



**AGENDA
CHARTER REVIEW COMMISSION
COUNCIL CHAMBERS
OCTOBER 24, 2022
6:00 PM**

The Charter Review Commission will hold a special meeting on October 24, 2022, at 6:00 pm in the City Hall Council Chambers, 101 S. Main Street, Joshua, Texas.

Individuals may attend the meeting in person, or access the meeting via videoconference, or telephone conference call.

Join Zoom Meeting:

<https://us02web.zoom.us/j/82591579755?pwd=NklYdjdqQ3dZUkkrckRMdFZmb3JlEQ09>

Meeting ID: 82591579755 Passcode: 038800

A member of the public who would like to submit a question on any item listed on this agenda may do so via the following options:

Online: An online speaker card may be found on the City's website (cityofjoshuatx.us) on the Agenda/Minutes/Recordings page. Speaker cards received will be read during the meeting in the order received by the City Secretary.

By phone: Please call 817/558-7447 ext. 2003 no later than 5:00 pm on the meeting day and provide your name, address, and question. The City Secretary will read your question in the order they are received.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

B. CITIZENS FORUM

The Charter Review Commission invites citizens to speak on any topic. However, unless the item is specifically noted on this agenda, the Charter Review Commission is required under the Texas Open Meetings Act to limit its response to responding with a statement of specific factual information, reciting the City's existing policy, or directing the person making the inquiry to visit with City Staff about the issue. No Board deliberation is permitted. Each person will have 3 minutes to speak.

C. REGULAR AGENDA

1. Welcome remarks and introductions
2. Election of a Chair and Vice-Chair
3. Review of Goals and Objectives
4. Timeline to review and propose Charter Amendments to City Council
5. Review and discuss portions of the Charter for possible amendment(s).

D. ADJOURN

The Charter Review Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including 551.071 (private consultation with the attorney for the City); 551.072 (discussing purchase, exchange, lease or value of real property); 551.074 (discussing personnel or to hear complaints against personnel); and 551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Pursuant to Section 551.127, Texas Government Code, one or more Commissioner may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. A quorum will be physically present at the posted meeting location of City Hall.

In compliance with the Americans with Disabilities Act, the City of Joshua will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 817/558-7447.

CERTIFICATE:

I hereby certify that the above agenda was posted on the 11th day of October 2022, by 5:00 p.m. on the official bulletin board at the Joshua City Hall, 101 S. Main, Joshua, Texas.

Alice Holloway, City Secretary

POSSIBLE CHARTER REVISIONS

1. SECTION 3.06: VACANCIES AND FORFEITURE OF OFFICE

A. Vacancies. The office of a City Council member shall become vacant upon the death, resignation, forfeiture of office, or removal from office in any manner authorized by law or by this Charter. All vacancies shall be filled in accordance with Article IV of this Charter.

B. Forfeiture of Office. A Councilmember shall forfeit office if the member:

1. During the term of office lacks at any time any qualifications for the office prescribed by law or by this Charter.
2. Violates any express prohibition of this Charter.
3. Fails to attend three (3) consecutive regular meetings of the City Council without ~~being excused by prior consent of the City Council, unless this absence is caused by illness or by the illness of a family member.~~ The City Council shall be the final judge in matters involving forfeiture of office by a Council Member or the Mayor.
4. Is convicted of a felony or a crime involving moral turpitude while in office.
5. Ceases to reside in the City.

2. SECTION 4.10: VACANCIES

A. If a vacancy occurs in the office of the Mayor, the Mayor Pro Tem shall perform the duties of the Mayor until such time as a new Mayor is elected. Any other vacancy on the City Council shall be filled in accordance with the provisions of this section.

B. A vacancy on the City Council for an office with a three-year term must be filled by special election in accordance with the requirements of the Texas Constitution-; however, in the event a vacancy occurs on the City Council for an unexpired term of twelve (12) months or less, the City Council may call a special election to fill the vacancy, or by majority vote of the City Council, appoint a replacement to fill the vacancy.

C. Vacancies on the Council for offices with two-year terms shall be filled as provided in this subsection. In the event there is one vacancy on the City Council, the City Council may call a special election or by a majority vote of all remaining members appoint a qualified person to fill the vacancy. In the event there is more than one vacancy, the City Council shall call a special election, unless appointment is required to achieve a quorum.

3. SECTION 9.05: RIGHT OF REGULATION

In granting, amending, renewing and extending public service, transportation and utility franchises, the City reserves unto itself all the usual and customary rights, including, but not limited to, the following rights, whether or not stated in a franchise ordinance:

- A. To repeal the franchise by ordinance for failure to begin construction or operation within the time prescribed, or for failure to comply with terms of the franchise.
- B. To require all extensions of service within the City limits to become part of the aggregate property of the service and operate subject to all obligations and reserved rights contained in this Charter. Any such extension is considered part of the original grant and terminable at the same time and under the same condition as the original grant.
- C. To require expansion and extension of facilities and services and to require maintenance of existing facilities to provide adequate service at the highest level of efficiency.
- D. To require reasonable standards of service and quality of product and prevent rate discrimination.
- E. To impose reasonable regulations and restrictions to insure the safety and welfare of the public.
- F. To examine and audit accounts and records and to require annual reports on local operations of the public service or utility.
- G. To require the franchisee to obtain prior approval by permit to place subsurface utilities.
- H. To require the franchisee to restore, at franchisee's expense, all public or private property to a condition as good as or better than before disturbed by the franchisee for construction, repair or removal. ~~No asphalt or concrete street or thoroughfare shall be cut without the City Manager or his designee's written approval.~~
- I. To require the franchisee to furnish to the City, within a reasonable time, at the franchisee's expense, a general map outlining current location, character, type of structure, size, length, depth, height and terminal of all facilities over and under property within the City and its extraterritorial jurisdiction.
- J. To require compensation, rent or franchise fees to be paid to the City as may be permitted by the laws of the State of Texas.

4. SECTION 11.12: OFFICIAL MEDIUM

The City Council shall, by resolution, designate one or more local newspaper(s) of general circulation in the City as the official newspaper(s) for publication of official business. All

ordinances, notices, and other matters that are required to be published officially by this Charter, the ordinance of the City, or the laws of the State of Texas shall be publicized once in said medium.

5. GENERAL BOND PROPOSITION:

Shall the City Charter be amended throughout to correct non-substantive errors such as misspellings, punctuation, grammar and sentence structure, revise references to repealed or obsolete provisions of state law and conform notice and publication requirements to state law?