No. 6, 4-5-76; Ord. No. 2006-232, Amend. No. 10, 8-28-06, ratified 11-7-06)

Sec. 8.04. Public hearing on budget.

The council shall hold a public hearing on the proposed budget.. Any taxpayer of the municipality may attend and may participate in the hearing, which shall be set for a date after the fifteenth day after the date the proposed budget is filed with the city secretary but before the date the city council makes its tax levy. The council shall provide for public notice of the date, time, and location of the hearing. In addition to this notice, the city council shall publish notice before the public hearing related to the budget in at least one newspaper of general circulation in Denton County. This notice shall be published not earlier than the thirtieth or later than the tenth day before the date of the public hearing. The city council shall provide such other notice as may be required by state and all other applicable law. The city council may make such changes in the budget that it considers warranted by the law or by the best interests of the municipal taxpayers and may increase or decrease the items of the budget provided the total proposed expenditures shall not exceed the total anticipated revenue.

(Ord. No. 99-057, Amend. No. 12, 2-16-99, ratified 5-1-99)

Sec. 8.05. Adoption of budget.

The budget shall be finally adopted by the favorable votes of at least a majority of all members of the council after the conclusion of the public hearing. Should the council take no final action at the conclusion of the public

hearing and before the end of the fiscal year, the budget as submitted by the city manager shall be deemed to have been finally adopted by the council.

(Ord. No. 99-057, Amend. No. 13, 2-16-99, ratified 5-1-99)

Sec. 8.06. Budget establishes appropriations and tax levy.

Upon final adoption, the budget shall be in effect for the budget year. Final adoption of the budget by the council shall constitute the official appropriation of the several amounts stated therein as proposed expenditures for the budget year. A copy of the budget as finally adopted shall be filed with the city secretary, the county clerk of Denton County and the state comptroller of public accounts in Austin. All appropriations that have not been expended or lawfully encumbered shall lapse at the end of the budget year.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

Sec. 8.07. Transfer of appropriations.

At any time during the fiscal year, the city manager may transfer any part of the unencumbered appropriation balance or the entire balance thereof between programs or general classifications of expenditures within an office, department, agency, or organizational unit. At any time during the fiscal year, at the request of the city manager the council may by resolution transfer any part of the unencumbered appropriation balance or the entire balance thereof from one office, department, agency, or organizational unit to another.

(Ord. No. 99-057, Amend. No. 14, 2-16-99, ratified 5-1-99)

Sec. 8.08. Amending the budget.

The budget may be amended for municipal purposes by the affirmative vote of at least five (5) members of the council, in accordance with applicable law.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 2006-232, Amend. No. 11, 8-28-06, ratified 11-7-06)

Sec. 8.09. Budget a public record.

The budget, budget message and all supporting schedules shall be a public record in the office of the city secretary open to public inspection. The city manager shall cause sufficient copies of the budget and budget message to be prepared for distribution to interested persons.

ARTICLE IX. BORROWING FOR PERMANENT IMPROVEMENTS

Sec. 9.01. Power to issue bonds.

(a) The City of Denton shall have the right and power to issue general obligation bonds to finance any capital project which it may lawfully construct or acquire or for any other legitimate public purpose. The general obligation bonded debt of the city shall only be increased by the consent of the majority of the qualified voters of the city voting at an election held for that purpose. A bond election shall be ordered and notice given by ordinance, consistent with the requirements for holding elections set forth in Article III of this Charter and in accordance with the applicable laws of the State of Texas as they now read or may hereafter be amended.

(b) The city shall have the power to issue revenue bonds against the anticipated revenues of any municipally-owned utility or other self-liquidating municipal function to pay the debt incurred on account of such utility or function. In no event shall revenue bonds be considered an indebtedness of the city nor be repaid from bonds secured by taxation.

(c) No bonds or warrants shall be issued to fund any overdraft or indebtedness incurred for current expenses of the city government.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 99-057, Amend. No. 15, 2-16-99, ratified 5-1-99)

Sec. 9.02. Bond ordinance and election.

(a) After approval by a majority of the qualified voters voting at a general obligation bond election called for the purpose of authorizing the issuance of general obligation bonded debt, the city shall authorize the issuance of such bonds by a bond ordinance passed by an affirmative vote of a majority of all members of the council. The city council may approve the issuance of revenue bonds without an election by authorizing the issuance of such bonds by bond ordinance passed by an affirmative vote of the majority of all members of the council.

(b) Before any bond ordinance is passed by the council an attorney or attorneys specializing in municipal bonds shall be retained by the city to advise with the council in all matters pertaining to the proposed bond ordinance, and no action shall be taken until a written instrument has been prepared by the bond attorneys certifying the legality of the proposal. The bond attorneys shall assist the city attorney and the council in preparing all ordinances and other legal instruments required in the execution and sale of any bonds issued.

(c) The election ordinance on a bond proposal shall provide for proper notice, the calling of the election and the propositions to be submitted. It shall distinctly specify:

(1) The purpose for which the bonds are to be issued, and where possible, the probable period of usefulness of the improvements for which the bond funds are to be expended.

(2) The amount thereof.

(3) The rate of interest, if known.

(4) The levy of taxes sufficient to pay interest and sinking fund.

(5) That the bonds to be issued shall mature serially within a given number of years.

(6) A determination of the net debt of the city after issuance of the bonds thereby authorized, together with a declaration that the bonds thereby authorized will be within all debt and other limitations prescribed by the Constitution and laws of the State of Texas.

(Ord. No. 99-057, Amend. No. 16, 2-16-99, ratified 5-1-99; Ord. No. 2006-232, Amend. No. 12, 8-28-06, ratified 11-7-06)

Sec. 9.03. Execution of bonds.

All bonds shall be signed by the mayor, countersigned by the city secretary, and imprinted with the seal of the city, and shall be payable at such time as may be fixed, not more than forty (40) years from their date.

Sec. 9.04. Sale of bonds.

All bonds shall be sold in accordance with applicable law.

(Ord. No. 2006-232, Amend. No. 13, 8-28-06, ratified 11-7-06)

Sec. 9.05. Sinking fund for general obligation bonds.

It shall be the duty of the council each year to levy a tax sufficient to pay the interest and provide the necessary sinking fund required by law on all general obligation bonds outstanding, and if a deficiency appears at any time in such fund the council shall, for the next succeeding year, levy an additional tax sufficient to discharge such deficiency.

Sec. 9.06. Bond register.

The director of finance shall prepare, maintain and cause to be filed in the office of the city secretary a complete bond register, showing all bonds, the date and amount thereof, the rate of interest, a schedule of maturity dates, and a record of all bonds and all other transactions of the council having reference to the refunding of any indebtedness of the city. When bonds or their coupons are paid, their payment or cancellation shall be noted in the register.

Sec. 9.07. Misapplication of bond funds.

Any officer or employee of the city who shall wilfully or knowingly, direct or use any funds arising from the issuance of any bond or sinking fund for any other purpose than that for which the fund is created or is herein otherwise authorized, shall be subject to prosecution as provided by the laws of the state on the diversion and conversion of funds belonging to any of the municipalities of the state.

Sec. 9.08. Assessments for improvements.

All of the terms, powers and applicable provisions of Chapter 9, Title 28, of the Revised Civil Statutes of the State of Texas, as now or hereafter amended, relating to assessments for street improvements are hereby adopted as a part of this charter and hereby constitute an alternative authority and method which the City of Denton may use in improving streets, alleys, and public places and levying assessments therefor; provided, the city shall have the power in all cases to make such improvements with its own forces if, in the opinion of the council, the work can be done more expeditiously or economically.

ARTICLE X. PLANNING AND ZONING

Sec. 10.01. Reserved.

Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former section 10.01 which pertained to the director of planning and was derived unamended from the Charter adopted Feb. 24, 1959.

Sec. 10.02. Planning and zoning commission.

(a) There shall be a planning and zoning commission which shall consist of seven (7) members, who, during their respective terms of office and for at least one year prior to beginning thereof, shall be residents of the City of Denton. They shall be appointed by the council for a term of two (2) years, provided four (4) members shall be appointed each odd-numbered year and three (3) members each even-numbered year.

(b) None of the appointed members shall hold any other public office or position in the city while serving on the planning and zoning commission. The planning and zoning commission shall elect its chair from among its members. Seven (7) members shall serve without pay and shall adopt such rules and regulations as they

deem best governing their actions, proceedings, deliberations, and the times and places of meetings, subject to council review.

(c) If a vacancy occurs in the city planning and zoning commission the council shall appoint a commissioner to fill such vacancy for the unexpired term.

(Ord. No. 76-12, Amend. No. 7, 4-5-76; Ord. No. 2006-232, Amend. No. 14, 8-28-06, ratified 11-7-06; Ord. No. 25-445, Prop. A, § 24, 5-13-25, ratified 5-3-25)

Sec. 10.03. Planning and zoning commission: Powers and duties.

(a) In addition to the powers and duties set forth in this charter, the planning and zoning commission shall have the powers and duties of a planning and zoning commission under state law, including without limitation those under Chapters 211 and 212 of the Texas Local Government Code, as may be amended from time to time, and shall perform such other powers and duties as may be assigned by the council. The planning and zoning commission may:

(1) Make, amend, extend and add to the master plan for the physical development of the city.

(2) Recommend to the council regulations governing the platting or subdividing of land within the city. (The applicable provisions of Chapter 212 of the Texas Local Government Code as now or hereafter amended, are hereby adopted and made a part of this charter, and shall be controlling on the planning and zoning commission.)

(3) Make recommendations to the council regarding proposed changes to the official map of the city and keep such map up-to-date so as to reflect any changes in the boundary or the zoning plan of the city.

(4) Make and recommend plans for the clearance and rebuilding of any slum districts or blighted areas within the city.

(5) Make recommendations to the council regarding proposed changes in the zoning plan and ordinance of this city and have all the power, duty and authority of a zoning commission as provided in Chapter 211 of the Texas Local Government Code, as now or as hereinafter amended, all of which are hereby adopted as a part of this charter.

(6) Submit annually to the City Manager prior to the beginning of the budget year, a list of recommended general obligation capital improvements which in the opinion of the Commission ought to be constructed during the forthcoming five (5) year period. (Such list shall be arranged in order of preference, with recommendations as to which projects should be constructed in which year, and the City Manager shall forthwith furnish a copy of such recommendations to each member of the Council.)

(7) Promote public interest in and understanding of the master plan and of planning, zoning, clearance of blighted areas and development of the city.

(8) Meet not less than once each month and keep a public record of its resolutions, findings and determinations.

(9) Hold such public hearings as it may deem desirable in the public interest and advise the council upon such matters as the council may request its advice.

(b) For the accomplishment of the foregoing purposes the planning and zoning commission is hereby empowered to:

(1) Require information which shall be furnished within a reasonable time from the other departments of the city government in relation to its work.

(2) Request additional assistance for special survey work of the city manager, who may at the city manager's discretion assign to the planning and zoning commission, employees of any administrative department or direct such department to make special studies requested by the commission.

(3) In the performance of its functions, enter upon any land and make examinations and surveys.

(4) Make and recommend plans for the replanning, improvement and redevelopment of neighborhoods or of any area or district which may be destroyed in whole or in part or seriously damaged by fire, earthquake, flood or disaster.

(Ord. No. 99-057, Amend. No. 17, 2-16-99, ratified 5-1-99; Ord. No. 2006-232, Amend. No. 15, 8-28-06, ratified 11-7-06; Ord. No. 25-445, Prop. A, § 25, 5-13-25, ratified 5-3-25)

Sec. 10.04. The master plan.

The master plan for the physical development of the city, with the accompanying maps, plats, charts, descriptive and explanatory matter, shall show the commission's recommendations for the development of city territory, and may include, among other things:

(a) The general location, character and extent of streets, bridges, parks, waterways and other public ways, grounds and spaces.

(b) The general location of public buildings and other public property.

(c) The general location and extent of public utilities, whether publicly or privately owned.

(d) The removal, relocation, widening, extension, narrowing, vacation, abandonment or change of use of such existing or future public ways, grounds, spaces, buildings, property or utilities.

(e) The general extent and location of public housing projects and slum-clearance projects.

Sec. 10.05. Legal effect of master plan.

Except in circumstances where plat approval is not required or the public improvement is so small as not to appear on the master plan, no street, park, or other public way, ground or space, no public building or structure and no public utility whether publicly or privately owned, shall be constructed or authorized in the City until and unless the location and extent thereof shall have been submitted to and approved by the Planning and Zoning Commission; provided that, in case of disapproval, the Commission shall within thirty (30) days communicate its reasons to the Council, which shall have the power to overrule such disapproval, and, upon such overruling, the Council or the appropriate office, department, or agency shall have the power to proceed.

(Ord. No. 99-057, Amend. No. 18, 2-16-99, ratified 5-1-99; Ord. No. 2006-232, Amend. No. 16, 8-28-06, ratified 11-7-06)

Sec. 10.06. Zoning.

(a) For the purpose of promoting health, safety, morals or the general welfare of the community, the council may by ordinance regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes. Such ordinance shall provide that the board of adjustment may, in appropriate cases and subject to appropriate principles, standards, rules, conditions and safeguards set forth in the ordinance, authorize variances from and make special exceptions to the zoning regulations in harmony with their general purpose and intent.

(b) For any or all of said purposes the council may divide the city into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this section; and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. All such regulations shall be uniform for each district, but the regulations in one district may differ from those in other districts.

(c) Such regulations shall be made in accordance with a comprehensive plan and be designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health or the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, public convenience and other public requirements. Such regulations shall be made with reasonable consideration of the character of the district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

Sec. 10.07. Board of adjustment.

The city council shall by ordinance establish a board of adjustment which shall consist of at least seven (7) members who shall have the qualifications, powers, and duties and serve for the terms provided by the city council in an ordinance creating the board. All current members of the board of adjustment and the board shall continue to serve under the current provisions of the City Charter until such ordinance creating the board is enacted and effective.

(Ord. No. 99-057, Amend. No. 19, 2-16-99, ratified 5-1-99)

Sec. 10.08. Platting or subdivision control.

The planning and zoning commission shall recommend to the council the adoption of regulations governing the platting or subdividing within the city or within the area under the extraterritorial jurisdiction of the city, and the owner of every such subdivision shall comply with all of the provisions of Article 974a and 6626, Vernon's Texas Civil Statutes, 1948, [V.T.C.A., Local Government Code § 212.002 et seq. and V.T.C.A., Property Code § 12.001 et seq.] as now or hereafter amended. Such regulation may provide for the harmonious development of the city within the subdivided land with other existing or planned streets and ways or for conformance with the master plan or official map, for adequate open spaces, spaces for traffic, utilities, recreation, light and air and for the avoidance of congestion of population. Such regulations may include requirements as to the extent to which and the manner in which streets and other ways shall be graded and improved and water, sewer and other utility mains, piping, connections or other facilities shall be installed as a condition precedent to the approval of a subdivision.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 2006-232, Amend. No. 17, 8-28-06, ratified 11-7-06)

Sec. 10.09. Reserved.

Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former section 10.09 which pertained to the tentative approval of plats and was derived unamended from the Charter adopted Feb. 24, 1959.

Sec. 10.10. Building permits, use and occupancy certificates.

(a) The city shall have the power to prohibit the erection, construction or use of any building or structure of any kind within the city without a permit having first been issued, by the city, for the construction or erection of such building or structure, and without a use and occupancy certificate having been issued for the use

actually made of such premises and structure and may authorize a fee to be charged for such permit. In pursuance of this authority the council may authorize the inspection of all buildings and structures during the progress of their construction or thereafter and may require new construction, renovation, or reconstruction to comply with all building regulations.

(b) For the purpose of preserving property values, protecting the public health, preventing the blighting of areas within the city, promoting safety and the public welfare the council may fix a minimum standard for the construction and use of housing accommodations and other structures within this city and prohibit the construction, erection and use of substandard housing and other substandard structures.

(Ord. No. 2006-232, Amend. No. 18, 8-28-06, ratified 11-7-06)

Sec. 10.11. Official map.

The council may by ordinance establish an official map of the city, on which shall be shown and indicated all public streets existing and established by law at the time of the establishment of the official map.

Sec. 10.12. Slum clearance and rehabilitation of blighted areas.

The council may, after receiving a recommendation from the planning and zoning commission adopt, modify and carry out plans for the clearance of slum districts and blighted areas within the city and, for the accomplishment of this purpose, may acquire by purchase or condemnation all privately owned lands, buildings and other real property interests within the district; may establish, locate, relocate, build and improve the streets and other public open spaces provided for in the plan; may maintain, operate, lease or sell said buildings or any of them; may sell the land or any part thereof designated for buildings and private open spaces upon such terms and conditions and subject to such restrictions as to building uses and open spaces as will substantially carry out and effect the plan.

(Ord. No. 2006-232, Amend. No. 19, 8-28-06, ratified 11-7-06)

ARTICLE XI. PARKS AND RECREATION

Sec. 11.01. Reserved.

Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former section 11.01 which pertained to the director of parks and recreation and was derived unamended from the Charter adopted Feb. 24, 1959.

Sec. 11.02. Park and recreation board.

The city council shall by ordinance establish a board which shall advise the council on parks and recreation and which shall consist of at least seven (7) residents of the city who shall have the qualifications, duties, and powers and serve for the terms provided by the city council in the ordinance creating the board. All current members of the parks and recreation board and the board shall continue to serve under the current provisions of the City Charter until the ordinance creating the board is enacted and effective.

(Ord. No. 99-057, Amend. No. 20, 2-16-99, ratified 5-1-99)

ARTICLE XII. PUBLIC UTILITIES

Sec. 12.01. General powers respecting utilities.

(a) The City of Denton may license, regulate, fix the rates, control and supervise public utilities of all kinds.

(b) In addition to such public utilities as it may now own, the City of Denton may own, acquire, construct, maintain, and operate any other public utility that may be approved by a majority of the qualified voters of the City voting therefor at an election held for such purpose; and shall have power for the purpose of operating and maintaining any such utility, and for distributing such service throughout the city or any portion thereof, but in such condemnation proceedings no allowance shall be made for the value of any franchise and only the actual physical assets shall be purchased by the City.

Sec. 12.02. Rates.

The city shall have the power, subject to limitations imposed by state law and this Charter, to fix and, from time to time, revise such rates and charges as it may deem advisable for supplying such utility services as the city may provide. The utilities shall provide no free services; the rates and charges for services to city departments and other public agencies shall be the same as the regular rates and charges fixed for similar services to consumers generally. The rates and charges for services to consumers outside the corporate limits of the city may be greater but shall not be less than the rates and charges for similar service to consumers within the corporate limits of the city.

Sec. 12.03. Excess revenues of utility systems.

(a) Any money remaining in the "System Fund" after all necessary expenses of operation and maintenance of the utility systems, including salaries, labor and materials, have been paid, upon proper approval, and after all payments have been made into the several funds required and provided to be made by the ordinance or ordinances authorizing the issuance of any revenue bonds of the city, now outstanding or hereafter authorized and issued which may be payable from and secured by a pledge of the net earnings of the light, water or sewer systems, shall be deemed "Excess Revenues" for the purposes of this section. "System Fund" as used herein shall mean the fund (or funds as may be required by outstanding bond issues) into which are deposited the gross incomes derived from the operation of the above named utility systems.

(b) Excess Revenues shall be utilized at the times and for the purposes as follows:

(1) After all of the requirements of the various funds have been met, there shall be computed a return on the net investment in the utility system. The "Net Investment" figure used in these computations shall be taken from the independent audit of the utility systems for the last fiscal period. The city shall be entitled to receive annually on the net investment from excess revenues, if any, not more than six (6) percent of the net investment.

(2) Any remaining excess revenues shall be used for the redemption and retirement of utility revenue bonds, as they become available at not more than fair market value. If utility revenue bonds are not available, these funds shall immediately be invested in short-term United States Government securities or at the option of the city, placed on time deposit in the city depository to draw interest. As utility revenue bonds become available, sufficient United States Government securities shall be sold or time deposits withdrawn to purchase the longest maturities available on the market.

Sec. 12.04. Disposal of utility properties.

No sale, conveyance, lease, or other alienation of the entire assets of any utility system or any part thereof essential to continued effective utility service, shall ever be made unless such sale, lease, or disposal is approved by a majority vote of all the qualified voters voting in an election held for that purpose in the City of Denton.

(Ord. No. 99-057, Amend. No. 22, 2-16-99, ratified 5-1-99)

Sec. 12.05. Cooperation of other city departments.

The [public utilities] board shall have the right to request the services of any officer or department of the city government; provided, however, that the utility system shall pay out of its revenues a proportionate part of the expenses of the department used in an amount agreed upon by the city manager and the board. If they fail to agree, the final decision on any such expenses shall be made by the city council.

Sec. 12.06. Reserved.

Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former section 12.06 which pertained to the director of utilities and was derived unamended from the Charter adopted Feb. 24, 1959.

Sec. 12.07. The public utilities board.

(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 chair, vice-chair, 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.

(Ord. No. 76-12, Amend. No. 8, 4-5-76; Ord. No. 99-057, Amend. No. 23, 2-16-99, ratified 5-1-99; Ord. No. 2006-232, Amend. No. 20, 8-28-06, ratified 11-7-06; Ord. No. 25-445, Prop. A, § 26, 5-13-25, ratified 5-3-25)

Sec. 12.08. Powers and duties of the public utilities board.

(a) The board shall serve the department of utilities and city council as a consulting, and advisory board.

(b) The annual budget for the department of utilities shall be prepared by the director and submitted to the board in the form required by the city manager. The board shall review the budget, make such changes therein as they deem appropriate, then return it to the director who shall deliver it to the city manager for incorporation without any changes, in the proposed general budget of the city and transmission to the council.

(c) The public utilities board is hereby authorized to expend such funds for information and advertising as shall be budgeted for this purpose.

(d) All actions recommending expansion of the system and the making of additions and betterments thereto or extensions thereof, the incurring of indebtedness, the issuance of bonds, and the fixing of rates and charges for utility services shall be submitted to the board for review and approval; provided, that in case of disapproval, the board shall within thirty (30) days communicate the reasons for its disapproval to the council, which shall have the power to overrule such disapproval, and, upon such overruling, the council or the appropriate department shall have power to proceed; and provided further that all rates and charges for utility services shall be reviewed by the board and revised or reenacted by the council at intervals not exceeding five (5) years and beginning with the year 1960.

(e) The board shall submit annually to the planning and zoning commission (for incorporation in its report), prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the board ought to be constructed during the forthcoming five (5) year period. Such list shall be arranged in order of preference, with recommendations as to which projects should be constructed in which year.

(f) It shall be the duty of the board to act in an advisory capacity to the council, with authority to hold public hearings and to study and recommend policies relating to the operation, promotion, enlargement, future planning and such other matters involving city-owned utilities as may be referred to it by the council. At intervals not exceeding ten (10) years the council shall at the expense of the utilities involved, cause a general management survey to be made of all utilities under the jurisdiction of the board by a competent management consulting or industrial engineering firm, the report and recommendations of which shall be made public; provided, that the first such survey shall be made within three (3) years of the effective date of this Charter.

(Ord. No. 2006-232, Amend. No. 21, 8-28-06, ratified 11-7-06)

ARTICLE XIII. FRANCHISES

Sec. 13.01. Franchises: public utilities.

