

ORDINANCE NO. 2017-373

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MUNICIPAL ELECTION TO AMEND THE CITY CHARTER OF THE CITY OF DENTON ON NOVEMBER 7, 2017; ENTERING AN ORDER IN THE RECORDS OF THE MUNICIPALITY DECLARING THAT THE CHARTER AMENDMENTS ARE ADOPTED; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The City Council finds and declares that the November 7, 2017 election to amend the City Charter was duly ordered for the purpose of submitting five (5) propositions to the citizens of the City for amendments to the City Charter; that proper notice of this election was duly given and election officials appointed; and that the election was duly held and the returns of the election officials have been delivered to the Council, all in accordance with the laws of the State of Texas and the Charter and ordinances of the City of Denton.

SECTION 2. The official returns of the election officials having been opened, examined, and canvassed, and the Council hereby finds and declares that 4,899 ballots were cast at the election, and that the votes cast for each proposition on the ballot for the City Charter election were as follows:

TOTAL EARLY VOTES CAST:

PROPOSITION A.

SHALL SECTION 2.02 OF THE CITY CHARTER BE AMENDED TO CLARIFY THAT COUNCILMEMBER RESIDENCY QUALIFICATIONS APPLY TO THE COUNCILMEMBER'S DOMICILE (PRINCIPAL RESIDENCE), WHERE THE COUNCILMEMBER MUST HAVE RESIDED FOR AT LEAST ONE YEAR PRIOR TO THE ELECTION?

Yes	<u>2,019</u>
No	<u>118</u>

PROPOSITION B.

SHALL SECTION 4.13 OF THE CITY CHARTER BE AMENDED TO INCREASE THE PERCENTAGE OF PETITIONERS REQUIRED TO TRIGGER A RECALL ELECTION FROM TWENTY-FIVE PERCENT (25%) TO THIRTY-FIVE PERCENT (35%)?

Yes	<u>962</u>
No	<u>1,172</u>

PROPOSITION C.

SHALL SECTION 6.04 OF THE CITY CHARTER BE AMENDED TO CLARIFY THAT THE INTERNAL CITY AUDITOR SHALL BE A PERMANENT, FULL-TIME POSITION AND CLARIFY THE RESPONSIBILITIES?

Yes	<u>1,816</u>
No	<u>315</u>

PROPOSITION D.

SHALL SECTIONS 14.04 AND 14.05 OF THE CITY CHARTER BE REPEALED AND REPLACED WITH A PROVISION REQUIRING THE ADOPTION OF AN ETHICS ORDINANCE BY THE CITY COUNCIL IN ACCORDANCE WITH TEXAS LAW AND ADHERES TO CERTAIN MINIMUM STANDARDS?

Yes	<u>1,822</u>
No	<u>276</u>

PROPOSITION E.

SHALL A SECTION BE ADDED TO THE CITY CHARTER PROVIDING FOR COUNCILMEMBERS TO RECEIVE AN INITIAL MONTHLY STIPEND OF SEVEN HUNDRED FIFTY DOLLARS (\$750.00) AND THE MAYOR TO RECEIVE AN INITIAL MONTHLY STIPEND OF ONE THOUSAND DOLLARS (\$1,000.00) DURING THEIR RESPECTIVE TERMS OF OFFICE AND PROVIDING FOR RESTRICTIONS ON SUBSEQUENT INCREASES TO THE STIPEND AMOUNT?

Yes	<u>1,174</u>
No	<u>930</u>

TOTAL REGULAR VOTES CAST:

Proposition A.	Yes	<u>2,588</u>
	No	<u>120</u>
Proposition B.	Yes	<u>979</u>
	No	<u>1,723</u>
Proposition C.	Yes	<u>2,277</u>
	No	<u>411</u>
Proposition D.	Yes	<u>2,306</u>
	No	<u>340</u>

Proposition E.	Yes	<u>1,536</u>
	No	<u>1,120</u>

TOTAL VOTES CAST:

Proposition A.	Yes	<u>4,607</u>
	No	<u>238</u>

Proposition B.	Yes	<u>1,941</u>
	No	<u>2,895</u>

Proposition C.	Yes	<u>4,093</u>
	No	<u>726</u>

Proposition D.	Yes	<u>4,128</u>
	No	<u>616</u>

Proposition E.	Yes	<u>2,710</u>
	No	<u>2,050</u>

SECTION 3. The City Council finds and declares that: Propositions A, C, D, and E were passed and the City Charter is hereby amended in accordance with these Propositions, and that Proposition B was defeated. The City Council hereby assigns Proposition E, which is to be a new section in the Charter, Section 2.14 for codification and reference purposes.

