

MINUTES
HALTOM CITY CHARTER REVIEW COMMITTEE
City Hall – Pre Council Room
5024 Broadway Avenue
March 16, 2015 – 5:30 P.M.

A Regular Meeting was held by the Haltom City Charter Review Committee on Monday, March 16, 2015 at the City Hall Pre-Council Room with the following members present to-wit: Chairman Jimbo White, Vice Chair Bill Lanford; Committee Members: Linda Thompson, Don Lemaster, Steve Chapman, Scott Garrett, Layla Caraway and Jack Lewis. Committee Member Birdi Blocker was absent. City Staff included City Manager Tom Muir and City Secretary Art Camacho

CALL TO ORDER

Chair White called the meeting to order at 5:30 p.m.

1. **Charter Revisions** – Consideration and/or action regarding revisions to the City Charter. City Manager Tom Muir stated he received information from the city attorney regarding the following previous revisions:
Sec. 6.02 – Petition for filing – Filing requirements – The City Attorney stated they were still tracking for cities that were using high percentages for qualified voter petition. The attorney also stated that several current House bills at the state legislature meeting could jeopardize some of the Committee changes, but they still wanted to progress forward. A discussion was held regarding whether a resolution or ordinance would more effective concerning *Sec. 7.01 – General Power*.
The Committee again reviewed *Sec. 6.01* and Committee Member Chapman provided the proposed language:
“Any city official, whether elected to office by the qualified voters of the city or appointed by the city council to fill a vacancy, shall be subject to recall and removal from office by the qualified voters of the city on grounds of misconduct, malfeasance in office, or incompetency.
The recall petition must be addressed to the City Council of Haltom City, must distinctly and specifically point out the ground or grounds upon which such petition for removal is predicated, and shall specifically state the facts supporting each ground with such certainty as to give the officer sought to be removed notice of the matters and things with which they are charged.
For purposes of this section the following definition of terms shall apply:
The term ‘misconduct’ shall mean a transgression of some established and definite rule of law, charter provision or city ordinance. In order to constitute ‘misconduct’, such conduct shall be of a forbidden nature, a dereliction from duty or unlawful behavior and willful in nature.
The term ‘malfeasance’ shall mean a wrongful act which the actor has no right to do and which affects, interrupts, or interferes with the performance of official duty of any officer, employee or member of the governing body of the city.
The term ‘incompetency’ shall mean a lack of ability, legal qualification or fitness to discharge the required duties of the position.”
Sec. 6.06 – Reserved - In addition, the Committee wanted to include the opportunity for the recalled person to be able to have a public hearing to allow for him to present facts pertinent to the recall charges. Committee Member Chapman submitted the following:

"The officer whose removal is sought may, within five days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him/her to present facts pertinent to the charges specified in the recall petition. The city council shall order such public hearing to be held not less than five days nor more than fifteen days after receiving such request for a public hearing."

The Committee also discussed the percentage on *Sec. 6.02 – Petition for filing – Filing requirements* – and determined that the 51% rate for voters needed for a petition was too high and settled on a 33% rate requirement.

Sec. 6.07 – Election to be called – No changes were made.

Sec. 6.08 – Same – Ballots – No changes were made.

Sec. 6.09 – Same – Result – No changes were made.

Sec. 6.10 – Same – Restriction recall – No changes were made.

Sec. 6.11 – Failure of city council to act. – No changes were made.

Article VII. INITIATIVE AND REFERENDUM

Sec. 7.01 General power – No changes were made, but a discussion was held if this procedure has ever been initiated in Haltom City.

Sec. 7.02 Initiative procedure – A discussion was held regarding the comparison to *Sec. 6.02 – Petition for filing – Filing requirements* – concerning the process and percentage requirements. The process will remain intact, but the percentage is changed for 6.02 (6.02 – 33%; 7.02 – 25%).

No changes were made regarding the following sections:

Sec. 7.03 – Referendum

Sec. 7.04 – Voluntary submission of legislation by the council

Sec. 7.05 – Form of ballots

Sec. 7.06 – Publication of proposed and referred ordinances

Sec. 7.07 – Adoption of ordinance

Sec. 7.08 – Inconsistent ordinances

Sec. 7.09 – Ordinances passed by popular vote, repeal or amendment

Sec. 7.10 – Further regulations by city council

Sec. 7.11 – Franchise ordinances

Article VIII. FRANCHISES AND PUBLIC UTILITIES

Sec. 8.01 – Powers of the city as to utilities generally – No changes were made.

2. **Approval of Minutes** – Consideration and/or action to approve the Minutes of the March 2, 2015 Charter Review Committee Meeting. Committee Member Thompson moved, seconded by Committee Member Lanford, to approve the Minutes of March 2, 2015. ***The vote was unanimous. Motion carried.***
3. **Committee Member Absence** – Consideration and/or action regarding excused absences of committee members. Board Member Lemaster moved, seconded by Board member Thompson, to approve the absence of Board Member Blocker. ***The vote was unanimous. Motion carried.***

ADJOURNMENT

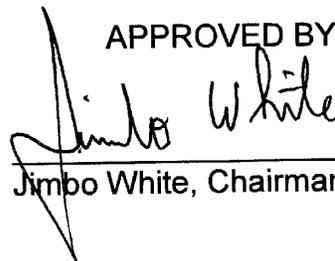
Chair White announced the next meeting will be held on April 6, 2015 at 5:30 p.m. and adjourned the meeting at 7:02 p.m. on March 16, 2015.

RESPECTFULLY SUBMITTED BY:



Art Camacho, City Secretary

APPROVED BY:



Jimbo White, Chairman