(a) The city council may by ordinance grant, renew and extend all franchises of all public utilities operating within the city, and, with the consent of the franchise holder, amend such franchise. No franchise shall ever be granted for a longer term than twenty (20) years. No franchise for a term of twenty (20) years shall be granted except upon the condition that the City of Denton shall have the right, at any time after the expiration of eighteen (18) years, to purchase the property of such franchise holder, or cause a purchaser to buy such property and thereby terminate or transfer the franchise and all privileges enjoyed thereunder, provided that the purchase when made by the city shall not in the case of a fixed term franchise take effect until the expiration of twenty (20) years from the time such franchise was granted.

(b) The city shall have the power to provide and fix in any franchise the amount or amounts (or the basis for determining the same), to be paid in case it shall buy or cause a purchaser to buy any such property.

(c) Every ordinance granting, amending, renewing or extending a public utility franchise shall be passed by a majority vote of the entire city council at three (3) regular meetings of the council; no such ordinance shall take effect until thirty (30) days after its final passage; pending such time the full text of the ordinance shall be published once each week for three (3) consecutive weeks in the official newspaper published in the City of Denton, and the expense of such publication shall be borne by the grantee of the franchise; and such ordinance shall be subject to referendum as provided in Article IV of this Charter. No public utility franchise shall be transferable except with the approval of the council expressed by ordinance.

(d) After due notice and hearing, the council may by ordinance cancel or repeal a public utility franchise for failure of the grantee to comply with the terms of the franchise.

Sec. 13.02. Franchises: use of streets.

The city may by ordinance grant franchises or permits for the use and occupancy of streets, avenues, alleys or other public grounds belonging to or under the control of the city. Before such ordinance can become effective it shall be passed by a majority vote of the entire city council at two (2) regular meetings of the council; no such ordinance shall take effect until twenty-one (21) days after its final passage; pending such time the full text of the ordinance shall be published once each week for two (2) consecutive weeks in the official newspaper of the City of Denton, and the expense of such publication shall be borne by the grantee of the franchise and such ordinance shall be subject to referendum as provided in Article IV of this Charter.

Sec. 13.03. Franchise fee.

The holder or grantee of any franchise or license to use public streets, alleys, highways, or other public property may be required, as compensation for the right or privilege enjoyed, to pay to the City of Denton each year such reasonable sum (not less than two (2) percent of the gross receipts of the business pursued by the holder of the franchise earned for service rendered in the City of Denton), or to pay compensation, rent, or any other fee or charge authorized by law, including, without limitation, specific charges per service line, access line fees, and all other legally permissible charges for the use of its streets, alleys, highways, and other public property, as the council may determine by ordinance or by contract with any such utility, which compensation shall be in addition to all ad valorem and corporation taxes paid by the utility.

(Ord. No. 99-057, Amend. No. 24, 2-16-99, ratified 5-1-99)

Sec. 13.04. Regulation of utilities.

The city council shall have the power and the duty to:

(a) Determine, fix and regulate the charges, fares or rates of all public utilities operating within the city, provided the council shall not prescribe any rate of compensation which will yield more than a fair return upon the fair value of the physical property used and useful in rendering service to the public.

(b) Require such franchise holders who request an increase in rates, charges or fares to reimburse the city for reasonable expenses incurred in employing independent rate consultants to conduct investigations, present evidence and advise the council on such requested increase.

(c) Prescribe reasonable standards of service and quality of products to be furnished by each utility and prevent unjust discrimination.

(d) Require such extensions of plant and service and such maintenance of plant and fixtures as may be necessary to provide adequate and efficient service.

(e) Collect from every public utility operating in the city its fair and just proportion of the expense of excavating, grading, paving, repaving, constructing, reconstructing, draining, repairing, maintaining, lighting, sweeping and sprinkling such portions of the alleys, bridges, culverts, viaducts and other public places and ways of the city as may be occupied or used in whole or in part by such utilities; or compel such public utility to perform, at its own expense, its just share of such excavating, grading, paving, repaving, constructing, reconstructing, draining, repairing, maintaining, lighting, sweeping and sprinkling.

(f) Prescribe the form of accounts which shall be kept by each utility; provided, that if the utility shall keep its accounts in accordance with the uniform system of accounts for said utility as prescribed by the National Association of Railroad and Public Utility Commissioners, the Federal Power Commission, the Federal Communications Commission, the Railroad Commission of Texas, or their respective successors, this shall be deemed sufficient compliance with this paragraph.

(g) Examine or cause to be examined at any time the accounts and other records of any utility operating within the city for the purpose of ascertaining any fact relating to the business done by such utility and pertinent to the council's power of regulation.

(h) The council shall provide means and prescribe regulations for independent testing of all gas, water, light and other public utility meters on complaint of any person who may be dissatisfied with the readings of the employees of those utilities, whether owned by private corporations or by the City of Denton.

(i) Enact and enforce such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare and accommodation of the public.

(j) The City of Denton shall have power to prohibit the use of any street, alley, highway, boulevard or grounds of the city by any telegraph, telephone, electric light, street railway, interurban railway, gas company or any other character of public utility without first obtaining the consent of the governing authorities expressed by ordinance, and upon paying such compensation as may be prescribed and upon such conditions as may be provided for by such ordinances, and the City of Denton shall have the power to require all telegraph, telephone and electric light companies to place their wires underground.

(k) Require each utility operating in the city to file with the city such reports and other information pertaining to its operations that are required by its franchise agreement with the city, this Charter, city code, other applicable laws, or that may be required from time to time by the council.

(l) Fix appropriate penalties to enforce compliance with all rules and regulations enacted by the council.

(m) Give due notice and a fair hearing to persons or corporations to be affected by such rules and regulations before they shall be adopted.

(Ord. No. 2006-232, Amend. No. 22, 8-28-06, ratified 11-7-06; Ord. No. 2006-297, § 2, 10-3-06, ratified 11-7-06)

Sec. 13.05. Other conditions.

All franchises heretofore granted are recognized as contracts between the City of Denton and the grantee, and the contractual right as contained in any such franchise shall not be impaired by the provisions of this Charter, except that the power of the City of Denton to exercise the right of eminent domain in the acquisition of any utility property is in all things reserved, and except the general power of the city heretofore existing and herein provided for to regulate the rates and services of a grantee which shall include the right to require proper and adequate extension of plant and service and the maintenance of the plant and fixtures at the highest reasonable standard of efficiency. Every public utility franchise hereafter granted shall be held subject to all of the terms and conditions contained in the various sections of this Article whether or not such terms are specifically mentioned in the franchise. Nothing in this Charter shall operate to limit in any way, as specifically stated, the discretion of the council or the electors of the city in imposing such terms and conditions as may be reasonable in connection with any franchise grant.

Sec. 13.06. Franchise records.

The city secretary shall compile and maintain a public record of all franchises heretofore or hereafter granted by the City of Denton.

ARTICLE XIV. GENERAL PROVISIONS

Sec. 14.01. Reserved.

Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former section 14.01 which pertained to the health officer and was derived unamended from the Charter adopted Feb. 24, 1959.

Sec. 14.02. Publicity of records.

All public records collected, assembled, or maintained by the city in accordance with the transaction of official business shall be available to the public during normal business hours, subject to the exceptions and regulations authorized by applicable state law.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

Sec. 14.03. Official newspaper.

The city council shall annually select and designate by resolution the official newspaper of the city in which all ordinances and official notices that are required to be published shall be published.

Sec. 14.04. Ethics Ordinance Requirement.

The City Council shall adopt an ethics ordinance. The ethics ordinance shall prohibit the use of public office for private gain and shall incorporate the conflict of interest standards that appear in V.T.C.A., Local Government Code, Ch. 171 and all state law as presently exist or may be hereafter amended or adopted. The Council may adopt more stringent standards than those that appear in state law, but the ethics ordinance shall at a minimum include the following components:

(1) Definition of a prohibited improper economic interest and personal gain;

(2) Definition of recusal and improper participation when a potential conflict of interest is present;

(3) Avoidance of appearance of conflict of interest; and

(4) Administration and enforcement of ethics ordinance, including the power to subpoena witnesses and documents, coupled with strong and meaningful remedies for infraction.

(Ord. No. 2017-237, § 1(Amend. D), 8-15-17, ratified 11-7-17; Ord. No. 2017-373, § 2(Prop. D), 11-20-17)

Ord. No. 2017-237, § 1(Amend. D), adopted August 15, 2017, ratified 11-7-17 repealed the former §§ 14.04, 14.05 and enacted a new § 14.04 as set out herein. The former §§ 14.04, 14.05 pertained to personal interest and nepotism and derived from Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80; Ord. No. 99-057, Amend. No. 25, 2-16-99, ratified 5-1-99; Ord. No. 2006-232, Amend. No. 23, 8-28-06, ratified 11-7-06.

Sec. 14.05. Reserved.

Editor's note(s)—See Editor's Note for § 14.04.

Sec. 14.06. Oath of office.

Every officer of the city shall before entering upon the duties of office take and subscribe to the following oath or affirmation, to be filed and kept in the office of the city secretary:

> "I, _____, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____ of the City of Denton, Texas, and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State and the Charter and ordinances of this City; and I furthermore solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed or promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. (or if the office is one of appointment, "to secure my appointment.") So Help Me God."

(Ord. No. 25-445, Prop. A, § 27, 5-13-25, ratified 5-3-25)

Sec. 14.07. Continuation of present offices.

All persons holding administrative office either by election or appointment at the time this Charter becomes effective shall continue in office and in the performance of their duties until provision shall have been made in accordance therewith for the performance of such duties or the discontinuance of such office. The powers conferred and the duties imposed upon any office, department or agency of the city by the laws of the state shall, if such office, department or agency be abolished by this Charter or under its authority, be thereafter exercised and discharged by the office, department or agency designated by the council unless otherwise provided herein.

Secs. 14.08, 14.09. Reserved.

Editor's note(s)—Ord. No. 79-86, § 2, adopted Dec. 11, 1979, and ratified Jan. 19, 1980, deleted former sections 14.08 and 14.09 which pertained to the commissioners and mayor holding office when the present Charter was adopted and which were derived unamended from said Charter adopted on Feb. 24, 1959.

Sec. 14.10. Continuance of contracts and public improvements.

All contracts entered into by the city, or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which legislative steps have been taken under laws or charter provisions existing at the time this Charter takes effect may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws and charter provisions.

Sec. 14.11. Effect of charter on existing law.

All ordinances, resolutions, rules and regulations now in force under the city government and not in conflict with any provisions of this Charter shall remain in force under this Charter until altered, amended or repealed by the council after this Charter takes effect.

Sec. 14.12. Severable provisions.

If any section, subsection, sentence, clause or phrase of this Charter, or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provisions or applications of this Charter which can be given effect without the invalid provision or application, and to this end the provisions of this Charter are declared severable.

Sec. 14.13. Amending the charter.

Amendments to this Charter may be framed and submitted to the voters of the city in the manner provided by Vernon's Texas Codes Annotated, Texas Local Government Code Chapter 9 and all other applicable laws, as they now read or may hereafter be amended.

(Ord. No. 99-057, Amend. No. 26, 2-16-99, ratified 5-1-99)

Sec. 14.14. Submission of charter to electors.

The Charter Commission in preparing this Charter finds and decides that it is impracticable to segregate each subject so as to permit a vote of "yes" or "no" on the same, for the reason that the Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. For these reasons the Charter Committee directs that this Charter be voted upon as a whole and that it shall be submitted to the qualified voters of the City of Denton at an election to be held for that purpose on the 24th day of February, 1959.

Sec. 14.15. When provisions take effect.

If a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter the present city commission, after canvassing the returns, shall enter an official order upon the records of the city declaring the same adopted and this Charter shall be in full force and effect on and after the date of official adoption.

We, the undersigned members of the Denton Charter Commission, heretofore duly elected to prepare a Charter for the City of Denton, Texas, do hereby certify that this publication constitutes a true copy of the proposed Charter for the City of Denton, Texas, as unanimously adopted by the members thereof.

SAM B. McALISTER, Chairman

STANLEY A. MUNSON, Vice Chairman

ETHELYN DAVIS, Secretary

Tom Harpool	Walter B. McClurkan
Don Robinson	H. W. Kamp
Roland Laney	James R. Reed
M. G. Ramey	David Mulkey
W. D. Barrow	Mrs. W. F. "Pat" Hamilton
Lee E. Johnson	Paul P. Young

Sec. 14.16. Boards and commissions.

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.

(Ord. No. 79-86, § 2, 12-11-79, ratified 1-19-80)

CHARTER COMPARATIVE TABLE ORDINANCES

This table shows the location of the sections of the basic Charter and any amendments thereto.

Ordinance Number	Date	Election Date	Section	Section this Code
	2-24-59		1.01—14.16	1.01—14.16
76-12	4- 5-76		Amend. No. 1	2.01
				3.04
			Amend. No. 2	2.04
			Amend. No. 3	2.06
			Amend. No. 4	2.08
			Amend. No. 6	8.03
			Amend. No. 7	10.02
			Amend. No. 8	12.07
79-86	12-11-79	1-19-80	2	2.01—2.03
				2.05, 2.06
				2.08
				3.01
				3.04
				4.13
				4.16
				5.01
				5.05
				6.02, 6.03
				7.01—7.07
				8.06
				8.08
				9.01
				10.08
				14.02
				14.04
				14.16
99-057	2-16-99	5- 1-99	Amend. No. 2	1.05
			Amend. No. 3	1.06
			Amend. No. 4	1.07
			Amend. No. 5	2.02
			Amend. No. 6	2.04
			Amend. No. 7	3.01

			Amend. No. 8	3.02
			Amend. No. 9	3.04
			Amend. No. 10	6.03
			Amend. No. 11	7.01
			Rpld	7.02, 7.03, 7.04
			Amend. No. 12	8.04
			Amend. No. 13	8.05
			Amend. No. 14	8.07
			Amend. No. 15	9.01(a)
			Dltd	9.01(d)
			Amend. No. 16	9.02(a)
			Amend. No. 17	10.03(a)(6)
			Amend. No. 18	10.05
			Amend. No. 19	10.07
			Amend. No. 20	11.02
			Amend. No. 22	12.04
			Amend. No. 23	12.07(a), (d)
			Amend. No. 24	13.03
			Amend. No. 25	14.04
			Amend. No. 26	14.13
2006-232	8-28-06	11- 7-06	Amend. No. 2	1.06(f)
			Amend. No. 3	2.05(a)
			Amend. No. 4	2.07
			Amend. No. 5	2.08
			Amend. No. 6	2.09(b)
			Amend. No. 7	3.01(a)
			Amend. No. 8	5.03
			Amend. No. 9	6.01
				6.02
				6.04
			Amend. No. 10	8.03
			Amend. No. 11	8.08
			Amend. No. 12	9.02(a)
			Amend. No. 13	9.04
			Amend. No. 14	10.02
			Amend. No. 15	10.03
			Amend. No. 16	10.05
			Amend. No. 17	10.08
			Amend. No. 18	10.10(a)
			Amend. No. 19	10.12
			Amend. No. 20	12.07(d)
			Amend. No. 21	12.08(a)
				12.08(e)
			Amend. No. 22	13.04
			Amend. No. 23	14.05

2006-297	10- 3-06	11- 7-06	2	13.04
2009-199	9- 1-09	11- 3-09	Amend. No. 1	2.01(a)
			Amend. No. 2	2.02(a)(2)
			Amend. No. 3	2.03
				2.04
			Amend. No. 4	2.10
2017-237	8-15-17	11- 7-17	Amend. A	2.02(a)
			Amend. C	6.04
			Amend. D Rpld	14.04, 14.05
			Added	14.04
			Amend. E Added	2.02(c)
2017-373	11-20-17	11- 7-17	Prop. A	2.02(a)
			Prop. C	6.04
			Prop. D Rpld	14.04, 14.05
			Added	14.04
			Prop. E Added	2.02(c)
25-445	5-13-25	5- 3-25	Prop. A, § 1	1.07
			Prop. A, § 2	2.02(a), (b)
			Prop. A, § 3	2.10
			Prop. A, § 4	2.12
			Prop. A, § 5	2.13(a)
			Prop. A, § 6	3.01(e)
			Prop. A, § 7	3.02
			Prop. A, § 8	3.03
			Prop. A, § 9	3.04(c)
			Prop. A, § 10	4.03
			Prop. A, § 11	4.04
			Prop. A, § 12	4.05
			Prop. A, § 13	4.12
			Prop. A, § 14	4.13
			Prop. A, § 15	4.15
			Prop. A, § 16	4.16
			Prop. A, § 17	5.01
			Prop. A, § 18	5.02(a)
			Prop. A, § 19	5.03
			Prop. A, § 20	5.04
			Prop. A, § 21	6.01
			Prop. A, § 22	6.02
			Prop. A, § 23	6.03(b)
				6.03(d)
			Prop. A, § 24	10.02(b)
			Prop. A, § 25	10.03(b)(2)
			Prop. A, § 26	12.07(b)
				12.07(d)
			Prop. A, § 27	14.06

			Prop. B, § 1	2.04
				3.01(b)
				4.08
				4.17

HANDBOOK FOR BOARDS, COMMISSIONS, AND COUNCIL COMMITTEES

Last Revised on April 20, 2021 (Resolution 21-271)

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INTRODUCTION

Congratulations on your appointment to one of our City's boards, commissions or City Council committees! Boards and commissions are essential to the successful function of City government, and your contributions will help shape the future of Denton. You will be studying and recommending policy application on a variety of issues vital to the City's future. The basic duty of each board is to apply City policy as expressed in the City Charter, its Code of Ordinances, and through Council directives to individual circumstances and issues placed before the board. Should a policy or directive require clarification, the board should request such from the Council.

The handbook is designed to assist you in your service. It consolidates provisions of the City Charter, Code of Ordinances, and other regulations into one place to assist you as a board member. It will provide a general introduction to topics and processes that directly affect members of boards. Discussion in the handbook applies to all City Council appointed citizen boards, commissions, and committees including citizen task forces, ad hoc boards, commissions, and committees, and all City Council committees, unless stated otherwise. Throughout the document, reference to "boards" should be interpreted to mean all City Council appointed citizen boards, commissions, and committees, including citizen task forces, ad hoc boards, commissions, and committees, as well as all City Council committees, unless otherwise stated. Keep in mind, not all the provisions will apply equally to every board. In case of legal liability, for example, members of some boards may be more susceptible than members of other boards. The staff liaison assigned to your board will be able to provide you with more information on the specific duties and responsibilities of the particular board and its members. Additionally, due to the unique nature of citizen boards, commissions, and committees, citizen task forces, and ad hoc boards, commissions, and committees, a section providing additional guidance has been included under Membership Information in the handbook. While no one document could adequately cover all aspects of serving on a board, the handbook has been designed as a basic reference point from which a board member can build an extensive knowledge of his/her responsibilities to the citizenry of Denton. The handbook has been adopted by resolution of the City Council and will be updated from time to time. If any provision of the handbook is in conflict with any Code or Ordinance of the City, then such Code or Ordinance shall prevail.

The City Secretary, City Attorney, and staff liaisons are available as resources to all boards. Any requests for assistance shall be coordinated through the staff liaison assigned to the board on which you serve.

Thank you for your interest in serving your community. Your efforts will make Denton a better place to live and work.

DENTON MUNICIPAL GOVERNMENT

City Charter

The Denton City Charter was adopted in 1959 and is the basic governing authority of the City. The Charter determines the form of municipal government, the composition and powers of the City Council, and establishes the legal framework necessary for a city to function. The Charter provides for the operation of municipal functions under the council-manager form of government. Under this system, the City Council serve as political leaders and policy makers and retain a professionally trained manager to oversee the delivery of public services.

City Council

The City Council consists of a mayor and six council members who are elected to serve as the legislative body of the City. Four council members are elected from one of four single member districts. The mayor and two other council members are elected at-large. The mayor and each council member serve two-year terms with a consecutive three full term limit.

The mayor, in a council-manager form of government, is one of seven voting members of the Council and serves as the ceremonial head and policy leader. The mayor presides at meetings, serves as a spokesperson to the community, facilitates communication and understanding between elected officials, advocates policy decisions, assists the Council in setting goals, and serves as a promoter and defender of the community. In addition, the mayor serves as a key representative in intergovernmental relations.

The council members in this form of government are the leaders and policy-makers elected to represent various segments of the community and concentrate on policy issues that are responsive to citizens' needs and wishes. As a legislative body, the council members are the community decision-makers. They approve the budget and determine the tax rate. The Council focuses on community goals, major projects, and long-term considerations such as community growth, land-use development, capital improvement plans, capital financing, and strategic planning.

The City Council appoints the city manager, city attorney, city auditor, and municipal judge. The City Council also affirms the City Manager's appointment of a City Secretary. All other employees of the city report to the city manager. Pursuant to the City Charter, the Council is prohibited from giving direction to City staff. The Council gives policy direction to the city manager, who is responsible for its administration and implementation.

City Manager

The city manager is appointed by the council to serve the community through the professional administration of local government projects and programs. The city manager prepares the budget for the Council's consideration; recruits, hires, and supervises the local government staff; and serves as the Council's chief adviser by bringing forth objective information regarding policy matters. The manager makes policy recommendations to the Council, which the Council may adopt, modify, or reject.

City Attorney

The city attorney is appointed by the City Council. The City Attorney's Office serves as the legal branch of the City, representing the City's legal interests and rights, providing legal advice, and prosecuting criminal complaints. Among other things, the City Attorney's Office drafts and reviews the City's legal documents and issues legal opinions.

City Secretary

The city secretary administers the City's board and commission program. The city secretary is also responsible for conducting city elections, preparing and posting City Council meeting agendas and minutes, and maintaining the official records of the City.

Staff Liaison

The city manager assigns a staff member to work with each board or commission. The staff liaison's role is to:

- Prepare meeting agendas, staff reports and supporting information to the commission prior to meetings.
- Ensure compliance with the Texas Open Meetings Act.
- Prepare board recommendations to the City Council and make presentations to the City Council on behalf of the board.
- Respond to board member requests for information related to the business of the board.

Board members do not have authority over the work program of city staff. Rather, the liaison acts as an information resource and provides technical assistance. Board and commission members may not direct city staff in the performance of their commission-related activities, nor can they assign projects or direct the work of staff. A board or commission may request staff's assistance on various projects; however, the city manager must approve all requests which create a substantial demand for a work product.

MEMBERSHIP INFORMATION

Appointments

Each City Council member is responsible for making nominations for board and commission places assigned to him or her, which corresponds to the City Council member's place. Individual City Council members make nominations to the full City Council for the governing body's approval or disapproval. Council members will consider interested persons on a citywide basis and review an individual's qualifications, willingness to serve, application information in selecting nominations for service, and any prior board service/attendance, as applicable. The City Council will make an effort to be inclusive of all segments of the community and will consider ethnicity, gender, socio-economic levels, and other factors to ensure a diverse representation of citizens. In an effort to ensure maximum citizen participation, council members will continue the practice of nominating new citizens to replace board members who have served the maximum terms established by the Denton Code of Ordinances.

Member Information Subject to Public Information Act

The Texas Public Information Act requires government entities give citizens access to information about what public servants are doing on their behalf and how taxpayer funds are spent. Most information held by a governmental entity is public including emails regarding official city business and city issued email addresses of governmental officials/employees. If the City of Denton provides you a city e-mail, that e-mail address is subject to disclosure at the will of the City and upon any request received pursuant to the Public Information Act. Using a non-city email address for official city business, subjects the email address and any email related to official city business to public disclosure. Text messages and social media posts regarding official city business are also subject to public disclosure even if the information is maintained on personal devices not paid for by the City. There are exceptions in the law that allow certain information to be withheld.