SECTION 4. In accordance with Tex. Loc. Gov't Code §9.005, this Ordinance shall constitute an order that Propositions A, C, D, and E and all the amendments therein referenced being Amendments A, C, D, and E set forth in Section 1 of a conformed version of Ordinance No. 2017-237, showing all amendments, which is incorporated herein and made a part of this ordinance for all purposes, are adopted and have been approved by a majority of the qualified voters of the City of Denton who voted at the election to consider the propositions to amend the City Charter, and that Proposition B and the amendment therein referenced as Amendment B set forth in Section 1 of said Ordinance was not adopted by the majority of the qualified voters. The City Secretary is hereby directed to enter a full and correct copy of this Ordinance and Ordinance 2017-237 into the official minutes of this meeting and it shall become an official record of the City of Denton.

SECTION 5. The City Secretary is hereby directed to send to the Secretary of State a certified copy of Ordinance No. 2017-237, along with a certified copy of this Ordinance canvassing this election and certified copies of the amended Charter, one showing the amendments by showing the additional language as underlined and with deleted language as strike outs, and one with deleted language removed and new language in normal typeface. The City Secretary is hereby directed to record in the City Secretary's Office the Charter amendments adopted by the voters of the City, and to provide a conformed version of the Charter with the

amendments to be available to all members of the public in accordance with Tex. Loc. Gov't Code §9.008.

SECTION 6. The City Council has found and determined that the meeting at which this Ordinance is considered is open to the public and that notice thereof was given in accordance with provisions of the Texas open meetings law, Tex. Gov't Code ch. 551, as amended, and that a quorum of the City Council was present.

SECTION 7. This Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 20th day of November, 2017.

Sara Brynne, Mayor-Ten for  
CHRIS WATTS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: Jane Richardson, Asst.

APPROVED AS TO LEGAL FORM:  
AARON LEAL, CITY ATTORNEY

BY: [Signature]

**City of Denton Cumulative**

Run Time 11:20 AM  
Run Date 11/16/2017

**Denton County****Constitutional Amendment & Joint Elections**

11/7/2017

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**Official results****Registered Voters**

4899 of 74783 -- 6.55 %

**City of Denton Proposition A**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		287	97.95%	1732	93.93%	2588	95.57%	4607	95.09%
No		6	2.05%	112	6.07%	120	4.43%	238	4.91%
Cast Votes:		293	100.00%	1844	100.00%	2708	100.00%	4845	100.00%
Undervotes:		11		13		30		54	
Overvotes:		0		0		0		0	

**City of Denton Proposition B**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		160	55.17%	802	43.49%	979	36.23%	1941	40.14%
No		130	44.83%	1042	56.51%	1723	63.77%	2895	59.86%
Cast Votes:		290	100.00%	1844	100.00%	2702	100.00%	4836	100.00%
Undervotes:		14		13		34		61	
Overvotes:		0		0		2		2	

**City of Denton Proposition C**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		240	82.76%	1576	85.61%	2277	84.71%	4093	84.93%
No		50	17.24%	265	14.39%	411	15.29%	726	15.07%
Cast Votes:		290	100.00%	1841	100.00%	2688	100.00%	4819	100.00%
Undervotes:		14		16		49		79	
Overvotes:		0		0		1		1	

**City of Denton Cumulative**

Run Time 11:20 AM  
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11/7/2017

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**Official results****Registered Voters**

4899 of 74783 = 6.55 %

**City of Denton Proposition D**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		267	90.51%	1555	86.25%	2306	87.15%	4128	87.02%
No		28	9.49%	248	13.75%	340	12.85%	616	12.98%
Cast Votes:		295	100.00%	1803	100.00%	2646	100.00%	4744	100.00%
Undervotes:		8		54		91		153	
Overvotes:		0		0		1		1	

**City of Denton Proposition E**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		172	58.11%	1002	55.42%	1536	57.83%	2710	56.93%
No		124	41.89%	806	44.58%	1120	42.17%	2050	43.07%
Cast Votes:		296	100.00%	1808	100.00%	2656	100.00%	4760	100.00%
Undervotes:		7		49		80		136	
Overvotes:		0		0		2		2	