Section 552.137 of the Texas Government code excepts from public disclosure information of current or previous public employees or officials that relates to the home address, home telephone number, emergency contact information, social security number, or information that reveals whether an individual has family members provided the employee/official has elected to withhold the information on the Public Access form which must be submitted not later than the 14th day after appointment. The Public Access form is a part of the orientation packet.

Service Limitations/Terms

Members are usually appointed to a two-year term. The Denton Code of Ordinance currently establishes the number of consecutive terms a member can serve. A board member who has served the maximum terms established by the Denton Code of Ordinances shall not be eligible for reappointment to that same board for a period of one year. However, appointment to a different board is permitted.

Termination of Appointment

A member's appointment to a board can be terminated by written resignation from the member, by action of the City Council pursuant to the Denton Code of Ordinances. Examples of removal for cause are failure to meet attendance requirements, complete City-mandated ethics training (as applicable), and/or no longer meeting residency/registered voter requirements. The examples are not a comprehensive list of reasons of why termination or removal may occur. Members continue to hold over past a term end date until the member resigns or is replaced. A resignation may be submitted to a city official, member of city staff, or another member of the board and shall become effective immediately. Once the resignation has been submitted to any of the above-noted individuals, that resignation cannot be withdrawn.

Oath of Office

Board members are required to take one or more oaths of office. Consult the City Secretary's office to make sure you have taken and signed such oaths before serving as a board member. The corresponding staff liaison is also responsible for ensuring all documents finalizing the appointment processes have been completed before allowing a member to participate in a meeting.

Orientation and Training

Board members are required to participate in training session(s) provided by the City Secretary's Office. These training session(s) will be scheduled as a regular agenda item by your board's staff liaison. ***Members are also required to complete open government training through the Texas Attorney General's Office.*** Training is available online at www.texasattorneygeneral.gov. Upon completion of training, members must submit a completed certificate to the city secretary.

Staff liaisons are encouraged to meet with "new" appointees well in advance of the first meeting to provide a general overview of the board's responsibilities, agenda/meeting process, and any other issues relevant to the board, commission or committee.

Attendance[1]

You, as an interested and informed citizen, are essential to effective local government. Because your viewpoint is so valuable to the City Council members, they take your appointment, attendance, and involvement on a board very seriously and ask that you do also.

The Council is aware that board members have careers and other responsibilities that demand their time. However, because of the importance of citizen boards, the City Council asks that each new board member make every effort to attend all meetings of the board and notify the chair or appropriate staff liaison of their board in advance if they will be unable to attend a board meeting.

[1] Not applicable to City Council committees.

Per §2-83(c) of the Code of Ordinances of the City of Denton, an excused absence shall include personal or family illness, death of a family member, jury duty, service in the armed forces, testifying before the legislature, attending a seminar involving municipal matters of importance to the member's duties, absence necessary for the member's business or employment, and any related emergencies or other matters which the board finds qualifying as an excused absence.

Per §2-83 (c) Code of Ordinances, the unexcused absence of any board member from more than three regularly called and scheduled meetings of the board of which he or she is a member in any one year or lack of attendance at 50 percent of the number of regular meetings in a year, unless such absence is excused,, shall be considered "cause," as that term is used in §14.16 of the Charter of the City of Denton for removal of said member by the City Council from such board.

If a board member violates the above attendance policy, the staff liaison shall immediately notify the City Secretary. The City Secretary will contact the member in writing, as required under §14.16 of the Charter of the City of Denton, advising the member of his/her upcoming removal for cause at a duly posted meeting if a resignation is not received within 10 business days as of the date of that notification letter. In the event the member fails to submit his/her resignation within those 10 business days, the City Secretary shall place an action item on the next available agenda providing for the removal of the board member.

The attendance of all members shall be recorded by the staff liaison and forwarded to the City Secretary on a quarterly basis.

Removal from Office

In the event a new member fails to submit the required appointment forms (oath of office, appointment of officer, and/or affirmation of qualifications) within 14 days of notice of appointment or make an appointment with the City Secretary's office, or complete the open government training within the timeframe specified by the Office of the Attorney General, that failure shall constitute for-cause removal as outlined in City Charter, Article XIV, Section 14.16. At that time, the City Secretary's Office shall send written notification to the member of such failure; and as required under §14.16 of the Charter of the City of Denton, advising the member of his/her upcoming removal for cause at a duly posted meeting if the member fails to remedy within 10 business days as of the date of that notification letter.. In the event the member fails to submit all the required appointment forms within those 10 business days, the City Secretary shall place an action item on the next available agenda providing for the removal of the board member. City Council shall reserve the right to consider reappointment of the individual either to the same or a different board, commission or committee.

Minutes

The staff liaison will provide a staff member at the meeting of each board to take minutes of each meeting in a form consistent with City Council meeting minutes as prescribed by the city secretary to reflect an accurate record of business transacted at the meeting. Minutes of the meeting will be submitted for approval by the members present at the next meeting with revisions, corrections, or amendments being made at that time. The approved minutes shall be

signed by the presiding officer of that meeting, reflect the date of approval, and forwarded to the City Secretary's office on a monthly basis. Preparation of the Minutes shall clearly outline the agenda captions applicable to the item being recorded. The retention period shall be as prescribed by the City Records Management Policy.

The City Secretary is authorized to transfer any such records to the City Archivist for historical preservation purposes as deemed appropriate.

Election of Officers

Procedures for the election of officers for appointed boards are established to ensure consistency with the City Council's goals and policies in making board appointments. Except where otherwise provided by state law, federal law, City Charter, or City ordinances or resolutions, election of officers for City of Denton council-appointed boards will be as follows:[2]

- The chair and vice-chair will be elected by voting board members.
- Election of officers shall be annually and occur in January or February. For those boards not meeting regularly, the election shall be held during the first board meeting of the calendar year. If, for any reason, the chair or vice-chair vacates their seat, a special election shall be held to fill the unexpired term. A temporary chair may be selected by the board pursuant to Roberts Rules of Order.
- The staff liaison, designated by the City Manager, shall serve as the official secretary to the board or commission to ensure records are maintained in accordance with requirements of the City Secretary's office.
- The City Council shall reserve the right, as deemed necessary in individual instances, to appoint the chair and vice-chair for any special issue or temporary advisory committees. If the City Council chooses not to make the appointment for chair and vice-chair, then the procedure outlined in this policy will apply.

Questions regarding the election of officers should be directed to the city attorney through your staff liaison.

Ethics Policy

Pursuant to Resolution No. R2006-003, as may be amended, the City Council has adopted an ethics policy that applies to council members and appointed officials, including board and commission members, depicted below. Note the ethics policy lists some state penal laws that may be applicable to members. A copy of the policy is noted below. Please consult the city attorney with any questions about the policy.

[2] Check with staff liaison for special rules that apply to your board.

RESOLUTION NO. R2006-003

A RESOLUTION AMENDING THE ETHICS POLICY FOR ELECTED AND APPOINTED OFFICIALS FOR THE CITY OF DENTON, TEXAS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on May 18, 2004 City Council passed Resolution R2004-025 adopting an Ethics Policy for Elected and Appointed Officials and upon a recommendation by the Council Ethics Sub-committee hereby approves an amendment to the policy as set forth herein; and

WHEREAS, the City Council of the City of Denton acknowledges that our government is a representative democracy and those who are elected or appointed to serve others as representatives accept a public trust that requires them to faithfully and diligently fulfill their public responsibilities; and

WHEREAS, the City Council of the City of Denton recognizes the those individuals who serve as public servants must adhere to a higher ethical standard of conduct since the activities of government should benefit the community as a whole and should never benefit the individual interest of public decision makers; **NOW, THEREFORE,**

THE COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. That the following **ETHICS POLICY for Elected and Appointed Officials – City of Denton, Texas**, which shall apply to all elected and appointed officials of the City, is hereby amended to read as follows:

ETHICS POLICY for Elected and Appointed Officials - City of Denton, Texas.

This Ethics Policy has been adopted to encourage and ensure the highest standards of personal and public conduct during tenure in office. Adherence to this Policy will maintain the confidence and trust in the decision-makers and representatives of the City who must remain independent, impartial, and accountable to the people they serve. In addition, elected and appointed officials must adhere to Texas state statues and City Charter provisions and City Council Rules of Procedure governing their conduct. These are listed at the end of this Policy. Thus, elected City Council Members as well as appointed members of the City's Boards and Commissions are asked to subscribe to the Texas statutes, City of Denton Charter, Rules of Procedures for City Boards and Commissions, and this Ethics Policy.

1. As a representative of the City of Denton, I will be ethical.

I will act with integrity and moral courage. I will be absolutely truthful. I will make impartial decisions that are free of bribes, unlawful gifts, narrow political interests and other personal interests that might impair my independence of judgment. I will always decide what is best for the whole city. I will respect confidences and information designated "confidential" to the extent

permitted by law. I will use my title and city logo or letterhead only when conducting official City business and will not exceed my authority.

2. As a representative of the City of Denton, I will be service-oriented.
I will be friendly, receptive, courteous, and respectful to everyone. I will be attuned to and care about the needs and issues of all Denton citizens.

3. As a representative of the City of Denton, I will be fiscally responsible.
I will make prudent decisions, taking into account the long-term financial needs of the City and its financial stability. I will make decisions that seek to promote programs and services for City residents.

4. As a representative of the City of Denton, I will be communicative.
I will communicate that I am approachable, open-minded and willing to enter into dialog. I will listen carefully and my response will add value to the conversation.

5. As a representative of the City of Denton, I will be cooperative.
I will work toward consensus building and gain value from diverse opinions. I will approach my position and relationships with a positive attitude. I will consider the broader regional and statewide implications of decisions. I will work with the Universities, DISD, the Chambers of Commerce, other governmental entities, and local nonprofit agencies and others as partners on common issues.

6. As a representative of the City of Denton, I will be progressive and receptive to new ideas.
I will promote intelligent and thoughtful innovation whenever possible. I will be sensitive to the need for compromise, to think creatively, and improve existing models when necessary. I will keep my knowledge of local government current and growing.

7. As a representative of the City of Denton, I will not be delinquent in paying monies owed the City.
I will not be in arrears on any city taxes, utility service charges, or other obligations owed the City.

Elected officials and appointed officials, boards and commissions must adhere to the following Texas statutes:

Civil Statutes

Open Meetings Act (Tex. Govt. Code. Ann. Ch. 551)
Public Information Act/Open Records Act (Tex. Govt. Code. Ann. Ch. 552)
Conflicts of Interest (Tex. Loc. Govt. Code, Ch. 171, Ch. 212)
Official Misconduct (Tex. Penal Code, Ch. 36, Ch. 39)
Nepotism (Tex. Rev. Civ. Stat. Ann., arts. 5996a & 5996b)
Whistleblower Protection (Tex. Rev. Civ. Stat. Ann., art. 6552-16a)

Competitive Bidding and Procurement (espec. Tex. Loc. Govt. Code, Ch. 252)

State Penal Laws

Bribery (Tex. Penal Code, § 36.02)
Coercion of Public Servant or Voter (Tex. Penal Code, § 36.03)
Improper Influence (Tex. Penal Code § 36.04)
Tampering with a Witness (Tex. Penal Code § 36.04)
Retaliation (Tex. Penal Code § 36.06)
Gifts to Public Officials (Tex. Penal Code § 36.08)
Offering Gift to Public Servant (Tex. Penal Code § 36.09)
Abuse of Office (Chapter 39)
Official Misconduct (Tex. Penal Code § 39.01)
Official Oppression (Tex. Penal Code § 39.02)
Misuse of Official Information (Tex. Penal Code § 39.03)

City Documents

In addition, the City of Denton Charter, the City Council Rules of Procedure, House Rules and Code of Election Ethics are applicable.

The Ethics Policy is designed as a positive guide to the behavior and decorum of Council and board members as they represent the citizens of Denton. I will voluntarily accept reprimand from my colleagues if I should act contrary to this policy.

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

PASSED AND APPROVED this the 17th day of January, 2006.

Euline Brock
EULINE BROCK, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: Jennifer Walters

APPROVED AS TO LEGAL FORM:
EDWIN M. SNYDER, CITY ATTORNEY

BY: _____

Ethics Ordinance

The City Council adopted Ordinance No. 18-757 establishing a Code of Ethics, applicable to the City Council, Board of Ethics, Historic Landmark Commission, Planning and Zoning Commission, Public Utilities Board, and Zoning Board of Adjustment. It further outlines ethical standards that all boards/commissions should be aware of. This information is provided by the City Secretary's office at the time of (re)appointment. Annual training is required and coordinated through the City Auditor's office. The most up-to-date Ethics Code can be found at:

https://library.municode.com/tx/denton/codes/code_of_ordinances?nodeId=SPACOOR_CH2AD_ARTXIET.

In the event any member of the Board of Ethics, Historic Landmark Commission, Planning and Zoning Commission, Public Utilities Board, and Zoning Board of Adjustment fail to complete the ethics training within the timeframe specified by the City Auditor's office at time of initial appointment or annually thereafter, that failure shall constitute for-cause removal as outlined in City Charter, Article XIV, Section 14.16. At that time, the City Secretary's Office shall send written notification to the member of such failure; and as required under §14.16 of the Charter of the City of Denton, advising the member of his/her upcoming removal for cause at a duly posted meeting if the member fails to remedy within 10 business days as of the date of that notification letter. In the event the member fails to submit all the required appointment forms within those 10 business days, the City Secretary shall place an action item on the next available agenda providing for the removal of the board member. City Council shall reserve the right to consider reappointment of the individual either to the same or a different board, commission or committee. If the Denton City Code specifically provides for additional steps in removal of a member, that process shall be followed by the City Secretary in consultation with the City Attorney.

Communication with City Council

In accordance with Resolution R2012-030, upon consensus of a board or commission, such board may request that staff propose questions regarding public policies or prepare policy statement recommendations regarding a matter that clearly falls within the scope and purpose of the board. Such policy recommendations or questions, once approved by a majority of the board or commission, will be forwarded to the City Council for their response or consideration as the Council determines appropriate.

Boards and commissions may provide an annual or more periodic report to the City Council as appropriate outlining their activities, accomplishments, projects, and initiatives. Content of the report may be customized by each board. Upon approval of a majority of the board, such reports will be provided to the City Secretary's office to be forwarded to the entire City Council.

Advisors, Subcommittees, and Ad Hoc Committees

No City board shall appoint persons outside its membership as advisors or to subcommittees, ad hoc committees, or other accessory entities without prior approval of the City Council.

The following provisions of the handbook are not applicable to Citizen Task Forces, Ad Hoc Boards, Commissions, and Committees:

a. Service Limitations
b. Oath of Office
c. Orientation and Training
d. Penalties and Remedies for TOMA Violations

Additional Guidelines for City Council Committees

- Committees will generally be formed by resolution which will provide for the committee's membership, election of chair and vice chair, and purpose.
- No more than three Council members shall serve on any committee.
- Council committee meeting agendas will be posted in accordance with the Open Meetings Act, Chapter 551 of the Texas Government Code. The Open Meetings Act requires committee meeting agendas must be publicly posted at least 72 hours in advance of the meeting. Only items posted on the agenda may be discussed and/or action taken during the committee meeting.
- The committee may convene into closed session in compliance with the Open Meetings Act.
- Robert's Rules of Order pertaining to small assemblies may be consulted regarding the conduct of the committee meetings.
- A quorum of the committee members must be present to hold a committee meeting or to take committee action. A quorum is considered to be more than half of the Council committee members unless otherwise stated in the Denton Code of Ordinances.
- Each member of the committee shall have one vote and members must be present to cast a vote.
- A draft of meeting minutes shall be sent to all committee members as part of the upcoming agenda packet. Such draft may be distributed to the City Council upon direction of the City Manager. Minutes will be submitted for approval by the members present at the next meeting with revisions, corrections, or amendments being made at that time. However, the chair may direct the draft minutes be shared with the entire City Council when the information regarding the action of the committee is needed to conduct official business and the draft minutes have not been officially approved by the committee.
- The acts of the majority of the members present at the meeting are the acts of the committee.

CONFLICTS OF INTEREST

The State's conflict of interest law, Chapter 171 of the Texas Local Government Code, although only applicable to officers of the City, has been made applicable to all board members, whether advisory or governmental, by Denton's Charter. However, the penal provisions of Chapter 171 are not applicable to advisory board members.

Chapter 171 requires a board member with substantial interest in a business entity or real property to file an affidavit with the staff liaison and abstain prior to a vote or decision on any matter involving the business entity or real property if the action on the matter will have a special economic effect on the business entity distinguishable from the effect on the public, if it is foreseeable that the action on the matter will have a special economic effect on the value of the real property, distinguishable from its effect on the public. For example, the Attorney General (AG) has opined that a special economic effect on the value of real property distinguishable from the affect on the public exists when a P&Z board member has an interest in real property located within 200 feet of property being rezoned. However, the AG made it clear that these evaluations are highly fact intensive. Ask yourself the question, will this action before my board affect the value of my real property in a manner that is different from public at large?

- You have a substantial interest in a business entity (non-profit or government entity is not a business entity) if:

    1. You own 10 percent or more of the voting shares of the business entity or own either 10 percent or more or $15,000 or more of its fair market value; or

    2. You received funds from the business entity exceeding 10 percent of your gross income for the previous year.

- You have a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of $2,500 or more.

- You have a substantial interest if your close relative (within the first degree of consanguinity and affinity) has a substantial interest.

A violation of Chapter 171 is a Class A misdemeanor.

If you think you have a Chapter 171 conflict, contact the staff liaison prior to the meeting to make arrangements for the signing of the required affidavit. The affidavit must be signed prior to the item being considered. You should announce that you have a conflict at the meeting and excuse yourself from the room while the item is being considered. You should not participate on the matter, including contacting members of the board or staff concerning the matter. However, if you have any questions whether you have a Chapter 171 conflict, consult the City Attorney's office. The staff liaison is responsible for timely submitting such affidavit(s) to the City Auditor's office.

Incompatibility of Office

The common law doctrine of incompatibility of office prohibits you from holding two conflicting public offices. This only applies to governmental board members. You cannot hold another public office that conflicts with your duties with the board. Because this is very fact sensitive, you should consult with the City Attorney's office if you hold another public office. You should do this prior to being sworn in as a governmental board member, as your acceptance of the governmental board appointment may result in the automatic forfeiture of your other public office.

Appearance of Conflict

There are times you will have a perceived conflict of interest even though it is not a conflict that is prohibited by law or the City Code of Ethics for applicable boards/commissions. In those cases, you should make a judgment call as to whether you should abstain from the matter. The City's Ethics Policy states:

> "I will act with integrity and moral courage. I will be absolutely truthful. I will make impartial decisions that are free of bribes, unlawful gifts, narrow political interests and other personal interests that might impair my independence of judgment. I will always decide what is best for the whole city…"

If you think the perceived conflict affects your ability of independent judgment or there is a strong appearance that you lack the ability to divorce yourself from the perceived conflict in making a decision, you should carefully consider whether abstention is appropriate. Often, these are difficult judgment calls for which there are no absolute right answers. In making your decision, you should weigh the harm of participating against your general duty to serve on the board. You have a duty to participate and vote on all matters that come before the board, unless you have a conflict or you lack information to decide the issue. Do not hesitate to contact your staff liaison who will refer the inquiry to the appropriate office for guidance.

Chapter 176 Conflicts Disclosure

Chapter 176 of the Texas Local Government Code requires you to file a Conflicts Disclosure Statement ("CIS") with the City Secretary if you or your family member (a) has an employment or business relationship with a City contractor or vendor that results in taxable income, or (b) received or accepted one or more gifts from a city Contractor or vendor (excluding gifts of food, lodging, transportation, or entertainment accepted as a guest) with an aggregate value of $100 in the preceding 12 months. You are required to file the form within seven days after you become aware of the relationship with the City. The CIS is signed under penalty of perjury and it is a Class C misdemeanor to fail to timely file the form. However, it is a defense to prosecution if you file the CIS not later than the seventh day after you receive notice of violation. Therefore, you have two chances to comply.

Appearing before City Boards and Commissions

If you appear before your own board or commission in a private capacity, you must recuse yourself from any deliberation regarding that or any matter which could result in a conflict of interest or give the appearance of a conflict of interest. Further, you must not insinuate you are representing your board or commission in the event you choose to appear before the City Council or other board or commission. You must be clear regarding which capacity you are appearing, either as a board member or a private citizen.

TEXAS OPEN MEETINGS ACT

By City Council rule, all boards must comply with the Texas Open Meetings Act. The Act generally provides that meetings of a governmental body shall be public, although there are a few exceptions whereby a decision-making body may deliberate in a closed meeting. Written notice must be given of dates, times, and locations of all meetings. Minutes of each meeting must be taken and a record of votes and decisions kept as public record. There are criminal penalties for holding an unauthorized closed meeting for boards with decision-making authority. It is important that when more than two members are in any given place where City business is being discussed, the meeting should be posted as a precautionary measure to avoid the accusation of attempting or conspiring to conduct City business in private. It is also very important that the board limit discussion during meetings to only those items listed on the posted agenda. Conversation or action on items not posted on the agenda would also be considered a violation of the Act. The Open Meetings Act does not apply to purely social gatherings, conventions, or workshops such as Texas Municipal League events. Any specific question or issues should be referred to the City Attorney's office, through the staff liaison.

Open Meetings Act

The Open Meetings Act (hereinafter called the "Act") is located in Chapter 551 of the Texas Government Code. The Act generally provides that meetings of a board shall be public. There are exceptions to this general rule, as will be discussed. It also requires that the public be given notice of the time, place, and subject of such meeting. It is important to remember when considering the Act's requirements that compliance with its provisions is mandatory, not discretionary.

What Constitutes a Meeting?

A. Definition of Meeting

A board becomes subject to the Act when it conducts a meeting. A meeting is "a deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal action." It also includes "a gathering: (i) that is conducted by the governmental body or for which the governmental body is responsible; (ii) at which a quorum of members of the governmental body is present; (iii) that has been called by the governmental body; and (iv) at which the members receive information from, give information to, ask questions of, or receive questions from any third person, including an employee of the governmental body, about the public business or public policy over which the governmental body has supervision or control." The definition specifically includes a session of a board.

The term "deliberation" is important to define what a meeting is under the Act. Deliberation is "a verbal exchange during a meeting between quorums of a governmental body, or between a quorum of a governmental body and another person, concerning an issue within the jurisdiction of the governmental body or any public business." Included in the meaning of a verbal exchange is written and non-spoken communications.

B. Social Gatherings

The Act specifically excludes informal or social functions from the definition of meeting. However, if a quorum of a board assembles in an informal setting, it will still be subject to the requirements of the Act if the members engage in a verbal exchange about public business or policy. Therefore, it is important for members of a board to be cautious about the topics of conversation at social gatherings where a quorum of the body is present.

C. Employee Briefings

Prior to 1999, the Act permitted a board to have briefings by third parties or employees outside of open session. However, the 76th Legislature repealed that provision. The definition of "meeting," as restated above, was amended to specifically include such briefings. Now, a board will be subject to the Act during briefings, even if no deliberations occur. Further, a board may be subject even during public comment sessions of meetings.

D. Telephone and Videoconference Meetings

Telephone meetings do not comply with the Act. It is considered a secret deliberation, which is not permitted. There are very limited emergency cases whereby it could be conducted. However, any such telephone conferencing should never be conducted without consulting the City Attorney's office. Videoconferencing is allowed only in limited circumstances, and consultation with the City Attorney's office should occur before videoconferencing is considered. Videoconferencing, if/when permitted, shall follow regulations established by State law or the City Council Rules of Procedure.

Notice

A. Content

The Act specifically requires that before a meeting of a board is conducted, written notice of the date, hour, place, and subject matter of the meeting must be properly posted. The content of the notice must be sufficient to apprise the general public of the subjects to be considered at the meeting. Compliance with this provision is often very fact specific. Therefore, it is recommended that the board work closely with the staff liaison and either the City Manager's office or the City Attorney's office when posting the subject matter of each proposed meeting in order to ensure compliance.

B. Place of Posting

The Act provides for specific places to post the notice of a meeting, depending on the type of governmental body. For municipal governing bodies, notice should be posted on a bulletin board at a place convenient to the public in the City Hall and the City's website. Additionally, the City Council agenda must be posted on the City's website. The City Secretary's office shall ensure proper posting of these notices.

C. Time of Posting

The notice of a meeting of a board must be posted in a place readily accessible to the general public at all times at least **72 hours** before the scheduled time of the meeting. There are very few emergency exceptions to this rule. In cases of emergency or urgent public necessity where there is an imminent threat to public health or a reasonably unforeseeable situation, a one-hour posting is permitted. The notice must clearly identify the emergency or urgent public necessity. A determination that an emergency exists is subject to judicial review. Before any deviation from the "72 Hour Rule," the City Attorney's office should be consulted.

D. Recess in a Meeting

A board may continue a meeting from one day to the next day without reposting on any item(s) noted on the original posting. However, notice must be reposted if a meeting is continued to any day other than the one immediately following the posted meeting day, or any item that must be considered.

Open Sessions

A. Convening the Meeting

A meeting may not convene unless a quorum of the board is present in the meeting room. This rule applies even if the members of the board plan to go into closed meeting after convening the meeting. This applies the general rule that the members of the public are entitled to know what members are present for the closed meeting and if a quorum is present.

B. Rights of the Public

An "open meeting" is one that the public is permitted to attend**.** However, the Act does not entitle the public to choose items to be discussed.

The public or any of the board members may raise a subject not included in the agenda, but the discussion must be limited to a proposal to include that item on the agenda for the next meeting. Moreover, the public has a right to tape or record any open meeting. However, the board has the right to regulate the placement of equipment and the manner in which the meeting is being recorded.

C. Public Comment

A board may give members of the public an opportunity to speak at a public meeting (known as Open Microphone). If such a public comment period is permitted, the board may set reasonable limits on the number, frequency, and length of the presentations before it. The opportunity to speak under that category should appear at the beginning of the board agenda. However, it cannot unfairly discriminate among speakers for or against a particular point of view. Moreover, many quasi-judicial boards are bound legally to permit certain citizens to speak on specific agenda items that relate to the citizen's property. Because such a period is included in the definition of a meeting, it must be posted in the notice of the meeting. The term "public comment" does provide sufficient notice of one of these periods when no deliberation occurs among the board. However, if any of the members of the board or its employees have prior knowledge of the subject matter to be commented on by the public, the item to be discussed must be specifically posted on the notice.

D. Final Actions

The general rule is that a final action, decision, or vote on a matter deliberated in either an open session or a properly conducted closed meeting (discussed below) may only be made in an open meeting that is held in compliance with the Act. Therefore, a board may not vote with a secret ballot or take action by a written agreement without a meeting. The general rule is that if the board has the authority to make a decision or take an action, the board should act in open session.

Closed Meetings

A. Overview

There are a few exceptions listed within the Act, whereby a board may deliberate in a closed meeting. It is important to remember that pursuant to City policy, if a board of the City of Denton wishes to conduct a closed meeting, the City Attorney's office must be consulted to avoid any violations of the Act. A request for a member from the City Attorney's office should be submitted to that office as soon as possible to provide for legal representation at the closed meeting, if applicable. A certified agenda for that closed meeting must be submitted to the City Secretary's office within 3 working days, unless otherwise stated under Section B below.

Before a closed meeting may be conducted, a quorum of the board must convene in open session, and the presiding officer must announce that a closed meeting will be held and then identify the section(s) of the Act under which the closed meeting will be held. The posted agenda must also state the specific provisions of the Act under which any closed meeting will be held and a general statement as to the topic to be discussed.

B. Provisions Authorizing Closed Meetings

Listed below are the most common exceptions available to boards. It is important to remember that the Act will not permit a closed meeting in cases where the City's Charter or another law requires it to be open.

1. Section 551.071: Consultations with Attorney

This section allows a board to consult with its attorney in a closed meeting to seek his or her advice on legal matters. This section is often invoked in order for a board to consult with its attorney regarding pending or contemplated litigation. However, it may be held to discuss other legal matters. A discussion under this exception may relate only to legal proceedings or legal matters. General discussion of policy, unrelated to legal matters, is not permitted under this exception. [A certified agenda for this category is not required for discussions held under this category.]

2. Section 551.072: Deliberations about Real Property

This section permits a board to deliberate the purchase, exchange, lease, or value of real property in closed meeting. However, this will only be allowed in closed meeting when public discussion of the subject would have a detrimental effect on the board's negotiation position with respect to a third party. It does not allow the board to make a deal in private, without public input or debate.

3. Section 551.073: Deliberations about Gifts and Donations

This section permits a closed meeting to deliberate a negotiated contract for a prospective gift or donation to the governmental body. However, this is only allowed if deliberation in an open meeting would have a detrimental effect on the position of the board with a third party as explained above.

4. Section 551.074: Personnel Matters

This section permits a closed meeting to deliberate about officers and employees of the board. It is important to note the primary interest protected by this section is the protection of the reputation of the *individual* officer or employee under consideration. Moreover, this section only permits deliberation in closed meeting on individual officers or employees. Discussion about a *class* of employees must be conducted in open session. Also, the public officer or employee that is the subject of the meeting may request that session occur in a public hearing.

5. Section 551.075: Deliberation about Security Devices

This section permits a closed meeting to deliberate the deployment, or specific occasions for implementation of security personnel or devices.

6. Section 551.086: Competitive Matters of Certain Public Power Utilities

This section permits certain boards of public power utilities to deliberate, vote, or *take final action* on any competitive matter related to the utility in closed meeting. A competitive matter is defined as: "a utility-related matter that the public power utility governing body in good faith believes is related to the public power utility's competitive

activity, including commercial information, and would, if disclosed, give advantage to competitors or prospective competitors but may not be deemed to include" several categories of information specifically set out in the Act. Further, notice of the subject to be discussed in the session is required to contain no more than a general representation of the subject matter.

7. Section 551.087: Deliberation about Economic Development Negotiations

This section permits a closed meeting to deliberate commercial or financial information the board has received from a business prospect that it seeks to have locate, stay, or expand in or near the territory of the board and with which it is conducting economic negotiations, or deliberating about an offer of an incentive to such a business prospect.

Records of Meetings

The Act requires that minutes or a tape recording be kept of each open meeting. These shall be considered public information. Moreover, during a closed meeting, either a certified agenda or tape recording of the session must be kept, except as provided under the Texas Local Government Code, section 551.103, which states, in part, "… except for a private consultation permitted under section 551.071…" The records kept for the closed meeting are considered confidential information and may not be released unless ordered by a court.

Penalties and Remedies for Violations of the Act

A. Voidability of a Boards Actions

If any action by a board violates any provision of the Act, that action is voidable. This means that any interested party may challenge an action of the board in court. If a court finds a violation of the Act occurred, it might declare the particular action by the board is void.

A board that has taken action that violates the Act may meet again and validly authorize that action at a meeting where the public has received adequate notice. However, this action is generally effective only from the date of the new meeting and only if the new meeting complies with the Act.

B. Mandamus, Injunction, or Declaratory Judgment

The Act provides that any interested person, including a member of the news media, may bring an action by mandamus or injunction to stop, prevent, or reverse a violation or threatened violation of the Act. To enforce provisions of the law, a court may require a public official to perform duties imposed on him by law by issuing a writ of mandamus. A mandamus commands the doing of an act, whereas an injunction is issued to restrain an act. Courts have also allowed

parties to bring a declaratory judgment action. In this type of proceeding, a court would be authorized to determine the rights, status, duties, and other legal regulations of various persons, including the public officers. Thus, a court may determine the validity of a board's actions under the Act in such a proceeding.

Furthermore, the Act provides that a court may award reasonable attorney fees and litigation costs to the party who substantially prevails in an action brought under the Act. This relief is not mandatory, but rather up to the court. Further monetary damage may be awarded against a board that violates the Act if a court finds the action caused direct monetary damage to the aggrieved party.

C. Criminal Provisions

A very important issue to note is that the Act does provide for criminal penalties for violations. A member or group of members of a board commits a criminal offense if they knowingly conspire to circumvent the Act by meeting in numbers less than a quorum for the purpose of secret deliberations.

A member of a board commits an offense if a closed meeting is not permitted by the Act and the member knowingly: (1) calls or aids in calling or organizing the closed meeting, whether it is a special or called closed meeting; (2) closes or aids in closing the meeting to the public, if it is a regular meeting; or (3) participates in the closed meeting, whether it is a regular, special, or called meeting. It is an affirmative defense if the member acted in reasonable reliance on a court order or a written interpretation of the Act contained in an opinion of a court of record, the Attorney General, or the attorney for the board.

Also, a member of a board commits an offense if the member participates in a closed meeting knowing that a certified agenda of the closed meeting is not being kept or a tape recording of the meeting is not being made.

Another offense is committed when any person, corporation, partnership, without lawful authority, knowingly disclosed to the public the certified agenda or tape recording of a lawfully closed meeting.

Penalties for violation of the Act are a misdemeanor offense, punishable by a fine of between $100 and $500, one to six months in jail, or both.

Open Government Training

The City of Denton requires all board members to complete open government training through the Texas Attorney General's Office. Training is available online at www.texasattorneygeneral.gov. Upon completion of training, members must submit a completed certificate to the city secretary. Please contact the city secretary or city attorney for specific questions about open meetings requirements.

PROCEDURES FOR CONDUCTING A MEETING

The City Council has formally adopted rules of procedure that govern the proceeding of City Council, board, and commission meetings, except where these rules are silent. In that case, the most recent edition of *Robert's Rules of Order* shall govern. The rules of procedure also address the code of conduct and participation guidelines for citizens, staff, and board members. The City Council Rules of Procedure can be found at:

https://library.municode.com/tx/denton/codes/code_of_ordinances?nodeId=SPACOOR_CH2AD_ARTIIADOR_S2-29CICORUPR

Role of the Chairperson

The function of the chairperson is to provide leadership to the group in the following ways:

1. To maintain order by enforcing the established rules, and
2. To ensure the meeting proceeds smoothly and follows the agenda.

If the group is indecisive, the chairperson should exercise leadership and make suggestions. When debate is concluded, the chairperson should summarize the major points made. In general, the chairperson should maintain order and try to bring the group to a conclusion on matters before it.

To facilitate the chairperson's duties, staff should **always** provide copies of the agenda and corresponding back up material (in either hard copy or electronic form) to all board members before the meeting. Agendas must be made available at the meeting for any members of the public in attendance. The agenda should be prepared by the staff liaison assigned to work with the board.

Rules of Thumb

Here are a few obvious points that should be followed, but are often forgotten:

1. The chairperson should recognize the person or persons who wish to speak and only they should be allowed to speak. Others should hold their comments until they have been recognized by the chairperson.
2. Discuss only one point at a time.
3. If the meeting is a public hearing, the board should hear the public without making comments until questions are allowed by the chairperson.

Procedural Rules of Order

NOTE: While this review of parliamentary procedures has been designed to cover the most common situations a board member may encounter during the course of a meeting, these procedures may not always apply. They may be superseded because of legal constraints if the meeting is a public hearing. However, these basic procedures are usually acceptable during most meetings. Answers to complicated procedural questions can be found in *Robert's Rules of Order.*

1. *Making a motion* – Before discussion of an issue by board members, a motion should be made and seconded. The making of a motion normally occurs following a presentation or description of the issue by a staff member or chairperson. After the motion is made and seconded, debate can be conducted. Example of the proper form of a motion is: "Mr./Madam Chairperson, I move the following…"

2. *Amending a motion* – Any motion may be amended as follows: "Mr./Madam Chairperson, I move that we amend the motion by adding, deleting, etc. the following…" The amendment must be seconded before discussion can ensue. When discussion ends, the amendment is voted on first. If the amendment passes, the original motion is then put to vote as amended. If the amendment fails or receives no second, the original motion is put to a vote.

3. *Change by a Substitute Motion* – Another way to change an original motion is by use of the **substitute motion.** A substitute motion is simply an amendment that changes an entire sentence or paragraph. It must be seconded before discussion can take place. It may be amended and differs only from an amendment in that if the substitute motion passes, it eliminates the original motion.

4. *Table a Motion* – This motion is used to lay something aside temporarily to take care of a more urgent matter. It should not be used to prevent debate or to kill a question. To table an item requires a motion and a second. A vote is immediately taken without discussion. Once it has been decided to table an item, such item cannot be brought up again until the board votes to do so by a motion to "Take from the Table", which must receive an affirmative vote. Once removed from the table, the item can be discussed and voted upon.

   A question laid on the table remains there until taken from the table or until the close of the next regular meeting; if not taken up that time, the question dies.

5. *Postpone a Motion* – Another method of delaying a decision on a matter is to postpone to a certain day, or to a certain event with a reasonably definable date, the consideration of a motion. This is accomplished by simply making a motion to postpone consideration of the motion until a definite future date or event and having it seconded. The motion to

postpone is then open for discussion. Following discussion, a vote is taken. A motion to postpone indefinitely is a parliamentary strategy which allows members to dispose of a question without making a decision for or against. This type of motion, if passed, allows the item to return before the board or commission at a later date.

6. *Point of Order* – Any time a member feels an incorrect procedure is being used, the member can interrupt with a point of order request which requires the chairperson to decide the correct procedure.

7. *Suspension of the Rules* – Occasionally, board members may want to discuss a business item without the constraints of any rules. Unless the by-laws require otherwise, a two-thirds (2/3) vote of the members is needed to suspend the rules. This motion is not debatable and must be voted on upon being seconded.

8. *Tie Votes* – With the exception of the Planning and Zoning Commission, matters voted on by boards, commissions, and committees, which end in a tie-vote, regardless of the cause, shall be considered a denial. This provision applies to all task forces, ad hoc committees, or other limited duration groups established by the City Council.

What is a Quorum?

A quorum is the minimum number of members needed to officially conduct business. The quorum may be set by state law, the City Charter, the board's by-laws, or Robert's Rules of Order. Generally, a quorum is a majority of the members of a board or committee unless a different quorum is fixed by by-laws or by rule of the parent body. Approval of an action, except as otherwise provided by law, rule or regulation, requires a majority vote of persons legally entitled to vote, excluding abstentions, at a meeting at which a quorum is present.

Public Participation

The rules of procedure accommodate public comment on agenda items and public hearings. Members of the public may sign up to speak on regular agenda items by signing up with the recording secretary. Members of the public are also able to speak on items posted as a public hearing. Speakers generally have four minutes to address the board regarding the specific item. The agenda should reflect an item specifically designed to allow for such registration and may limit the number of individuals that can register.

BOARDS, COMMISSIONS & COUNCIL COMMITTEES

I. JUDICIAL OR QUASI-JUDICIAL BOARDS (Governmental Board Members)

Boards that use decision-making powers apply particular regulations to specific facts to make judgments or decisions on matters within their jurisdiction. The following six board/commissions are judicial or quasi-judicial boards, those that administer particular ordinances or regulations.

Board of Ethics

- Established by Ordinance No. 18-757 (§2-277 of the Code of Ordinances)

- Membership: Seven regular members and three alternate members appointed by the City Council. Preference in appointments shall be given to professionals such as attorneys, architects, engineers, doctors, teachers, pastors, mediators, retired jurists, licensed professional counselors, and those with licenses demonstrating high levels of education or master craftsmanship in the building trades. The Board shall be comprised of at least three (3) members who are attorneys or retired jurists.

- Purpose: Implements and enforces the Ethics Ordinance; administers oaths and affirmations, issues and enforces limited subpoenas to compel attendance of witnesses and the production of testimony, evidence, and/or documents as is reasonably relevant to complaints regarding violation of the ethics ordinance.

Civil Service Commission

- Established by Chapter 143 of the Texas Local Government Code.

- Membership: Three members appointed by City Manager and confirmed by City Council.

- Purpose: Ensures compliance with Chapter 143 of the Texas Local Government Code governing police and fire. The duties of the Commission include approval of eligibility hiring lists and holding hearings, upon appeal, on matters of promotions, performance, reclassifications, and other civil service issues.

Denton Housing Authority Board

- Established by Chapter 392 of the Texas Local Government Code.

- Membership: Five members appointed by the Mayor.

- Purpose: Prepares, acquires, leases, and operates housing projects. The Board also investigates housing conditions to determine when and where an economically depressed neighborhood exists, identifies revitalization areas, and provides accommodations for persons of low income. **Although appointed by the Mayor, the Housing Authority Board operates independently from the City of Denton.**

Health and Building Standards Commission

- Established by Ordinance No. 2010-133 (§2-261 of the Code of Ordinances).

- Membership: Seven members appointed by the City Council with two alternates
    - One (1) general contractor
    - One (1) architect or engineer
    - One (1) person from the plumbing industry
    - One (1) person from the electrical industry
    - Two (2) individuals who are associated with the construction, development, or real estate industry
    - One (1) additional member

  Ex-officio – city building official.

- Purpose: Hears and decides appeals of orders, decisions or determinations made by the Building Official, Code Official, or Fire Marshal relative to the application and interpretation of the requirements of the Denton Code of Ordinances and all other applicable codes of/adopted by the City of Denton.

Historic Landmark Commission

- Established by Ordinance No. 1980-030 (§2.3.6 of the Denton Development Code).

- Membership: Nine members appointed by the City Council, including at least one (1) representative from each of the following organizations or professions:
    - County historical commission
    - County bar association
    - Architect
    - Certified public accountant
    - Owner of real property in the city

  Ex-officio – Director of Planning, City Building Official, Chairman of the County Historical Commission.

- Purpose: Recommends to the Planning & Zoning Commission and City Council those buildings, structures, sites, districts, and areas in the city that the Commission has determined should be preserved and designated as historic landmarks. The Commission also regulates design review for designated properties and districts.

Planning & Zoning Commission

- Established by Ordinance Nos. 76-12, 99-057, and 2006-232 (§10.02 of the City Charter); also referenced in §2.3.3 of the Denton Development Code).

- Membership: Seven members appointed by the City Council.

- Purpose: Makes decisions or recommendations to the City Council regarding the Comprehensive Plan, Development Code, zoning regulations, long-range planning, zoning changes, platting, and other development-related policies as required or permitted by State law or Council policy.

Zoning Board of Adjustment

- Established by Ordinance Nos. 69-1, 94-078, and 99-218 (§10.07 of the City Charter; also referenced in §2.3.4 of the Denton Development Code).

- Membership: Seven members and three alternate members appointed by the City Council.

- Purpose: Provides a vehicle for citizens to appeal zoning interpretations and decisions of the Building Official, and request variances from the zoning and sign regulations in the Denton Development Code. The Board may also make final decisions regarding changes, the reestablishment, or termination of nonconforming uses within the city.

II. ADVISORY BOARDS

Advisory boards advise or make recommendations to a person or the City Council and have no final decision-making authority. The following bodies serve in an advisory function:

Airport Advisory Board

- Established by Ordinance No. 97-299; amended by Ordinance No. 2011-055 (§3-109 of the Code of Ordinances) and further referenced in Ordinance No. 20-240.

- Membership: Seven members appointed by the City Council.

- Purpose: Serves in an advisory capacity to the City Council on matters relative to airport safety, flight and ground operations, safety and security issues arising from the creation and development of long-term master plans; tenant/stakeholder outreach; the Airport Business Plan and the Airport Master Plan; airport infrastructure improvement or other major projects impacting the airport; grant funding for the airport; and long term financial planning and budgetary issues affecting the airport.

Animal Shelter Advisory Committee

- Established by Ordinance No. 2000-460; amended by Ordinance No. 2006-330 and §823.005 of the Texas Health & Safety Code (§6-6 of the Code of Ordinances).

- Membership: Seven members appointed by the City Council, composed of at least:
    - One (1) licensed veterinarian who has a principal place of business or a residence in the City of Denton
    - One (1) city official
    - One (1) person whose who is employed by the City of Denton Animal Shelter
    - One (1) representative of an animal welfare organization
    - Three (3) people who are not involved by occupation or membership in any of the above categories

- Purpose: Assists the City in complying with the provisions of the Animal Shelter Act and makes recommendations to the City Council regarding methods and procedures necessary to ensure compliance with the Act.

Committee on Persons with Disabilities

- Established by Resolution No. 18-1741

- Membership: Eleven citizens appointed by the City Council. Each Council Member shall appoint one citizen who resides in his/her respective district and four committee members will be appointed at-large. In the case of the Mayoral, Place 5 and Place 6 districts, citizens may reside in any district of the City.

- Purpose: Advises the City in those areas of committee interest including but not limited to, disability concerns such as accessibility and accommodations for City project and activities. Some of the specific projects may include the following: (a) construction of new sidewalks, ramps, and crosswalk features; (b) replacing and repairing existing sidewalks, ramps, and crosswalk features; (c) the creation of an ADA Transition Plan; (d) the planning and development of an adaptive/handicap accessible park; (e) provide guidance on incorporating new or enhanced signage at the City facilities; (f) advise on improvements for new and existing city facilities; (g) provide input on parking lot rehabilitation projects; (h) provide input for improving City operations (i) provide input for improving the operation of other entities; and (j) provide input on Parks and Recreation adaptive activities.

Community Development Advisory Committee

- Established by Resolution passed by the City Council on September 19, 1978 (resolutions not numerically numbered at that time).

- Membership: Nine members appointed by the City Council.

  Ex-officio – City Manager, or his designee.

- Purpose: Holds public hearings and makes decisions regarding the expenditure of federal Community Development Block Grant and Home Investment Partnership Program monies.

Denton Police Department Chief of Police Advisory Board

- Established by Resolution No. 20-2085 (§23-177 of the Denton Code of Ordinances).

- Membership: Comprised in total of 11 regular members. Seven Citizen Members appointed by the City Council. The remaining members shall be appointed by the City Manager as follows: One officer of the DEPARTMENT at the rank of Assistant Chief or below; One member from the Denton Police Officers Association; One member from the Denton Municipal Police Association; One member from the City Manager's Office.

  Ex Officio: The Chief of Police may, at his discretion, appoint up to five (5) non-voting members from other organizations, such as the University of North Texas, Texas Woman's University, and Denton Independent School District.

- Purpose: Assists with review, gathering of community input, and establishing clear findings, conclusions and achievable recommendations that promote the use of best practices in the use-of-force policies and training for the Denton Police Department.

Development Code Review Committee

- Established by Ordinance No. 21-647. NOTE: Replaced the *Ad Hoc* Development Code Review Committee.

- Membership: Six (6) voting members: three (3) City Councilmembers and three (3) Planning and Zoning Commissioners. Members of the Development Code Review Committee must be current members of the Planning and Zoning Commission or current elected City Council members of the City of Denton.

- Purpose: Reviews proposed Denton Development Code amendments and makes recommendations to the Planning and Zoning Commission and the City Council regarding proposed Denton Development Code amendments.

Downtown Denton Tax Increment Financing Reinvestment Zone Board

- Established by Ordinance No. 2010-316 and §311.009 of the Tax Increment Financing Act.

- Membership: Seven members: two are City Council members, two are either property owners of property located within the Tax Increment Reinvestment Zone or residents whose primary residence is located within the Tax Increment Reinvestment Zone, two are either business owners of businesses located within the Tax Increment Reinvestment Zone or members of the Denton Chamber of Commerce Board of Directors, and one a qualified voter of the City of Denton.

- Purpose: Makes recommendations to the City Council concerning the administration of the Zone; prepares and adopts a project plan and Tax Increment Financing Reinvestment Zone financing plan for the Zone and submits the plans to the City Council for approval; prepares, implements and monitors such project and financing plans for the Tax Increment Financing Reinvestment Zone as the City Council considers advisable including the submission of an annual report on the status of the Zone.

Economic Development Partnership Board

- Established by Ordinance No. 2017-203 (repealed Ordinances Nos. 2003-258, 2011-042, 2014-009, 2015-074, and 2015-249) (§2.251 of the Code of Ordinances).

- Membership: Twelve members: (1) two members from City Council at the time of their appointment, who must also serve on the Tax Increment Reinvestment Zone No. 2 Board; (2) two members from the Chamber Board of Directors at the time of their original appointment who reside or work in the city; (3) two members who will be, or must be currently employed by a top 20 City of Denton ad valorem or sales tax payer and who reside or work in the city; (4) the President of UNT or his/her designee who does not have a city residency requirement; (5) the Chancellor and President of TWU or his/her designee who does not have a city residency requirement; (6) a member with knowledge or experience in general aviation-related matters with no financial interest at the Denton Municipal Airport and who resides or works in the city; (7) a citizen of Denton with specific knowledge skills and abilities to assist in the functions of the Economic Development Partnership Board; (8) a member nominated by the Denton Black Chamber Board of Directors who resides or works in the City; (9) a member nominated by the Hispanic Chamber Board of Directors who resides or works in the City. To aid the City Council in making appointments to the Board, the City Council will appoint two City Council members and one Chamber of Commerce member to act as a nominating committee. After evaluating the recommended nominees, the committee will present to the City Council a slate of Board nominees for City Council approval.

  Ex-officio – City Manager, or his designee, Chamber President and Superintendent of Denton Independent School District.

- Purpose: Provides economic development policy guidance and makes recommendations to the City Council and Chamber of Commerce; reviews, considers and makes recommendations to the City Council regarding branding and marketing for the Denton Enterprise Airport; reviews, considers and makes recommendations to the City Council regarding Denton Enterprise Airport incentive policies as assigned by the City Council or requested by the City Manager; and acts as a recommending body to the City Council for specific airport economic development incentives as assigned by the City Council or requested by the City Manager and permitted by City and State law.

Human Services Advisory Committee

- Established by Ordinance No. 89-098 (§14-61 of the Code of Ordinances).

- Membership: Eleven members appointed by the City Council.

  Ex officio – City Manager, or his designee.

- Purpose: Serves in an advisory capacity to encourage continuous evaluation of the human services delivery system and to recommend actions and funding to the City Council that would provide human services in the city.

Library Board

- Established by Ordinance No. 84-162 (§2-176 of the Code of Ordinances).

- Membership: Seven members appointed by City Council.

- Purpose: Serves in an advisory capacity to the City Council to recommend operating policies, and programs for the operation of the library system.

Parks, Recreation and Beautification Board

- Established by Ordinance Nos. 99-219 and 2000-436 (§11.02 of the City Charter).

- Membership: Seven members appointed by the City Council.

- Purpose: Serves in an advisory capacity to the City Council to make recommendations regarding issues related to community appearance, beautification, and the environment of the City and the entrances into the City. The Board is charged to stimulate public interest in the development and maintenance of parks and playgrounds and a well-rounded community-wide program to promote close cooperation between the City and citizens so that all park and recreational facilities are used to their maximum benefit.

Public Art Committee

- Established by Ordinance No. 2006-105; amended by Ordinance Nos. 2013-207 and 19-1156 (§22-6 of the Code of Ordinances).

- Membership: Nine members appointed by the City Council. Two of the nine members will be nominated by the Greater Denton Arts Council and appointed by the City Council.

  Ex-officio – Parks and Recreation Department Director, Economic Development Department Director, and the Greater Denton Arts Council Executive Director.

- Purpose: Makes recommendations to the City Council on the commissioning, placing, and the installing of public art; implementation of funding mechanism(s) for public art; effective and efficient management of public art; ongoing maintenance of public art; and the accessioning, deaccessioning, re-siting of public art; and oversight of cultural districts.

Public Utilities Board

- Established by §12.07 of the City Charter.

- Membership: Seven members appointed by City Council.

  Ex-officio – City Manager and Director of Utilities.

- Purpose: Reviews the department of utilities budget and makes recommendations to the City Council in the format required by the City Manager. The Board is authorized to expend funds for information and advertising. All matters relating to utility policies, capital projects, rates, and the sale and issuance of utility bonds are submitted to the Board for review and recommendation prior to Council consideration. The Public Utilities Board makes recommendations for the Capital Improvement Program pursuant to the provisions in the City Charter.

Sustainability Framework Advisory Committee

- Established by Resolution No. 21-2575.

- Membership: Seven members appointed by City Council. Not less than four (4) of the members of the committee shall have academic, professional, occupational, or volunteer knowledge and/or experience in one or more of the following areas set forth in the Sustainability Framework: air quality; water; energy; transportation; resiliency; education; solid waste; and, land use.

- Purpose: Advises the City Council on the implementation of, and matters related to, the City's Sustainability Framework.

Tax Increment Reinvestment Zone Number Two Board

- Established by Ordinance No. 2012-366; amended by Ordinances 2014-039, 2014-274, 2015-370, and 2016-354, and §311.009 of the Tax Increment Financing Act.

- Membership: Fourteen members, twelve (12) of whom shall be appointed by the City Council. The membership consists of the twelve members of the Economic Development Partnership Board (of whom two must be sitting council members), one member appointed by the governing body of Denton County and one member appointed by the "developer", Rayzor Investments, LLP.

- Purpose: Makes recommendations to the City Council concerning the administration of the Zone. Prepares and adopts a project plan and Tax Increment Reinvestment Zone financing plan for the Zone and submits the plans to the City Council for approval. Prepares, implements and monitors such project plan and financing plan for the Zone as the Council considers advisable, including the submission of an annual report on the status of the Zone.

Traffic Safety Commission

- Re-established by Ordinance No. 2010-317.

- Membership: Seven members appointed by the City Council.

- Purpose: Serves in an advisory capacity to the City Council on matters brought forward to the Commission by the City Manager, or his/her designee, or assigned by the City Council which pertains to traffic safety education and publicity; ways and means of improving traffic conditions and safety for motor vehicles; bicycle and pedestrian safety; implementation of traffic control devices; public parking restrictions; or roadway speed limit designations.

III. CITY COUNCIL COMMITTEES

The Denton City Council has internal advisory committees, as well as representation on local and regional committees. Assignments to the committees are made following the May city council election. Council members submit requests for committee assignments, with committee membership designated following a Council discussion of the requests.

Agenda Committee

- Established by Ordinance No. 2016-197.

- Membership: Mayor, Mayor Pro Tem, City Manager.

- Purpose: Reviews the City Manager's proposed City Council agendas as to form and agenda content.

Audit/Finance Committee

- Established by Resolution No. R2009-015.
- Membership: Three City Council members.

  Ex-officio – City Manager, or his designee.
- Purpose: Assists the City Council in fulfilling its organizational oversight responsibilities relating to the audit function, the investment function and other financial related activities as delegated by the City Council.

City Council Airport Committee

- Established by Resolution No. R2011-009
- Membership: Three City Council members.
- Purpose: Reviews, considers and makes recommendations to the City Council on: the Airport Business Plan and the Airport Master Plan; any airport infrastructure improvement or other major project impacting the airport; the acquisition, review, and consideration of grant funding for the airport; contracts and leases of airport property, including recommending appropriate terms to the City Council; long term financial planning and budgetary issues affecting the airport; and issues raised as a result of interface between citizens, airport tenants, or other interested parties.

Committee on Community Engagement

- Established by Resolution Nos. R2012-026 (Committee on Citizen Engagement) and 20-1873 (name changed to Committee on Community Engagement).
- Membership: Three City Council members appointed by Mayor and approved by City Council.
- Purpose: Advices both the City Council and/or staff regarding the timely distribution of accurate and complete information to Denton citizens and devise methods of engaging Denton Citizens in the various processes of city government.

Committee on the Environment

- Established by Resolution No. R2009-015.
- Membership: Three City Council members.

  Ex-officio – City Manager or designee.

- Purpose: Reviews, discusses, deliberates, and considers environmental issues and resources and make recommendations to the City Council. Also deliberates and makes recommendations regarding any other matter delegated to the Committee by the City Council.

Council Appointee Performance Review Committee

- Established by Resolution No. R2009-015.

- Membership: Three City Council members.

  Ex-officio – Director of Human Resources.

- Purpose: Assists the City Council in performance review of the Council appointees and to ensure 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, makes recommendations regarding employment agreements, including renewals, of Council appointee positions.

Council Mobility Committee

- Established by Resolution No. R2009-015.

- Membership: Three City Council members.

  Ex-officio – City Manager, or his designee.

- Purpose: Reviews, considers and makes recommendations to the City Council regarding any changes to the Mobility Plan, local transportation policy, and any items concerning regional transportation policies and activities.

Community Partnership Committee

- Re-established by Resolution Nos. 18-1710 (Hotel Occupancy Tax and Sponsorship Committee) and 20-1471 (name changed to Community Partnership Committee).

- Membership: Three City Council members, at least two of whom serve on the Convention and Visitors Bureau Advisory Board.

  Ex-officio – City Manager, or designee.

- Purpose: Monitors allocation and use of both the hotel occupancy tax and sponsorship funds, ensuring HOT funds are being used to directly enhance and promote tourism and hotel/convention industry, ensuring the sponsorship funds are being used to further a charitable cause, economic or community growth and serve a public purpose in the best interest of the general welfare of the City of Denton, recommend organizations to receive funding to the City Council, and other duties as assigned by the City Council.

Ad Hoc Council Committees

The City Council occasionally creates ad hoc council committees to provide guidance and assistance with short term projects. These committees are dissolved upon the completion of their work.

IV. LOCAL AND REGIONAL COMMITTEES

Community Justice Council (Inactive 2018-2021)

- Established by §76.003 of the Texas Government Code.
- City Membership: One City Council member of the most populous municipality in the county that the facility will serve.
- Purpose: Provides policy guidance and direction for the development of criminal justice plans and community correction facilities and programs.

Dallas Regional Mobility Coalition

- Established by 1997 Interlocal Agreement.
- City Membership: Must be the Mayor or another member of the City Council.
- Purpose: Examines all issues related to transportation and recommends transportation improvements and other related actions for the portion of the Dallas Metropolitan Area served by District 18 of the Texas Department of Transportation (Eastern Subregion).

Denton County Behavioral Health Leadership Team

- Per Denton County Behavioral Health Leadership Team Bylaws
- City Membership: May be elected official, senior staff, executive, or community member.
- Purpose: Convene as a policy making team tasked with improving the planning, coordination, oversight, and implementation required to create systems change, for behavioral health services in Denton County.

Denton County Homelessness Leadership Team

- Per Denton County Homelessness Leadership Team am Bylaws
- City Membership: May be elected official(s), senior staff, executive, or community member.
- Purpose: Convene as a policy making team tasked with improving the planning, coordination, oversight, and implementation required to create systems change, for housing/homelessness initiatives in Denton County.

Denton County Transportation Authority

- Established in January 2002.
- City Membership: May be a representative of the City Council and an alternate. Board members must have professional experience in the field of transportation, business, government, engineering or law.
- Purpose: The Board of Directors is responsible for the management, operation, and control of the Authority and its properties.

Denton County Workforce Success Leadership Team

- Per Denton County Workforce Success Leadership Team Bylaws
- City Membership: May be elected official, senior staff, executive, or community member.
- Purpose: Convene as a policy making team tasked with improving the planning, coordination, oversight, and implementation required to create systems change for workforce/employment initiatives in Denton County.

Discover Denton Advisory Board

- Established by an agreement between Denton Chamber of Commerce and City of Denton; creates an Advisory Board established by the Denton Chamber of Commerce. NOTE: Formerly known as the Convention and Visitors Bureau Advisory Board.
- City Membership: Three City Council members, at least two of whom serve on the Community Partnership Committee.

- Purpose: Provide recommendations to the Denton CVB director, Denton Chamber of Commerce board, and city council; establish goals and priorities for the Denton CVB; monitor expenditures of program funds while complying with State of Texas Tax Code (Title 3, Subtitle D, Chapter 351) and assess effectiveness of CVB programs and initiatives; assist/advise in formulation of budgets for the program; provide recommendations to the Chamber board, city manager and city council; and advocate for the Denton CVB and its mission.

Lake Ray Roberts Planning and Zoning Commission

- Established by §231.107(3) and §231.107(3)(c) of the Local Government Code. In 1994, the Lake Ray Roberts Land Use Ordinance was approved by voters in Denton County and adopted by the Denton County Commissioners Court.

- City Membership: Must be the Mayor from each city included in the Lake Ray Roberts area.

- Purpose: Reviews and approves land use and development proposals for unincorporated county land in the Lake Ray Roberts area.

North Texas Commission

- Established in the early 1970s.

- City Membership: Prefer it be an elected official (historically the Mayor) otherwise a City employee; can appoint a proxy (historically the City Manager)

- Purpose: Public-private partnership dedicated to advancing the vibrancy of the North Texas region.

Regional Transportation Council

- Established - Independent transportation policy body of the Metropolitan Planning Organization.

- City Membership: Representative of the City Council.

- Purpose: Oversees the metropolitan transportation planning process, including guidance regarding the development of multimodal transportation plans and programs and programming federal and state funds for the implementation of transportation improvements.

Texas Municipal Power Agency Board of Directors

- Established by Resolution No. 75-22 providing for a board with eight members, two appointed by the Denton City Council.

- City Membership: Two representatives approved by the City Council who may, but need not necessarily be, members of the City Council and/or the Public Utilities Board. Once appointed by City Council, members may only be removed for cause in accordance with the Denton City Charter, Section 14.16.

- Purpose: Assists in establishing policies, setting regulations, and overseeing the administration and management of the agency as well as approving and auditing the budget.

Miscellaneous Boards and Committees:

From time to time, Council Members are called upon to serve as Denton's representatives on a regional board or committee for a short-term project. Often, the appointments are for the duration of the project and the board is dissolved. The City Secretary maintains a record of these commitments and may be contacted for updated information.

APPENDIX A

APPROVAL HISTORY FOR B&C HANDBOOK

• **Adopting:**	**November 17, 2009**	**Resolution R2009-032**
• **Revising:**	**October 4, 2011**	**Resolution R2011-036**
• **Amending:**	**September 18, 2012**	**Resolution R2012-030**
• **Revising:**	**September 10, 2013**	**Resolution R2013-027**
• **Revising:**	**September 16, 2014**	**Resolution R2014-037**
• **Revising:**	**September 1, 2015**	**Resolution R2015-023**
• **Amending:**	**August 28, 2018**	**Resolution 18-1377**
• **Superseding:**	**July 16, 2019**	**Resolution 19-1441**
• **Revising:**	**March 3, 2020**	**Resolution 20-466**
• **Revising:**	**April 20, 2021**	**Resolution 21-271**

Sec. 2-83. General rules.

(a) *Quorum.* A quorum for the transaction of business of a board shall be a majority of the members appointed to the board.

(b) *Voting required.* No attending member of a board shall be excused or shall abstain from voting on any matter before the board on which a vote is called or required, except where a board member's personal interest is involved. When such member's personal interest is involved, such member shall announce such interest at the commencement of consideration of the matter, and such member shall not enter into discussion or debate on such matter and shall abstain from voting thereon and shall fill out an affidavit stating such interest in accordance with V.T.C.A., Texas Local Government Code § 171.004. A member shall be considered to have a personal interest in a matter whenever any matter before the board could or does affect the member's financial interest. The phrase "financial interest" when used herein shall have the same meaning as "substantial interest in a business entity" as that phrase is defined in V.T.C.A., Texas Local Government Code § 171.002.

Charter reference(s)—Personal interest, § 14.04.

(c) *Absences.* Every board, commission, and committee member shall attend all regular scheduled meetings of the board, commission, or committee of which he or she is a member. For purposes of section 2-83(c), the phrase "board, commission, or committee" includes subcommittees, panels, ad hoc groups and task forces. Members who cannot attend the meeting must contact the chairperson or an appropriate staff liaison to report his or her absence before the start of the meeting and provide the reason why he or she is unable to attend the meeting.

(1) All absences will be categorized as either excused or unexcused, according to the following criteria:

a. *Excused absences:* An excused absence of any board, commission, committee member shall include the following: personal or family illness, death of a family member, jury duty, service in the armed forces, testifying before the legislature, attending a seminar involving municipal matters of importance to the member's duties, or an absence necessary for the member's business or employment. Members should submit documentation for the excused absence to the city secretary for approval. in the event the city secretary finds it is not clear whether an absence meets the criteria above, she shall promptly notify the member in writing, that if the member wants the absence excused they will be required to go through the process outlined in section 2-83(c)(1)b.

b. *Request for absence to be excused:* In the event the absence does not meet any of the above noted criteria for an excused absence, the member may submit a request to have the absence excused to the city secretary's office in writing no later than ten (10) business days after the date the absence occurred. The city secretary will then place an item on the next available city council agenda for their consideration, in accordance with the Texas Open Meetings Act.

c. *Unexcused absences:* Any absence which does not qualify as an excused absence under another subsection herein shall be considered an unexcused absence.

(2) *Calculating ten (10) business days:* For purposes of calculating ten (10) business days, the "computation of time" provision in section 1-2 of the Denton Code of Ordinances shall apply.

(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. An office that has been vacated under the provisions of this section shall be filled for the remainder of the term using the standard appointment process.

(4) *Reporting and violations:* Attendance reports will be provided by boards, commissions, committees, subcommittees, or panels to the city council via the city secretary's office on a quarterly basis. The staff liaison shall immediately notify the city secretary's office of any member's violation of the attendance requirements and shall not wait until the quarterly reporting process. Copies of this ordinance shall be forwarded to existing members of all of the standing boards, commissions, committees, subcommittees, or panels and to new members as they are appointed.

(Code 1966, § 1-44; Ord. No. 96-154, § III, 7-9-96; Ord. No. 00-046A, § 1, 2-1-00; Ord. No. 19-2866, § 1, 1-28-20)

INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL

SUBJECT:
Creation of a Citizens' Committee of Art and Culture

SUMMARY:
On July 13, 2026, Mayor Watts submitted a two-minute pitch to consider establishing a Citizens' Committee of Art and Culture. On July 21, 2026, the City Council gave direction to proceed with the two-minute pitch proposal as outlined in Ordinance 24-1725.

BACKGROUND:

Current Art-Related Committees and Structures

City of Denton Public Art Committee
The City of Denton Public Art Committee was created to advise the City on matters related to public art, including the commissioning, placement, and maintenance of artworks, as well as oversight of cultural districts. The committee consists of nine members, seven appointed by each respective Council Member, and two nominated by the Greater Denton Arts Council (GDAC), and meets bi-monthly.

Public Art Funds and GDAC's Role
The City's Public Art Policy dedicates a percentage of Hotel Occupancy Tax (HOT) funds to public art. Historically, Parks and Recreation used this funding for City-managed public art projects. In recent years, HOT funds shifted to the GDAC through the Community Partnership Committee's HOT allocation process.

At that time, staff communicated that Parks would be receiving funding from the 2023 Bond Program for public art for all vertical construction projects, including Fire Stations 5 and 6, the Animal Care and Adoption Center, the Library, and the Senior Center. With those funding sources available, staff was comfortable supporting a transition in HOT fund distribution toward GDAC to expand public art opportunities in the community.

Relevant Findings from 2026-016 Boards and Commissions Informal Staff Report
Over time, the Public Art Committee's scope has become less defined. Members have occasionally proposed artistic concepts that exceed the City's operational resources or fall outside the committee's intended purpose. The report noted that Council may wish to re-evaluate the committee structure and consider whether GDAC, which operates under contract with the City and as noted above, receives

HOT funds through the City's allocation process for community art, could support certain responsibilities more effectively.

GDAC has established infrastructure, professional expertise, and strong connections within the arts community. These attributes position GDAC to support community-driven art initiatives more sustainably than City staff alone, while still allowing Council to provide input on projects through bond programs and HOT fund allocations.

DISCUSSION

The proposal to establish a Citizen's Committee of Art and Culture presents several considerations for Council:

1. **Purpose and Charge**
   A Citizen's Committee of Arts and Culture could be created by ordinance to conduct an evaluation of the current state of arts and culture in Denton. The evaluation could explore existing programs, structure, gaps, community needs, and opportunities. The committee could be given a time-bound charge to recommend strategies, priorities, or potential restructuring of the City's arts ecosystem to City Council. For example, the committee's charge could be limited to a one- to two-year term, following which the committee would be dissolved.

2. **Committee Structure and Scope**
   To ensure alignment with its evaluative mission, the committee's scope could include:
   - Gathering input from community stakeholders, local artists, and arts organizations;
   - Assessing the effectiveness of current City-managed art programs;
   - Identifying opportunities to strengthen coordination, accessibility, and community engagement in arts and cultural programming;
   - Preparing a summary report of findings and recommendations for Council consideration.

   The committee would not have decision-making authority over funding or policy but would provide advisory input intended to guide Council's long-term arts and cultural goals.

3. **Potential Exemption from Texas Open Meetings Act (TOMA)**
   A Citizens' Committee of Art and Culture could be structured as an advisory-only body with no supervision or control over public policy. While Council has the authority to exempt certain advisory bodies from TOMA through ordinance, it is important to note that historically, City of Denton boards, commissions, and committees are subject to the Texas Open Meetings Act pursuant to Council Rules of Procedure Section 2-29(h)(1) and (2) with few exceptions.

If Council elected to pursue a TOMA exemption, the City could continue transparency practices such as posting agendas in advance or providing mechanisms for public comment (e.g., through written submissions or periodic summary reports).

4. Administrative Structure

In considering how a Citizens' Committee of Art and Culture might operate, several administrative approaches are available beyond a traditional City-staff-supported model.

- GDAC Administered Committee: In this structure, the City would establish the committee and define its scope, but GDAC would facilitate meetings, coordinate stakeholder engagement, support the committee's evaluative work, and prepare recommendations for Council.

- City of Denton and GDAC Coordinated: Under this arrangement, City staff would continue to manage statutory obligations such as agenda posting, records coordination, or periodic updates to Council, while GDAC would support meeting facilitation, research activities, and community outreach. This arrangement maintains City oversight while distributing operational workload to an organization already deeply connected to the arts community.

- Consultant Facilitated Committee: The City could retain a third-party arts consultant to guide the committee′s process, conduct the necessary research, manage stakeholder interviews, and support the committee in developing final recommendations. Because the use of an outside consultant requires dedicated funding, this approach would need to be considered through the City's standard budget process. Funding would need to be identified either through departmental operating budgets, a supplemental budget request, or another Council-approved allocation before consultant services could be obtained. City staff involvement would be limited primarily to contractual oversight and ensuring alignment with Council expectations.

- Minimal City Staff Supported Committee: The committee could also be structured such that City staff provide support only where needed to meet basic procedural requirements. Staff could handle agenda posting and meeting coordination while allowing the committee members or a designated volunteer chair to manage facilitation, minute-taking, and outreach. This model reduces the City's administrative workload while still providing structural accountability.

- Time-Limited Task Force: Finally, Council may wish to consider establishing the group as a time-limited task force rather than a standing committee. Under this model, the administrative structure would be tailored to the duration and intensity of the work. The task force would sunset upon delivery of its final report, making this option

suitable if the primary objective is a comprehensive, one-time evaluation of Denton's arts and cultural landscape.

5. **Relationship to Existing Committees**
   If established, Council may also wish to revisit the structure and mission of the Public Art Committee to ensure clarity between the two bodies. The Citizens' Committee of Art and Culture could focus on broad cultural evaluation and big-picture strategy, while the Public Art Committee continues in its project-focused advisory role. Alternatively, findings from the new committee could inform future restructuring of arts-related advisory functions.

CONCLUSION:

Upon receipt of the Informal Staff Report, Mayor Watts may indicate if the information provided satisfies his request. Should the request not be satisfied, the item will be considered by the Agenda Committee for placement on a future Work Session agenda or routing through an appropriate board, commission, or committee.

ATTACHMENTS:

Exhibit 1 – Council Rules of Procedures Section 2-29

STAFF CONTACT:

Kristi Fogle
Chief of Staff
kristi.fogle@cityofdenton.com

REQUESTOR: Mayor Watts

STAFF TIME TO COMPLETE REPORT: 4 hours

PARTICIPATING DEPARTMENTS: City Secretary's Office, Parks and Recreation

Sec. 2-29. City council rules of procedure.

(a) *Authority.*

(1) *Charter:* Pursuant to the provisions of Section 2.07 of the Charter of the City of Denton, Texas, the City Council hereby enacts these rules of procedure for all meetings of the City Council of the City of Denton, Texas.

During any meeting, a reasonable opportunity shall be given for citizens to be heard under these rules. These Rules of Procedure are enacted as guidelines to be followed by all persons in the Council Chamber including the city administrative staff, news media, and visitors.

(b) *General rules.*

(1) *Meetings to be public:* All official meetings of the Council and Council committees and subcommittees, except closed meetings permitted by the provisions of the Texas Open Meetings Act, V.T.C.A. Government Code Ch. 551, (Vernon 2014), as amended, shall be open to the public.

(2) *Quorum:* Four (4) members of the council shall constitute a quorum for the transaction of business. (Charter, Section 2.06)

(3) *Compelling attendance:* No member shall be excused from attendance at a council meeting except for good and valid reasons. It will be the duty of the council member to notify the city secretary prior to the meeting at which he or she is going to be absent. The city secretary will record each council member as being present or absent as a part of the minutes prepared for each council meeting.

(4) *Misconduct:* The council may punish its own members for misconduct consistent with any ethics policy adopted by the council.

(5) *Minutes of meetings:* An account of all proceedings of the council shall be kept by the city secretary and shall be entered in a book constituting the official record of the council. A certified agenda shall be prepared and shall be approved by the mayor for all closed meetings for which a certified agenda is required to be kept in accordance with the Texas Open Meetings Act.

(6) *Questions to contain one subject:* All questions submitted for a vote shall contain one subject, except the city council may approve all items which are on the consent agenda in one motion, regardless of how many subjects are contained in the consent agenda, so long as all items have been properly posted in accordance with the Texas Open Meetings Act and have not been removed from the consent agenda by a council member. If two or more points are involved, any member may require a division, if the question reasonably admits of a division.

(7) *Right to floor:* Any member desiring to speak shall be recognized by the chairperson, and shall confine his or her remarks to the subject under consideration or to be considered. No member shall be allowed to speak more than once on any one subject until every member wishing to speak shall have spoken.

(8) *City manager:* The city manager, or acting city manager, shall attend all meetings of the council unless excused. He or she may make recommendations to the council and shall have the right to take part in all discussions of the council, but shall have no vote. (Charter, Section 5.03(d))

(9) *City attorney:* The city attorney, or acting city attorney, shall be available upon request for all meetings of the council unless excused and shall, upon request, give an opinion, either written or oral, on questions of law. The city attorney shall act as the council's parliamentarian.

(10) *City secretary:* The city secretary, or acting city secretary, shall attend all meetings of the council unless excused, and shall keep the official minutes and perform such other duties as may be requested by the council.

(11) *Officers and employees:* Any officer or employee of the city, when requested by the city manager, shall attend any meeting of the council. If requested to do so by the city manager, such employee may present information relating to matters before the council.

(12) *Rules of order:* These rules govern the proceedings of the council in all cases, except that where these rules are silent, the most recent Edition of Robert's Rules of Order shall govern.

(13) *Suspension of rules:* Any provision of these rules not governed by the City Charter or other City Code provisions may be temporarily suspended by the affirmative vote of four (4) members of the council. The vote on any such suspension shall be taken by yeas or nays and entered into the minutes of the council.

(14) *Amendment of rules:* These rules may be amended, or new rules adopted by the affirmative vote of four members of the council, provided that the proposed amendments or new rules shall have been introduced before the city council at a prior council meeting.

(15) Attendance under this subsection may be in-person or via videoconference or teleconference.

(c) *Code of conduct.*

(1) *Council members:*

a. During council meetings, council members shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to observe the rules of the council.

b. A council member, once recognized, shall not be interrupted while speaking unless called to order by the mayor or presiding officer, unless a point of order is raised by another member or the parliamentarian, or unless the speaker chooses to yield to questions from another member. If a council member is called to order while he or she is speaking, he or she shall cease speaking immediately until the question of order is determined. If ruled to be in order, he or she shall be permitted to proceed. If ruled not to be in order, he or she shall remain silent or shall alter his or her remarks so as to comply with rules of the council.

(2) *Administrative staff:*

a. Members of the administrative staff and employees of the city shall observe the same rules of procedure and decorum applicable to members of the council, and shall have no voice unless and until recognized by the chair.

b. While the presiding officer shall have the authority to preserve decorum in meetings as far as staff members and city employees are concerned, the city manager also shall be responsible for the orderly conduct and decorum of all city employees under his or her direction and control.

c. The city manager shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by city employees in council meetings.

d. All remarks and questions addressed to the council shall be addressed to the council as a whole and not to any individual member thereof.

e. No staff member, other than a staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the presiding officer.

(3) *Citizens:*

a. Citizens and other visitors are welcome to attend all public meetings of the city council, and participate via any method the city makes available, including but not limited to personal appearance, telephonic participation, and email/internet submissions.

b. All meeting attendees shall conduct themselves with propriety and decorum. Conversations between or among audience members should be conducted outside the meeting room. Attendees will refrain from excessively loud private conversations while the council is in session.

c. Unauthorized remarks from the audience, stamping of the feet, applauding, whistles, yells, and similar demonstrations shall not be permitted.

d. Placards, banners, signs, pamphlets, flyers, or political materials of any type will not be permitted in the city council chamber or in any other room in which the city council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the city council, however, are permitted.

e. Audience members may not place their feet on any chairs in the city council chamber or other room in which the city council is meeting.

f. Only city council members and city staff may step onto the dais.

g. All people wishing to address the city council shall first be recognized by the presiding officer and shall limit their remarks to the matter under discussion.

h. All remarks and questions addressed to the city council shall be addressed to the city council as a whole and not to any individual members.

i. Any person addressing the city council in the city council chamber shall do so from the lectern unless physically unable to do so. People addressing the city council shall not be permitted to approach the dais. If they wish to hand out papers or other materials to the city council, they should express that desire to the presiding officer, and the city manager shall direct a staff member to hand out the materials. Electronic materials should be submitted through a dedicated email account at least four hours prior to the start of the meeting.

j. When the time has expired for a presentation to the city council, the presiding officer shall direct the person speaking to cease. A second request from the presiding officer to cease speaking shall be cause of the removal of the speaker if that person continues to speak.

k. Equipment, apparatus, or paraphernalia such as camera tripods, easels, or wheelchairs shall not obstruct, block, or otherwise be located in the doorway, entranceway, or walkways of the city council chambers or of any other room in which the city council may choose to meet. Representatives of the electronic media may set up cameras and other equipment only in the back of the room. It is permissible for television camera operators to film for short periods of time (several minutes) from the entranceway to the city council chambers. Any radio station, which broadcasts the regular city council meetings live, may hook their equipment up at the front of the room as long as it remains out of sight and out of the way.

l. There will be a uniformed City of Denton police officer present at all regular meetings of the city council. This police officer shall act in the capacity of a security officer/sergeant-at-arms, and shall enforce the meeting rules and act upon the direction of the presiding officer.

m. Any person making personal, impertinent, profane, or slanderous remarks, or who becomes boisterous while addressing the city council or who otherwise violates any of the above-mentioned rules while attending a city council meeting shall be removed from the meeting at the direction of the presiding officer, and the person shall be barred from further audience and participation before the city council during that session of the city council. If the presiding officer fails to act, any member of the city council may move to require the offending person's removal, and the affirmative vote of a majority of the city council shall require the presiding officer to act. The sergeant-at-arms, if so directed by the presiding officer or an affirmative vote of the majority of the city council, shall remove the offending person from the meeting.

(4) *Enforcement:* The city manager, in the absence of a designated law enforcement officer, shall act as sergeant at arms for the council, and shall furnish whatever assistance is needed to enforce the rules of decorum herein established.

(5) *Seating arrangement:* The city secretary, city manager and city attorney shall occupy the respective seats in the council chamber assigned to them by the mayor, but any two (2) or more members of the council may exchange seats.

(6) *Videoconferencing:* City council members may elect to participate in a city council meeting by videoconference in the event the member is traveling or unable to attend a meeting due to illness or declaration of disaster or emergency.

a. Procedures for meeting by videoconference if a quorum will be in one physical location:

The council meeting notice shall specify where the quorum of the governmental body will be physically present, and the intent to have a quorum present at that location. The video and audio feed of a remote councilmember or employee shall be broadcast live at the meeting. Each portion of the meeting held by videoconference call that is required to be open to the public shall be visible and audible to the public at the location where the quorum is present. The location at which the quorum is present, and each remote location from which a member of the governmental body participates, shall have two-way audio and video communication with each other location during the entire meeting. Each participant's face in the videoconference call, while speaking, shall be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the location where a quorum is present, and at any other location of the meeting that is open to the public. The audio and video signals perceptible by members of the public at each location of the meeting shall meet or exceed minimum standards established by Texas Department of Information Resources (DIR) rules. The audio and video signals perceptible by members of the public at the location where the quorum is present and, any other location open to the public, shall be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting. If a problem occurs that causes a meeting to no longer be visible and audible to the public at the location where a quorum is present, the meeting shall be recessed until the problem is resolved, and if the problem is not resolved in six hours or less, the meeting shall be adjourned. The city shall make at least an audio recording of the meeting, and the recording shall be made available to the public.

b. Procedures for meeting by videoconference if a quorum will not be in one physical location:

The city shall make available to the public at least one suitable physical space in the city that is equipped with videoconference equipment that provides an audio and video display, as well as a camera and microphone, by which a member of the public can provide testimony or otherwise participate in the meeting. The member of the governmental body presiding over the meeting shall be present at this site, and the location must be open to the public. The meeting notice shall specify the physical space provided, and shall also specify the intent to have the presiding officer present at the location. Any member of the public present at this location shall be provided the opportunity to participate in the meeting by means of a videoconference call in the same manner as a person who is physically present at a meeting of the governmental body that is not conducted by videoconference.

Each portion of the meeting held by videoconference call that is required to be open to the public shall be visible and audible to the public. The video and audio feed of a remote councilmember or employee shall be broadcast live at the meeting. The site provided in the city and each remote location from which a member participates, shall have two-way audio and video communication with each member who is participating by videoconference during the

entire meeting. Each participant's face in the videoconference, while speaking, must be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the meeting location in the city, and at any other location of the meeting that may be open to the public. The audio and video signals perceptible by members of the public at each location of the meeting shall meet or exceed minimum standards established by DIR rules. The audio and video signals perceptible by members of the public at each location of the meeting that is open to the public, and each remote location, must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting. If a problem occurs that causes the meeting to no longer be visible and audible to the public at the meeting site in the city, the meeting must be recessed until the problem is resolved, and if the problem is not resolved in six hours or less, the meeting shall be adjourned. The city shall make at least an audio recording of the meeting, and the recording shall be made available to the public.

c. Council members wishing to participate in a meeting by videoconference shall provide notice to the city manager and the agenda committee not less than four (4) days prior to the meeting.

(d) *Types of meetings.*

(1) *Regular meetings:* The council shall meet on the first and third Tuesday of each month, at such time as may be set by the city council, unless the meeting is postponed or cancelled for valid reasons. All regular meetings of the council will be held in City Hall at 215 East McKinney Street, Denton, Texas or at such other location as the city council may, from time to time by proper posting under the Open Meetings Act and so long as the meeting is available to the public, designate. In the event a regular meeting falls on a day the city observes a paid holiday, or the day after, no regular meeting shall be scheduled. Furthermore, no regular meetings shall be held the first two weeks in July, nor the last two weeks of November and December. The limitations in this provision do not apply to other types of meetings which may be called under section 2-29(d).

(2) *Special meetings:* Special meetings may be called by the mayor, the city manager, or by any three (3) members of the council. The city secretary shall post notice thereof as provided by the Texas Open Meetings Act. The mayor, city manager, or three (3) of the council members may designate a location for the special meeting other than City Hall, as long as the location is open to the public.

(3) *Workshop meetings:* Workshop meetings (also referred to as "work sessions") may be held on the first and third Tuesday of each month at such time as may be set by the city council, or on such other day as the city council may designate and at such time as may be set by the city council, to discuss near to mid or long range issues and to answer city council questions concerning all agenda items. Workshops or work sessions may be called using the same procedure required for special meetings as provided for in subsection (2) above. The purpose of the workshop meeting is to discuss or explore matters of interest to the city, to meet with city boards, commissions, or committee members, city staff or officers of civic organizations, governing bodies or individuals specifically invited to the session by the mayor, council or city manager. These meetings are informational and normally no final action shall be taken unless the posted agenda indicates otherwise. However, the city council may, by consensus, provide general direction to staff with regard to matters of interest or concern, understanding such matters ultimately may require a formal vote of the council for implementation.

(4) *Luncheon meetings:* Luncheon workshop or work session meetings may be held on the first Monday of each month at such time as may be set by the city council, or on such other day as the city council may designate. Such meetings may be called using the same procedure required for special meetings as provided for in subsection (2) above. The purpose of the luncheon meeting is to discuss or explore matters of interest to the city, to meet with city boards, commissions, or committee members, city staff or officers of civic organizations, governing bodies or individuals specifically invited to the session by the mayor, council or city manager. These meetings are informational and normally no final action

shall be taken unless the posted agenda indicates otherwise. However, the city council may, by consensus, provide general direction to staff with regard to matters of interest or concern, understanding such matters ultimately may require a formal vote of the council for implementation.

(5) *Emergency meetings:* In case of emergency or urgent public necessity, which shall be expressed in the notice of the meeting, an emergency meeting may be called by the mayor, the city manager or by three members of the council, and it shall be sufficient if the notice is posted one hour before the meeting is convened. Council members shall notify staff as soon as possible if they will participate in an emergency meeting via videoconference.

(6) *Closed meetings:* The council may meet in a closed meeting pursuant to the requirements of the Texas Open Meetings Act.

(7) *Recessed meetings:* Any meeting of the council may be recessed to a later time, provided that no recess shall be for a longer period than until the next business day.

(8) *Notice of meetings:* The agenda for all meetings, including council committee or subcommittee meetings, shall be posted by the city secretary on the city's official bulletin board and notice of all meetings shall be given by the city secretary pursuant to the requirements of the Texas Open Meetings Act.

(e) *Presiding officer and duties.*

(1) *Presiding officer:* The mayor, or in the absence of the mayor, the mayor pro-tem, shall preside as chairman, or presiding officer at all meetings of the council. In the absence of the mayor and the mayor pro-tem, the council shall elect a temporary presiding officer. (Charter, Section 2.03)

(2) *Call to order:* The meetings of the council shall be called to order by the mayor, or in his or her absence, by the mayor pro-tem. In the absence of both the mayor and the mayor pro-tem, the meeting shall be called to order by the city secretary, and a temporary presiding officer shall be elected as provided above.

(3) *Preservation of order:* The presiding officer shall preserve order and decorum, and confine members in debate to the question under discussion. The presiding officer shall call upon the sergeant-at-arms as necessary to enforce compliance with the rules contained herein.

(4) *Points of order:* The presiding officer shall determine all points of order, subject to the right of any member to appeal to the council. If any appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" If a majority of the members present vote "No," the ruling of the chair is overruled; otherwise, it is sustained.

(5) *Questions to be stated:* The presiding officer shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member, and upon the passage of all ordinances and resolutions.

(6) *Substitution for presiding officer:* The presiding officer may call any other member to take his or her place in the chair, such substitution not to continue beyond adjournment.

(7) *Call for recess:* The presiding officer may call for a recess of up to fifteen (15) minutes at regular intervals of approximately one hour at appropriate points in the meeting agenda, or if requested by any two (2) members.

(f) *Order of business.*

(1) *Agenda:* The order of business of each meeting shall be as contained in the agenda prepared by the city manager, which shall be reviewed and approved by an agenda committee composed of the mayor, the mayor pro-tem, and the city manager. When items are removed from the consent agenda and placed on the regular agenda by members of the council, the removed items shall be taken up in the

order of removal right after the consent agenda. Placement of items on the agenda shall be governed by this ordinance; provided that if a council member has an "emergency" item that the council member believes should be placed on the next regular or special meeting agenda, the placement must be approved by two members of the agenda committee or at the direction of a majority of the council. Conduct of business at special meetings will likewise be governed by an agenda and these rules of procedure.

(2) *Pledge of Allegiance:* Each agenda shall provide an item for the recital of the "Pledge of Allegiance" at the regularly scheduled city council meetings. This item shall begin with the recital of the pledge of allegiance for the United States flag and shall follow with a recital of the pledge of allegiance for the Texas state flag in accordance with V.T.C.A. Government Code § 3100.101.

(3) *Presentations by members of council or city manager:* The agenda shall provide a time when the mayor or any council member may bring before the council any business that he or she feels should be deliberated upon by the council at a future council meeting. These matters need not be specifically listed on the agenda, but discussion and formal action on such matters shall be deferred until a subsequent council meeting. Any member may suggest an item for discussion at a future work session. The city manager or city staff shall only respond preliminarily on this item at the work session. If the city council believes the item requires a more detailed review, the council will give the city manager or city staff direction to place the item on a future regular meeting agenda and advise staff as to the background materials to be desired at such meeting. The city council may receive from the city manager or city staff or a member of the city council reports about items of community interest including expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda so long as authorized by the Texas Open Meetings Act.

(4) *Presentations from members of the public:*

a. *Reports from members of the public:* Reports from members of the public shall be received through either of two (2) methods: 1) prior registration or 2) open microphone. A total of up to seven (7) speakers are permitted to provide public comment and may include any combination of prior registration and open microphone speakers. Public comment is provided during regular meetings of the city council, which typically occur on the first and third Tuesday of each month. Presentations made in accordance with this section may be made via teleconference or videoconference technology as specified by the city on its website or meeting notice.

1) *Prior registration.* Any person who wishes to place a subject on the council agenda at regular council meetings shall advise the city manager's office of that fact and the specified subject matter which he or she desires to place on the agenda no later than 12:00 p.m. Thursday prior to the council meeting at which he or she wishes the designated subject to be considered. Such reports shall be heard at the beginning of the regular meeting of the city council pursuant to an agenda posting allowing a period of public comment.

Each speaker providing a report shall speak for no longer than four (4) minutes. At the conclusion of each report, council may pose questions to the speaker concerning his or her report. Council may also engage in discussion concerning each report. If the city council believes that a speaker's report requires a more detailed review, the council will give the

city manager or city staff direction to place the item on a future work session or regular meeting agenda and advise staff as to the background materials to be desired at such meeting.

2) *Open microphone.* At the beginning of the regular meeting of the city council, persons who have not registered to speak as above described may make comments through the open microphone procedure. Such person(s) shall have filed a "Blue Card" requesting to speak during this period prior to the calling of this agenda item. Prior to the beginning of the regular meeting of the city council, persons who wish to participate remotely shall register via any manner specified by the city on its website or meeting notice. At the time the city council calls the open microphone comment period, a person may present himself or herself and make public comments regarding public business; provided however, such persons shall not be allowed to speak to items on the current agenda in light of other established procedures for taking such comments as specified in these rules. No person may submit a "request to speak" form in order to speak or comment on another person's report, which is given at the same council meeting. An announcement may be made, prior to the time for reports from members of the public on the agenda, summarizing the main portions of the rules and the "code of conduct" as they may apply to members of the public speaking to the council. Any speaker providing a report shall speak for no longer than four (4) minutes on all items that he or she may bring before the council at each meeting.

b. *Work session or workshop items:* As it concerns the workshop agenda, citizens or other interested persons may not participate in the session unless invited to do so by the mayor. If the mayor invites citizens to participate in a work session, their participation will cease at the point the mayor closes the session to public input to allow the council to give city staff direction as to needed information for the possible future meeting on the item. Citizens should be advised of the nature of the work session, but that their input on these items is premature until such item is placed upon a city council agenda for final action. The purpose of this procedure is to allow the citizens attending the regular meeting the opportunity of hearing the views of their fellow citizens in a more formal setting. Any citizen may supply the city council a written statement or report regarding the citizen's opinion on a matter being discussed in a work session.

c. *Commenting on consent and regular agenda items:* Any person who wishes to address the council regarding a non-public hearing regular or consent agenda item that is on the council's agenda, shall complete a "request to speak" form asking to speak regarding the item and shall return it to the city secretary. On consent items, the request to speak card shall be submitted prior to the citizen comment on consent agenda items at the beginning of the city council meeting. On regular agenda items, the request to speak card shall be submitted prior to the time the city council considers the item. The mayor will call upon the person who desires to speak. Comments may also be submitted via web form at the link provided on the agenda or by telephonic participation. For both consent and regular agenda items, web comments must be received at least one (1) hour prior to the posted time of the start of the meeting, and will be provided to council prior to consideration of any item to which a comment pertains.

1) *Consent agenda items:* When consent agenda items are posted on an agenda, citizens or other interested persons will be allowed to make citizen comment immediately after the opening of the city council meeting and prior to workshop or work session items on the agenda by filling out a "request to speak" card (aka a "blue card") asking to speak on any or all consent agenda items and returning the form to the city secretary. In the event a person is unable to attend the city council workshop or work session, he or she may contact the city secretary prior to the opening of the meeting and request that a consent agenda item be pulled from the consent agenda in order to allow comment as an individual item at the regular meeting of the city council. The city secretary shall make any such request known

to the city council. Consent agenda items are generally routine nature, so comment at this time facilitates the regular council meeting where no citizen comment on consent agenda items will be permitted, unless the item is removed from the consent agenda by a member of the council to be considered as an individual item during the regular meeting. Speakers will be allowed three (3) minutes per speaker and may comment on any or all consent agenda items so long as any speaker's time does not exceed a total of three (3) minutes.

2) *Regular agenda items:* During the regular session of the city council meeting, any citizen or interested person may comment on an item posted on the agenda for final action. Any person who wishes to address the council regarding a non-public hearing item that is on the council's agenda, shall complete a "request to speak" form asking to speak regarding the item and shall return it to the city secretary before the council considers the item. This procedure applies to speakers desiring to speak to items for individual consideration on the agenda during the regular meeting of the city council. The mayor will call upon the person to speak. Speakers will be allowed three (3) minutes per speaker as to any particular agenda item being considered by the city council.

d. *Public hearings:*

1) Any person who wishes to address the council at a public hearing is encouraged to complete a "request to speak" form and return it to the city secretary or online, or by calling the phone number provided in the meeting notice before the applicable hearing or at a time set by the city. The mayor will call upon the person to speak. Speakers will be allowed an initial four (4) minutes per speaker as to any public hearing item. However, if numerous speakers desire to comment on an item, council may limit speakers to three (3) minutes per speaker. Only those speakers who previously provided input on a specific item will be permitted to provide a final rebuttal of up to two (2) minutes per speaker. Applicants and their agents on public hearing items shall be allowed to speak for no longer than ten (10) minutes per speaker with a total of twenty (20) minutes for all speakers representing the applicant. Speakers will have the opportunity to make a single, final rebuttal after hearing the applicant's rebuttal as set forth in section 2-29(f)(4)d.2)g).

2) To facilitate the public hearing process in zoning cases the following procedure will be used:

a) The mayor reads the zoning case caption, and then opens the public hearing.

b) The city manager introduces the city staff for presentation.

c) City staff presents facts relevant to the matter.

d) The applicant presents his or her case, with potential questions of the applicant from the city council.

e) The council receives input from the public, with potential questions of speakers from the city council.

f) The applicant will be given an opportunity to make rebuttal comments.

g) Members of the public who previously provided input on a specific item will have the opportunity to make a single, final rebuttal.

h) The city staff and/or the applicant will answer any questions of the city council.

i) Upon conclusion of these questions and answers, the mayor will continue or close the public hearing.

3) *Groups or organizations:* Any group or organization comprised of four (4) or more members present in the city council chambers who wishes to address the council at a public hearing or on a non-public hearing agenda item shall designate a representative to address the city council and shall limit their remarks to ten (10) minutes or less. The group or organization shall turn in a written designation to the city secretary, on cards prepared by the city secretary of a different color from cards submitted by individual speakers or via online form or email, prior to the commencement of the meeting identifying the representative who will address the city council on behalf of the group or organization. At the time the representative is recognized by the mayor to speak, the group or organization present in the meeting room will be asked to stand to be recognized prior to the receipt of comments by the representative.

e. *Discretionary time:* At the discretion of the presiding officer or a majority of the city council, any speaker may be granted an extension of time to speak.

f. *Audio/Visual aids:* Any citizen desiring to use audio/visual aids during presentations to council shall submit such presentation to the city secretary twenty-four (24) hours prior to the meeting where the presentation will occur.

(5) *Presentation of proclamations:* The agenda may provide a time for the presentation of proclamations. The mayor or presiding officer may deliver and present proclamations upon the request of citizens. Proclamations may encompass any activity or theme except that proclamations with a theme religious or partisan in nature shall not be presented. Moreover, proclamations shall not be used for any commercial or advertising purpose.

(g) *Consideration of ordinances, resolutions, and motions.*

(1) *Printed or typewritten form:* All ordinances and resolutions shall be presented to the council in printed, typewritten or electronic form. The council may, by proper motion, amend any ordinance or resolution presented to it at the meeting at which it is presented or direct that the amended ordinance be placed on the next or any future council agenda for adoption.

(2) *City attorney to approve:* All ordinances, resolutions, and contracts and amendments thereto, shall be approved as to form and legality by the city attorney, or he or she shall file a written opinion on the legality of such ordinance, resolution or contract prior to submission to the council. (Charter, Section 6.02)

(3) *Distribution of ordinances and resolutions:* The city manager shall prepare copies of all proposed ordinances and resolutions for distribution to all members of the council at the meeting at which the ordinance or resolution is introduced, or at such earlier time as is expedient.

(4) *Recording of votes:* The yeas and nays shall be taken upon the passage of all ordinances and resolutions and the vote of each member shall be recorded in the minutes and within each respective ordinance and resolution. (Charter, Section 2.06 (b))

(5) *Majority vote required:* An affirmative vote of four (4) members is necessary to repeal any ordinance or take any official action in the name of the city except as otherwise provided in the Charter, by the laws of the State of Texas, or these rules. (Charter, Section 2.06)

a. *Tie-vote:*

1. *City council:* Matters voted on by the city council which end in a tie-vote due to absence(s) shall automatically be placed on each subsequent council meeting agenda until the full council is present or the matter does not end in a tie vote. Matters voted on by the city council when the full council is present, which end in a tie-vote due to recusal(s) shall be considered a denial.

2. *Boards, commissions, and committees:* With the exception of the planning and zoning commission, matters voted on by boards, commissions, and committees, which end in a tie-vote, regardless of the cause, shall be considered a denial. This provision applies to all task forces, ad hoc committees, or other limited duration groups established by the city council.

    i. The Denton Development Code outlines the process for city council review and decision of any recommendations made by the planning and zoning commission.

(6) *Demand for roll call:* Upon demand of any member, the roll shall be called for yeas and nays upon any question before the council, with the exception of those circumstances set forth in subsection (12), the previous question. It shall not be in order for members to explain their vote during the roll call.

(7) *Personal privilege:* The right of a member to address the council on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are assailed, questioned, or impugned.

(8) *Dissents and protests:* Any member shall have the right to express dissent from or protest against any ordinance or resolution of the council and have the reason therefor entered upon the minutes. Such dissent or protest may be filed in writing, and presented to the council not later than the next regular meeting following the date of passage of the ordinance or resolution objected to.

(9) *Voting required:* No member shall be excused from voting except for lack of information and except on matters involving the consideration of his or her own official conduct, or where his or her personal interests are involved in accordance with V.T.C.A. Local Government Code Ch. 171 (Vernon 2014), and in these instances he or she shall abstain. Any member prohibited from voting by personal interest shall announce this at the commencement of consideration of the matter and shall not enter into discussion or debate on any such matter, shall leave the meeting, and shall file an affidavit of recusal. The member having briefly stated the reason for his or her request, the excuse from voting shall be made without debate.

(10) *Order of precedence of motions:*

a. The following motions shall have priority in the order indicated:

    1. Adjourn (when unqualified) and is not debatable and may not be amended;
    2. Take a recess (when privileged);
    3. Raise a question of privilege;
    4. Lay on the table;
    5. Previous question (two-thirds (⅔) vote required);
    6. Limit or extend limits of debate (two-thirds (⅔) vote required);
    7. Postpone to a certain time;
    8. Commit or refer;
    9. Amend;
    10. Postpone indefinitely;
    11. Main motion.

b. The first two motions are not always privileged. To adjourn shall lose its privilege character and be a main motion if in any way qualified. To take a recess shall be privileged only when other business is pending.

c. A motion to adjourn is not in order:

1. When repeated without intervening business or discussion;

2. When made as an interruption of a member while speaking;

3. While a vote is being taken.

d. Only certain motions may be amended as provided in the most current edition of Robert's Rules of Order, revised. A motion to amend shall be undebatable when the question to be amended is undebatable.

(11) *Reconsideration:* A motion to reconsider any action of the council can be made not later than the next succeeding official meeting of the council. Such a motion can only be made by a member who voted with the prevailing side. It can be seconded by any member. In order to comply with the Texas Open Meetings Act, any council member who wishes to make such a motion at a meeting succeeding the meeting where the action was taken shall notify the city manager to place the item for reconsideration on the council agenda. No question shall be twice reconsidered, except by unanimous consent of the council, except that action related to any contract may be reconsidered at any time before the final execution thereof. A matter which was not timely reconsidered in the manner provided by this section or was reconsidered but the action originally taken was not changed by the council cannot be reintroduced to the council or placed on a council meeting agenda for a period of six (6) months unless this rule is suspended as provided for in these rules of procedure.

(12) *The previous question:* When the previous question is moved and seconded, it shall be put as follows: "Shall the main question be now put?". There shall then be no further amendment or debate; except that nothing herein shall allow the previous question to be called prior to a least one opportunity for each member of the council to speak on the question before the council. Any pending amendments shall be put in their order before the main question. If the motion for the previous question is lost, the main question remains before the council. An affirmative vote of two-thirds (⅔) of the council shall be required to move the previous question. To demand the previous question is equivalent in effect to moving "That debate now cease, and the council shall immediately proceed to vote on the pending motion". In practice, this is done with the phrase "Call for the question", or simply saying "Question".

(13) *Withdrawal of motions:* A motion may be withdrawn, or modified, by its movant without asking permission until the motion has been stated by the presiding officer. If the movant modifies his or her motion, the seconding council member may withdraw his or her second. After the question has been stated, the movant shall neither withdraw it nor modify it without the consent of the council. The subject different from that under consideration shall be admitted under color of amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order.

(14) *Appropriations of money:* Before formal approval by the council of motions providing for appropriation of money, information must be presented to the council showing purpose of the appropriation. In addition, before finally acting on such an appropriation, the council shall obtain a report from the city manager as to the availability of funds and his or her recommendations as to the desirability of the appropriation.

(15) *Transfer of appropriations:* At the request of the city manager, at any time during the fiscal year, the council may by resolution transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose; but no transfer shall be made of revenues or earnings of any non-tax supported public utility to any other purpose.

(h) *Creation of committees, boards and commissions.*

(1) *Council committees:* The council may, by resolution and as the need arises, authorize the appointment of council committees. Any committee so created shall cease to exist when abolished by resolution of the council. Council committees shall comply with the Texas Open Meetings Act.

(2) *Citizen boards, commissions, and committees:* The council may create other citizen boards, commissions, and committees to assist in the conduct of the operation of the city government with such duties as the council may specify not inconsistent with the City Charter or Code. Creation of such boards, commissions, and committees and memberships and selection of members shall be by council resolution if not otherwise specified by the City Charter or Code. Any board, commission, or committee so created shall cease to exist when abolished by a resolution approved by the council. No committee so appointed shall have powers other than advisory to the council or to the city manager, except as otherwise specified by the Charter or Code. All citizen boards, commissions, and committees shall comply with the procedural requirements of the Texas Open Meetings Act. Any reference in this article to "citizen boards, commissions, and committees" includes citizen task forces and citizen ad hoc boards, commissions, and committees unless otherwise indicated herein.

(3) *Appointments:*

a. Individual city council members making nominations for members to citizen boards, commissions, and committees will consider interested persons on a citywide basis.

b. The city council will make an effort to be inclusive of all segments of the community in the board, commission, and committee appointment process. City council members will consider ethnicity, gender, socio-economic levels, and other factors to ensure a diverse representation of Denton citizens.

c. The city council will take into consideration an individual's qualifications, willingness to serve, and application information in selecting nominations for membership to each board, commission, and committee.

d. In an effort to ensure maximum citizen participation, city council members will continue the general practice of nominating new citizens to replace board members who have served three (3) consecutive terms on the same board per the provisions of Denton Code of Ordinances, section 2-65. This provision does not apply to citizen task forces and citizen ad hoc committees.

e. Each city council member will be responsible for making nominations for board, committee, and commission places assigned to him or her, which shall correspond to the city council member's place. Individual city council members will make nominations to the full city council for the governing body's approval or disapproval.

(4) *Rules of procedure:*

a. All board, commission, and committee members, including citizen board, commission, and committee members, shall comply with the provisions of article II of chapter 2 of the Code of Ordinances. All board, commission and committee members, including citizen board, commission, and committee members, shall be provided a copy of these rules of procedure and a copy of the City of Denton Handbook for Boards, Commissions and Committees, which shall govern operational procedures of all boards, commissions and committees, including citizen boards, commissions, and committees. All boards, commissions, and committees, including citizen boards, commissions and committees, shall comply with these rules as to the preparation of minutes of meetings, and such minutes shall be prepared in accordance with the policies and procedures of the city secretary.

b. All citizen board, commission, and committee members shall comply with the procedural requirements of the V.T.C.A., Texas Government Code Chapter 551, also known as the "Texas Open Meetings Act" as they appear in statute or as they may be amended or otherwise modified. Notice of all meetings shall be posted in compliance with the Texas Open Meetings Act and minutes and records will be maintained in accordance with requirements of the city secretary's office. Each citizen board, commission, and committee member shall be provided a copy of the Texas Open Meetings Act. Penalty provisions of the Texas Open Meetings Act shall only apply to citizen boards, commissions, and committees with rule making or quasi-judicial power, as set forth in the Texas Open Meetings Act and as interpreted by Texas Courts. City council and city boards, commissions and committees may operate via videoconference to the extent permitted by law and as directed by council.

c. Unless otherwise provided by law, the city council and each board, commission, or committee, shall adopt a regular meeting schedule by no later than the body's first meeting of the calendar year. All regular meeting schedules shall be sent to the city secretary's office for official record keeping purposes upon adoption. Regular meeting schedules should include all planned meetings the body intends to have during the calendar year.

(i) *Votes required.* Questions on which the voting requirement is varied by the Charter, State Statutes and these rules are listed below:

(1) *Charter and state statutory requirements:*

a. *Charter amendment—Five (5) votes:* Ordinances submitting proposed Charter amendments must be adopted by a two-thirds (⅔) vote of the council. (TEX. CONST. art. XI, § 3 and V.T.C.A. Local Government Code Ch. 9 (Vernon 2014.)) For a seven-member council, this means five (5) members must vote affirmatively.

b. *Levying taxes—Five (5) votes:* Ordinances providing for the assessment and collection of certain taxes require the approval of two-thirds (⅔) of the members of the council (V.T.C.A. Tax Code § 302.101 (Vernon 2014)).

c. *Changing paving assessment plans—Five (5) votes:* Changes in plans for paving assessment require a two-thirds (⅔) vote of the council (V.T.C.A. Transportation Code § 313.053(e) (Vernon 2014)).

d. *Changes in zoning ordinance or zoning classifications:* In cases of a written protest of a change in a zoning regulation or zoning classification by the owners of twenty (20) percent or more either of the area of the lots included in such proposed change, or of the lots immediately adjoining the same and extending two hundred (200) feet therefrom, such amendment shall not become effective except by the favorable vote of three-fourths (¾) of all members of the city council; further, three-fourths (¾) of all the members of the city council is required to override the decision of the planning and zoning commission that a zoning change be denied (V.T.C.A. Local Government Code § 211.066 (Vernon 2014)) and section 35.3.4.C.(4) Denton City Code (Development Code)). ("All" members of the city council is construed to mean all who are qualified to vote on a matter, and any legal disqualification of a member could change the requisite number of votes required for passage. City of Alamo Heights v. Gerety et al., 264 S.W. 2d 778 (Ct. App. — San Antonio (1954)).

e. *Amendment of tax abatement policy:* The guidelines and criteria adopted as the city's tax abatement policy may be amended or repealed by a vote of three-fourths (¾) of all members of the city council (V.T.C.A. Tax Code § 312.002(c) (Vernon 2014)).

(j) *Severability clause.* If any section, subsection, paragraph, sentence, clause, phrase or word in this section, or application thereof to any person or circumstances, is held invalid by any court of competent jurisdiction,

such holding shall not affect the validity of the remaining portions of this article, and the City Council of the City of Denton, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

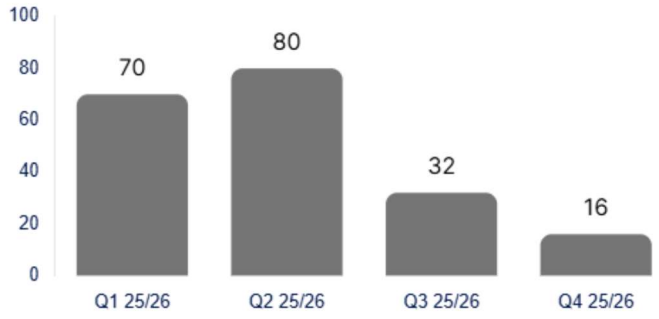
(Ord. No. 2001-193, § 1, 5-1-01; Ord. No. 2001-204, § 1, 5-29-01; Ord. No. 2002-018, § 1, 1-8-02; Ord. No. 2003-235, § 1, 8-5-03; Ord. No. 2003-373, §§ 1(6.3), 2; Ord. No. 2004-033, § 1(6.4b., c.), 1(6.5), 2-3-04; Ord. No. 2004-182, § 1, 7-20-04; Ord. No. 2004-298, § 2, 9-21-04; Ord. No. 2005-174, § 1, 6-21-05; Ord. No. 2006-175, § 1, 6-20-06; Ord. No. 2008-159, § 1, 7-15-08; Ord. No. 2009-174, § 1, 8-4-09; Ord. No. 2010-258, § 1, 10-19-10; Ord. No. 2010-312, § 1, 12-7-10; Ord. No. 2011-038, § 1, 3-1-11; Ord. No. 2015-231, § 1, 8-4-15; Ord. No. 2016-197, § 1, 7-19-16; Ord. No. 2018-551, § 2, 4-17-18; Ord. No. 2018-574, § 2, 4-17-18; Ord. No. 2018-1376, § 2(Att. A), 8-28-18; Ord. No. 2019-2128, § 1, 9-17-19; Ord. No. 19-2862, § 1, 1-28-20; Ord. No. 19-2863, § 1, 1-28-20; Ord. No. 19-2864, § 1, 1-28-20; Ord. No. 19-2865, § 1, 1-28-20; Ord. No. 20-229, § 1, 1-28-20; Ord. No. 21-1022, § 2, 5-25-21)

Friday Report - Council Requests FY 25-26

	Summary of Request or Item	Council Member Requestor	Date Received	Staff Assigned	Department	Comments	Status
1	Incremental Developer Training	Council Member Rumohr	08/10/26	Brittany Sotelo, Charlie Rosendahl, Jesse Kent	Community Services Development Services Economic Development	CMO Review	
2	Budget for Downtown Cleaning	Mayor Pro Tem Stevens	08/16/26	Aimee Kaslik, Allison Wing	Finance Parks	Referred to staff.	
3	Website Updates	Council Member Rumohr	08/20/26	Kayla Herrod	Marketing and Communication	Referred to staff.	
4	Ft. Worth Drive TxDOT Project Update	Mayor Watts	08/05/26	Farhan Butt	Development Services	Response sent.	
5	Bronco Way Follow-Up	Council Member Rumohr	08/17/26	Seth Garcia	Capital Projects/Engineering/Public Works	Response sent.	
6	HOT and Sponsorship Funds	Council Member Ferrie	08/17/26	Matthew Hamilton	Finance	Response sent.	
7	Clarification of Dates for Data Center Moratorium	Mayor Watts	08/19/26	Charlie Rosendahl	Development Services	Response sent.	
8	Court lighting at Avondale Park	Mayor Pro Tem Stevens	08/16/26	Allison Wing, Jen Basham	Parks	Response sent.	
9	Service Changes to Reduce Budget	Council Member Holland	08/18/26	Antonio Puente, Kenneth Hedges	DME Fire	Response sent.	
10	Propane Tank Disposal	Council Member Rumohr	08/13/26	Brenda Haney	Solid Waste	Response sent.	
11	Long-Vacant house	Mayor Pro Tem Stevens	07/23/26	Amber Rodgers, Charlie Rosendahl	Development Services	Response sent.	
12	Congress Street Flooding	Mayor Pro Tem Stevens	08/09/26	Stephen Gay	Capital Projects/Engineering/Public Works Development Services Public Works -Drainage	Response sent.	
13	Frame and Paisley Intersection Power Poles	Council Member Holland	08/17/26	Antonio Puente	DME	Response sent.	
14	Traffic Light Request	Mayor Pro Tem Stevens	08/15/26	Farhan Butt	Development Services	Audit scheduled Sep 2. Findings Sep 9	
15	Oak st and North Texas blvd intersection	Council Member Rumohr	08/17/26	Farhan Butt	Development Services	Audit scheduled Sep 1. Findings Sep 8	
16	Road Safety Audit at Panhandle & Thomas St	Council Member Rumohr	08/19/26	Farhan Butt	Development Services	Audit scheduled September 3. Findings Sept 9.	

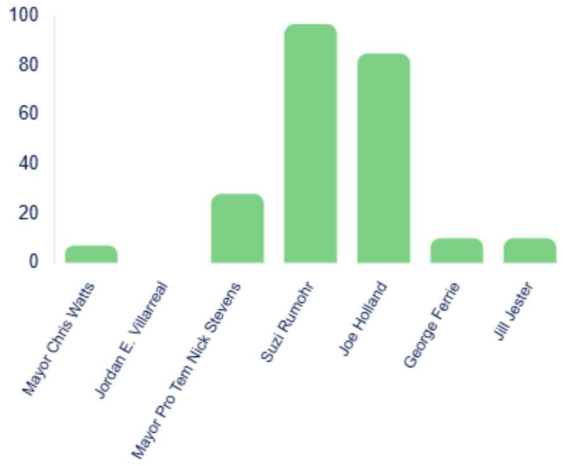
FY 25/26 Council Requests

Number of Requests Per Quarter

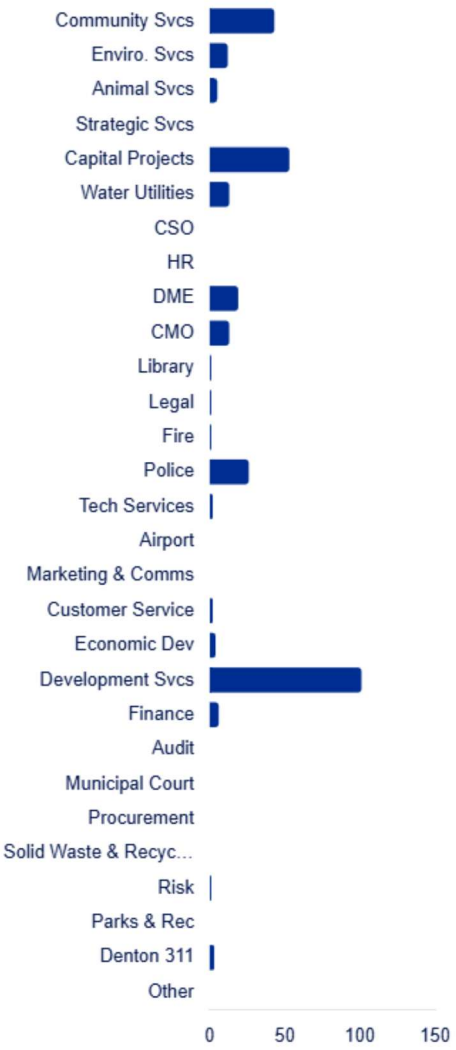


Please Note: the total number of requests per council member or department may not match, as several council members and/ or departments may be associated with a single request.

Total Requests Made by Council Member



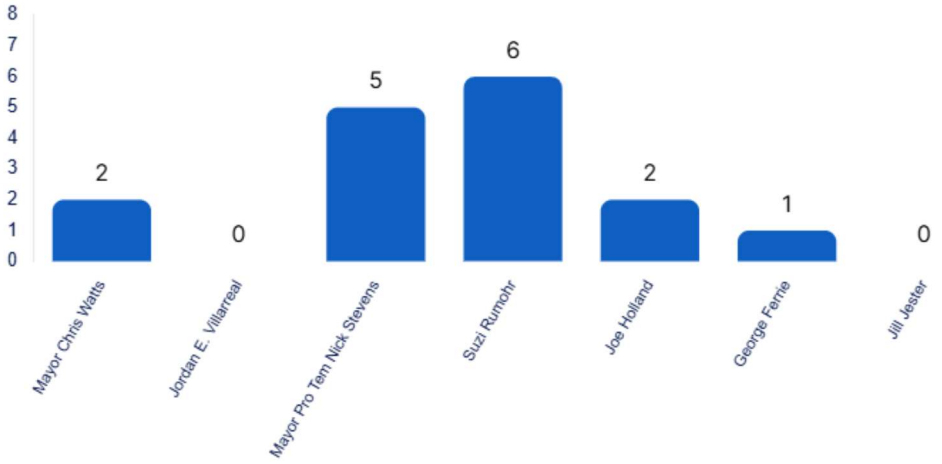
Closed Requests by Department



Council Requests

3

Number of Pending Requests by Council Member



City of Denton

Meeting Calendar

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Criteria : Begin Date: 8/24/2026, End Date: 11/27/2026

Date	Time	Meeting Body	Meeting Location
August 2026			
8/24/2026	9:00 AM	Public Utilities Board	Council Work Session Room
8/24/2026	3:00 PM	Development Code Review Committee	Development Services Center
8/24/2026	5:30 PM	Zoning Board of Adjustment	Cancelled
8/25/2026	9:00 AM	City Council	Cancelled
8/25/2026	9:00 AM	Community Partnership Committee	City Hall Work Session Room
8/26/2026	10:00 AM	Mobility Committee	Council Work Session Room
8/26/2026	1:00 PM	Civil Service Commission	Central Fire Station EOC Training Room
8/26/2026	1:00 PM	Sustainability Framework Advisory Committee	City Council Work Session Room
8/26/2026	6:00 PM	Planning and Zoning Commission	Council Chambers
8/27/2026	5:30 PM	Board of Ethics	Council Work Session Room
September 2026			
9/3/2026	8:00 AM	Agenda Committee	Council Work Session Room
9/3/2026	6:00 PM	Denton Police Department Chief of Police Advisory Board	Public Safety Training Center 719 E. Hickory Street Denton, Texas 76205
9/9/2026	11:00 AM	Economic Development Partnership Board	Development Service Center
9/9/2026	3:00 PM	Airport Advisory Board	Airport Terminal Meeting Room
9/9/2026	5:00 PM	Planning and Zoning Commission	Council Work Session Room & Council Chambers
9/10/2026	12:00 PM	Bond Oversight Committee	Council Work Session Room
9/10/2026	3:00 PM	Health & Building Standards Commission	Cancelled
9/11/2026	10:00 AM	Community Services Advisory Committee	Development Service Center
9/14/2026	9:00 AM	Public Utilities Board	Council Work Session Room
9/14/2026	3:00 PM	Development Code Review Committee	Development Services Center

Date	Time	Meeting Body	Meeting Location
9/14/2026	5:30 PM	Historic Landmark Commission	Development Service Center
9/14/2026	5:30 PM	Library Board	North Branch Library
9/14/2026	6:00 PM	Parks, Recreation and Beautification Board	Civic Center Community Room
9/15/2026	2:00 PM	City Council	Council Work Session Room & Council Chambers
9/17/2026	3:00 PM	Committee on Persons with Disabilities	Development Service Center
9/18/2026	9:00 AM	Community Partnership Committee	Council Work Session Room
9/22/2026	12:00 PM	Denton City Public Facility Corporation	Council Work Session Room
9/22/2026	2:00 PM	City Council	Council Work Session Room & Council Chambers
9/23/2026	12:00 PM	Tax Increment Reinvestment Zone Number One Board	Development Service Center
9/23/2026	12:00 PM	Tax Increment Reinvestment Zone Number One Board	Development Service Center
9/23/2026	1:00 PM	Civil Service Commission	City Hall East Human Resources Training Room
9/23/2026	1:00 PM	Sustainability Framework Advisory Committee	City Council Work Session Room
9/23/2026	5:00 PM	Planning and Zoning Commission	Council Work Session Room & Council Chambers
9/28/2026	9:00 AM	Public Utilities Board	Council Work Session Room
9/28/2026	3:00 PM	Development Code Review Committee	Development Services Center
9/28/2026	5:30 PM	Zoning Board of Adjustment	Development Service Center
9/30/2026	10:00 AM	Mobility Committee	Council Work Session Room

October 2026

10/1/2026	8:00 AM	Agenda Committee	Council Work Session Room
10/1/2026	8:30 AM	Downtown Economic Development Committee	Development Service Center
10/1/2026	4:00 PM	Public Art Committee	Civic Center Community Room
10/5/2026	9:00 AM	Public Utilities Board	Council Work Session Room
10/5/2026	6:00 PM	Parks, Recreation and Beautification Board	Civic Center Community Room
10/7/2026	5:00 PM	Planning and Zoning Commission	Council Work Session Room & Council Chambers

Date	Time	Meeting Body	Meeting Location
10/8/2026	3:00 PM	Health & Building Standards Commission	Development Service Center
10/9/2026	10:00 AM	Community Services Advisory Committee	Development Service Center
10/12/2026	3:00 PM	Development Code Review Committee	Development Services Center
10/12/2026	5:30 PM	Board of Ethics	Council Work Session Room
10/12/2026	5:30 PM	Historic Landmark Commission	Development Service Center
10/12/2026	5:30 PM	Library Board	South Branch Library
10/13/2026	2:00 PM	City Council	Council Work Session Room & Council Chambers
10/14/2026	11:00 AM	Economic Development Partnership Board	Development Service Center
10/14/2026	3:00 PM	Airport Advisory Board	Airport Terminal Meeting Room
10/15/2026	9:00 AM	Main Street Board	Development Service Center
10/21/2026	5:00 PM	Planning and Zoning Commission	Council Work Session Room & Council Chambers
10/23/2026	9:00 AM	Community Partnership Committee	Council Work Session Room
10/26/2026	3:00 PM	Development Code Review Committee	Development Services Center
10/26/2026	5:30 PM	Zoning Board of Adjustment	Development Service Center
10/27/2026	2:00 PM	City Council	Council Work Session Room & Council Chambers
10/28/2026	10:00 AM	Mobility Committee	Council Work Session Room
10/28/2026	1:00 PM	Civil Service Commission	City Hall East Human Resources Training Room
10/28/2026	1:00 PM	Sustainability Framework Advisory Committee	City Council Work Session Room

November 2026

11/2/2026	6:00 PM	Parks, Recreation and Beautification Board	Civic Center Community Room
11/4/2026	11:00 AM	Economic Development Partnership Board	Development Service Center
11/5/2026	8:00 AM	Agenda Committee	Council Work Session Room
11/5/2026	12:00 PM	Bond Oversight Committee	Council Work Session Room
11/9/2026	9:00 AM	Public Utilities Board	Council Work Session Room
11/9/2026	5:30 PM	Historic Landmark Commission	Development Service Center
11/9/2026	5:30 PM	Library Board	Emily Fowler Central Library

Date	Time	Meeting Body	Meeting Location
11/11/2026	3:00 PM	Airport Advisory Board	Airport Terminal Meeting Room
11/12/2026	3:00 PM	Health & Building Standards Commission	Development Service Center
11/13/2026	10:00 AM	Community Services Advisory Committee	Development Service Center
11/16/2026	3:00 PM	Development Code Review Committee	Development Services Center
11/16/2026	5:30 PM	Zoning Board of Adjustment	Development Service Center
11/17/2026	2:00 PM	City Council	Council Work Session Room & Council Chambers
11/18/2026	10:00 AM	Mobility Committee	Council Work Session Room
11/18/2026	12:00 PM	Tax Increment Reinvestment Zone Number One Board	Development Service Center
11/18/2026	5:00 PM	Planning and Zoning Commission	Council Work Session Room & Council Chambers
11/19/2026	3:00 PM	Committee on Persons with Disabilities	Development Service Center
11/20/2026	9:00 AM	Community Partnership Committee	Council Work Session Room
11/25/2026	1:00 PM	Civil Service Commission	City Hall East Human Resources Training Room

Tentative Work Session Topics and Meeting Information
Updated: August 21, 2026

Meeting Date	Item	Legistar ID	Departments Involved	Type	Estimated Time
September 15 Work Session (@2:00 p.m.) Regular Meeting (@ 6:30 p.m.)	A. Emergency Response Service Program	26-1221	**DME**	City Business	0:30
	B. Citywide Parking Study	26-0698	**Development Services**	City Business	0:45
	C. City-Wide Overtime Audit	25-2152	**Internal Audit**	City Business	0:30
	D. Budget Update	TBD	**City Manager's Office**	City Business	0:30
	D. Boards and Commissions Update	26-0971	**City Secretary's Office**	Council Request	1:00
	X. Two Minute Pitch:	26-0631	**City Manager's Office**	Council Request	0:30
	Closed Meeting Item(s):		**Legal (if any)**	City Business	0:30
				Total Est. Time:	4:15
	Other Major Items for Meeting:				
September 22 Work Session (@2:00 p.m.) Special Called Meeting (Upon conclusion of the WS)	A. Denton Climate Action Plan Update	26-0855	**Environmental Services**	City Business	0:30
	B. Energy Portfolio Mgmt. Audit Follow-Up	26-1187	**Internal Audit**	City Business	0:15
	C. Public Safety Communications Audit Follow-Up	26-1188	**Internal Audit**	City Business	0:15
	D. Wastewater System Operations Audit Follow-Up	26-1189	**Internal Audit**	City Business	0:15
	E. Annual Audit Plan	26-1192	**Internal Audit**	City Business	0:15
	F. Two Minute Pitch:	26-0633	**City Manager's Office**	Council Request	0:30
	Closed Meeting Item(s): Council Appointee Annual Perfomance Reviews		**Legal (if any)**	City Business	2:00
				Total Est. Time:	4:00
	Other Major Items for Meeting:				
October 13 Joint Meeting with Denton ISD (@12:00 p.m.)	A. City of Denton Legislative Program	25-2153	**City Manager's Office**	City Business	0:30
	B. City of Denton Capital Projects Update	26-2429	**Capital Projects**	City Business	0:30
	Closed Meeting Item(s):		**Legal (if any)**	City Business	0:00
				Total Est. Time:	1:00
	Other Major Items for Meeting:				
October 13 Work Session (@2:00 p.m.) Special Called Meeting (Upon conclusion of the WS)	A. Audit of Financial Planning	25-2153	**Internal Audit**	City Business	0:30
	B. Community Forever Village	26-2429	**Development Services**	City Business	0:45
	C. Multifamily Development Moratorium	TBD	**Development Services**	Council Request	0:45
	D. Council Developer Meeting Disclosure	TBD	**Internal Audit**	Council Request	0:45
	X. Two Minute Pitch:	26-0634	**City Manager's Office**	Council Request	0:30
	Closed Meeting Item(s): Federal Grants Discussion		**Legal (if any)**	City Business	0:30
				Total Est. Time:	3:45
	Other Major Items for Meeting:				
October 27 Work Session (@2:00 p.m.) Special Called Meeting (Upon conclusion of the WS)	A. Federal Legislative Update	26-0972	**City Manager's Office**	City Business	0:45
	B. Structural Changes to Ethics Ordinance	TBD	**Internal Audit**	Council Request	1:00
	C. Denton Renewable Resource Plan Updates	26-1354	**DME**	City Business	1:00
	D. Tree and Landscape Code Amendments	TBD	**Development Services**	City Business	0:30
	X. Two Minute Pitch:	26-0635	**City Manager's Office**	Council Request	0:30
	Closed Meeting Item(s):		**Legal (if any)**	City Business	0:30
				Total Est. Time:	4:15
	Other Major Items for Meeting:				
November 17 Work Session (@2:00 p.m.) Special Called Meeting (Upon conclusion of the WS)	A. Council Priority Update (Affordable Housing)	TBD		City Business	0:00
	B. Franchise Fee Collections Audit Follow-Up	26-1191	**Internal Audit**	City Business	0:15
	C. Network Management Audit Follow-Up	26-1190	**Internal Audit**	City Business	0:15
	Closed Meeting Item(s):		**Legal (if any)**	City Business	0:30
				Total Est. Time:	1:30
	Other Major Items for Meeting:				
December 1 Work Session (@2:00 p.m.) Regular Meeting (@ 6:30 p.m.)	A.	TBD		City Business	0:00
	Closed Meeting Item(s):		**Legal (if any)**	City Business	0:30
				Total Est. Time:	1:00
	Other Major Items for Meeting:				
December 15 Work Session (@2:00 p.m.) Regular Meeting (@ 6:30 p.m.)	A.	TBD		City Business	0:00
	Closed Meeting Item(s):		**Legal (if any)**	City Business	0:30
				Total Est. Time:	1:00
	Other Major Items for Meeting:				
Council Priorities and Significant Work Plan Items to be Scheduled	Denton Housing Authority	26-1002	**Community Services**	City Business	0:45
	Economic Development Programming	TBD	**Economic Development**	City Business	
	Alternative Work Schedules Pilot Program	TBD	**City Manager's Office**	City Business	
	City Sponsorship Criteria, Rubric, and Scoring Process	TBD	**City Manager's Office**	City Business	
	HOT Funds & Sponsorship Allocation Process	TBD	**City Manager's Office**	City Business	

**This is for planning purposes only. Dates are subject to change.*

1 Street Closure Report: Upcoming Closures

smartsheet

SCR Aug 24th - 30th

	Street/ Intersection	From	To	Closure Start Date	Closure End Date	Description	Department	Department Contact	Closure Type
1	Pershing Dr	Atlas Dr	Stuart Rd	09/01/26	09/01/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure
2	Snowshill Ct	Argle Ln	Cul de Sac	09/01/26	09/08/26	BaseFailure	Streets	Jesus Rodriguez	Lane Closure
3	Stuart Rd	Selene Dr	Juno Ln	09/01/26	09/01/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure

2 Street Closure Report: Current Closures

smartsheet

	Street/ Intersection	From	To	Closure Start Date	Closure End Date	Description	Department	Department Contact	Closure Type
1	Bonnie Brae St	University Dr (US 380)	Carril Al Lago Dr	07/13/26	09/11/26	Contractor is to demo existing southbound lanes of Bonnie Brae	Engineering	Jesus Perez	Lane Closure
2	Bonnie Brae St	University Dr (US 380)	Elm St (US77)	05/11/26	10/01/26	Contractor will continue to demolish and install infrastructure along the whole length of the project. At times Contractor will need the use of an additional lane.	Engineering	Jesus Perez	Rolling Closure
3	Bonnie Brae St	Riney Rd / Bronco Way	Elm Street (US77)	05/22/26	10/01/26	Contractor to construct the new concrete southbound lanes.	Engineering	Jesus Perez	Full Closure
4	Carril Al Lago Dr	Aurora Ln	Bonnie Brae St	05/25/26	09/03/26	Contractor will be demolishing the street intersection and median to the new right of way line.	Engineering	Jesus Perez	Full Closure
5	Carroll Blvd N	Pearl St	Prairie St W	07/27/26	09/04/26	Driver to use multiple TCP set up while relocating gas main.	Public Works Inspections	Christopher Yanez	Lane Closure
6	Carroll Blvd S	Prairie St W	Hickory St	08/24/26	09/25/26	Driver to perform gas work at the SE corner of intersection of Carroll/Mulberry Street.	Atmos Public Works Inspections	Zabdiel Mota	Lane Closure
7	Chipping Campden Rd	Carlisle Ct	Winthrop Hill Rd	08/24/26	08/31/26	BaseFailure Work	Streets	Jesus Rodriguez	Lane Closure
8	Fishtrap Rd	5501 Fishtrap Rd (Fishtrap Business Center)	Greenleaf Cir	06/22/26	08/31/26	Fink Construction extending waterline on Fishtrap for Riviera Mobile Home Park.	Public Works Inspections	Eder Talamantes	Lane Closure
9	Hickory Creek Rd	Riverpass Dr	Country Club Rd (FM 1830)	03/13/23	12/31/26	Bridge Installation	Engineering	Tracy Beck	Full Closure
10	Highland St W	Welch St	Bernard St	08/03/26	10/05/26	Reconstruct on W Highland	Streets	Jesse Rodriguez	Full Closure
11	Jupiter Dr	Redstone Rd	Selene Dr	02/02/26	09/11/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure
12	Neptune Dr	Redstone Rd	Selene Dr	11/24/25	09/11/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure
13	Oak St	Carroll Blvd	Fry St	05/08/26	08/28/26	A&D completing restoration for gas work	Public Works Inspections	Stephany Trammell	Rolling Closure
14	Oak St	Welch St	Ave C	05/08/26	08/28/26	A&D completing restoration for gas work	Public Works Inspections	Stephany Trammell	Rolling Closure
15	Pershing Dr	Atlas Dr	Stuart Rd	05/08/25	09/11/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure
16	Quail Creek Dr	Stockbridge Rd	Berry Down Ln	05/04/26	08/28/26	Replacing water lines	Private Development Public Works Inspections	Alexander Cervantes	Full Closure
17	Redstone Rd	Hercules Ln	Neptune Dr	05/05/25	10/31/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure
18	Robson Ranch Rd	I-35W	Gibbs Road/Ed Robson Blvd	08/10/26	02/06/27	Roadway widening from Sagehawk Drive to I-35W and at the Gibbs Road/Ed Robson Blvd intersection	Engineering	Megan Davidson	Lane Closure
19	Royal Acres Dr	Hercules Ln	Sherman Dr	02/16/26	09/11/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure
20	Stockbridge Dr	Hudsonwood Dr	Quail Creek Dr	03/30/26	09/11/26	Contractor replacing water lines for Providence Place Project	Private Development Public Works Inspections	Alexander Cervantes	
21	Stuart Rd	Sun Valley Dr	Imperial Dr	05/15/26	09/18/26	Utility Work	Public Works Inspections	Armando Beltran	Lane Closure
22	Welch St	Oak St	Hickory St	08/17/26	08/24/26	A&D to complete restoration for gas work for ATMOS	Public Works Inspections	Stephany Trammell	Full Closure
23	Windsor Dr	Northway	Parkside Dr	04/22/26	09/03/26	The Contractor will be demolishing the asphalt roadway that form the (2) west bound lanes West of the Windsor/Bonnie Brae intersection.	Engineering	Jesus Perez	Lane Closure
24	Windsor Dr	Northway	Bonnie Brae St	07/20/26	09/03/26	Contractor will be installing concrete pavement on the eastbound lanes west of the street intersection of Windsor & Bonnie Brae	Engineering	Jesus Perez	Lane Closure
25	Windsor Dr	Bonnie Brae St	Westgate Dr	03/26/26	09/18/26	Water Tap and Tie in. Closure will be active from 9am-3pm	Public Works Inspections	Armando Beltran	Lane Closure
26	Wisteria St	Willowwood St	Laurel St	08/19/26	08/25/26	Basefailure Repair	Streets	Jesus Rodriguez	Lane Closure
27	Yellowstone Pl	Imperial Dr	Sun Valley Dr	05/15/26	09/18/26	Utility Work	Public Works Inspections	Armando Beltran	Lane Closure

3 Street Closure Report: Completed Closures

smartsheet

	Street/ Intersection	From	To	Closure Start Date	Closure End Date	Description	Department	Department Contact	Closure Type
1	Audra Ln	Audra/Nottingham	Mockingbird Ln	07/13/26	07/24/26	Lacy to fix panels on Audra Lane for the Audra Lane Project (PCM22-0057)	Public Works Inspections	Stephany Trammell	Full Closure
2	Bernard St	Hickory St	Chestnut St	02/06/26	08/21/26	Utility installations and pavement replacement	Engineering	Megan Davidson	Full Closure
3	Donna Rd	Elm St	End	11/17/25	07/31/26	Utilities and Pavement replacement	Engineering	Dante Hale	Full Closure
4	Eagle Dr	Ave C	Ave A	03/17/25	07/31/26	Using it for an entrance due to elevation changes in the jobsite it is the only way to get into the site	Public Works Inspections	Stephany Trammell	Lane Closure
5	Eastpark Blvd	Heritage Trl	Crescent St	06/16/25	08/03/26	lane will be closed for up to 2 week starting on the 3rd of July	Public Works Inspections	John Cantu	
6	Hickory Creek Rd	Riverpass Dr	Waterside Pl	04/27/26	08/10/26	1) Intersection of Riverpass Drive and Hickory Creek Road will be reconstructed. 2) Hickory Creek Road from Riverpass Drive to Waterside Place will be reconstructed	Other	Tracy Beck	Full Closure
7	Mayhill Rd S	600ft North of Edwards Rd	400ft South of Edwards Rd	10/20/25	07/30/26	Waterline tap being installed on Mayhill Easment	Public Works Inspections	Alexander Cervantes	Rolling Closure
8	Meadow St	Inman St	I-35 Service Rd	06/08/26	07/31/26	Road Repair / Base failure repairs	Streets	Roy San Miguel	Lane Closure
9	Montecarlo Ln	Montecarlo Ln (3803)	Deadend	08/12/26	08/19/26	Localized roadway base failure repairs	Streets	Jesus Rodriguez	Full Closure
10	Montevideo Ct	Montecristo Ln	Cul de sac	08/10/26	08/17/26	Localized roadway base failure repairs	Streets	Jesus Rodiguez	Lane Closure
11	Overlake Dr	Ryan Rd	Wildwood Ln	08/04/26	08/06/26	Base failure repairs at intersection of overlake and ryan rd	Streets	Jesse Rodriguez	Full Closure
12	Riney Rd	Discovery Blvd	Elm St (US77)	06/08/26	08/14/26	Contractor to install storm drain laterals needed to increase the width of Riney Road. Contractor will also demolish the concrete street section adjacent to US77 in order to construct the street as per plan.	Engineering	Jesus Perez	Full Closure
13	Riverpass Dr	Hickory Creek Rd	Riverchase Trl	04/27/26	08/10/26	Full Closure of Riverpass between RIverchase Trail and Hickory Creek Road and Hickory Creek Road at Riverpass.	Other	Tracy Beck	Full Closure
14	Stuart Rd	Hercules Ln	Loop 288 N	05/11/26	08/21/26	SPS to use TCP on Stuard Road for their relocation of their gas main.	Public Works Inspections	Zabdiel Mota	Lane Closure
15	Teasley Ln & Shady Oaks Dr	I-35 Frontage Road	Colorado Blvd	07/13/26	07/31/26	3" Mill & Overlay	Engineering	Taylor Holt	Rolling Closure