

**NOTICE OF PUBLIC MEETING**  
**CITY OF GRAHAM - CHARTER REVIEW WORKING GROUP**  
**MAY 16, 2024 - 11:00 A.M.**  
**COUNCIL CHAMBERS, 608 ELM STREET, GRAHAM, TEXAS**

PURSUANT TO THE TEXAS OPEN MEETINGS ACT, NOTICE IS HEREBY GIVEN THAT A CALLED MEETING OF THE CITY OF GRAHAM CHARTER REVIEW WORKING GROUP WILL BE HELD ON **MAY 16, 2024, AT 11:00 A.M., IN THE COUNCIL CHAMBERS AT THE GRAHAM CITY HALL, 608 ELM STREET, GRAHAM, TEXAS,** AT WHICH MEETING, THE FOLLOWING AGENDA ITEMS WILL BE CONSIDERED. ITEMS ON THE AGENDA ARE SUBJECT TO ACTION. THE CITY OF GRAHAM CHARTER REVIEW WORKING GROUP RESERVES THE RIGHT TO MEET IN CLOSED/EXECUTIVE SESSION ON AN AGENDA ITEM SHOULD THE NEED ARISE, AND IF APPLICABLE, PURSUANT TO AUTHORIZATION BY TITLE 5, CHAPTER 551 OF THE TEXAS LOCAL GOVERNMENT CODE.

**MEETING AGENDA:**

1. **Call to Order**      **Time:** \_\_\_\_\_
2. **Notice of Posting:** Notice of this Called Meeting of the City of Graham Charter Review Working Group was duly posted at a place readily accessible to the public at least 72 hours prior to the date and time of this meeting, in accordance with the Texas Open Meetings Act.
3. **Roll Call of Members Present.**
4. **Public Forum:** This forum is for citizens to comment on any Home Rule Charter-related subject not on an agenda, no discussion can be had by the Working Group; however, items discussed can be placed on a future agenda for discussion and action.
5. Consider and act to approve the Minutes of the meeting held on March 21, 2024.
6. Discussion regarding Slate No. 5, a listing of Charter Amendment Propositions developed by the Charter Review Working Group, as depicted at Exhibit A to the Agenda.
7. Consider and act to recommend that the City Council take such action as may be required to hold an election to amend the City of Graham Charter and further, that the Charter Review Working Group recommends that the Propositions listed at Slate No. 5 (as amended) be considered at said election.
8. Comments and Announcements from Working Group members.

9. Discussion regarding proposed future agenda items.

10. Adjournment. Time: \_\_\_\_\_



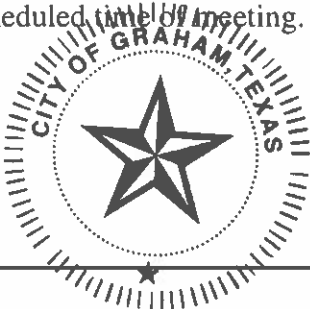
Eric Garretty, City Manager

**NOTICE**

The City of Graham Charter Review Working Group reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations Regarding Real Property), 551.073 (Deliberations Regarding Prospective Gift), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 – (Deliberations Regarding Economic Development). Before any closed session is convened, the Presiding Officer will publicly identify the section or sections of the act authorizing the closed session. All final votes, actions or decisions will be taken in open session.

I, the Undersigned Authority, do hereby certify that the above notice of Meeting of the City of Graham Charter Review Working Group is a true and correct copy of said notice posted at the City of Graham, Texas, and a place convenient and readily accessible to the general public at all times.

Witness my hand and seal of the City of Graham this \_\_\_\_\_ day of \_\_\_\_\_, 2024 at \_\_\_\_\_ and remained so posted continuously for at least 72 hours proceeding the scheduled time of meeting.



City of Graham

By:   
Marci Bueno, City Secretary

**ACCESSIBILITY NOTICE**

**This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation and interpretive services must be made 48 hours prior to the meeting. Contact the City Hall at (940) 549-3324.**

I hereby certify that the above shown notice was removed from the posting location at the Graham City Hall, 612 Elm Street, Graham, Texas 76450, at \_\_\_\_\_ a.m./p.m. on the \_\_\_\_\_ day of \_\_\_\_\_ 2024 and satisfies the 72-hour posting requirement.

**EXHIBIT A**

**PROPOSED CHARTER PROPOSITIONS  
FOR  
NOVEMBER 5, 2024 BALLOT**

**PROPOSITION A** - Shall Section 3 of the Graham City Charter be amended to read:

**"Section 3 - Annexation**

(a) That, in accordance with applicable state laws, the City Council of the City of Graham, Texas, shall have the power and authority by ordinance duly adopted by the City council to extend and enlarge the corporate boundaries of the City of Graham only through annexation of additional territory which lies within the City's exclusive extra-territorial-jurisdiction.

(b) Property owners who have ownership of territory which lies in the exclusive extra-territorial-jurisdiction of the City may petition the City Council for annexation in accordance with applicable state laws.

(c) An ordinance annexing property shall describe, by metes and bounds, the territory so annexed and, upon the passage and adoption of said ordinance, such territory shall become a part of the City of Graham and included in its corporate limits. This Section shall control in the event of a conflict of an ordinance or part of an ordinance adopted by the City Council in conflict with this Section."

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.

**PROPOSITION B** - Shall Section 4 of the Graham City Charter be amended to read:

**"Section 4 - Reserved**

This Section was repealed at the November 5, 2024 Charter amendment election. Language previously in this Section was moved to Section 3(b)."

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.

**EXHIBIT A**

**PROPOSED CHARTER PROPOSITIONS  
FOR  
NOVEMBER 5, 2024 BALLOT**

**PROPOSITION C** - Shall Section 9 of the Graham City Charter be amended to read:

"All legislative and executive powers of the city shall be vested in the City Council which shall be elected in the manner proposed by this Charter. The terms board of aldermen, city council, and council shall all refer to the governing body of the City of Graham. The terms alderman and councilmember shall mean a member of the governing body other than the mayor."

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.

**PROPOSITION D** – Shall Section 12 of the Graham City Charter be amended to read:

"Each member for the City Council shall be a resident of the City of Graham. A person desiring to file for candidacy for the position of Mayor or Councilmember must meet the following qualifications: (a) be a United States citizen, (b) be 18 years of age on the date of election, (c) have been a resident of the City of Graham for six months prior to the date of election, (d) have paid all property taxes which are due to the City, and (e) be otherwise eligible for candidacy per the eligibility requirements for public office as stated in Section 141.001 of the Texas Election Code."

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.

**EXHIBIT A**

**PROPOSED CHARTER PROPOSITIONS  
FOR  
NOVEMBER 5, 2024 BALLOT**

**PROPOSITION E** - Shall Section 25 of the Graham City Charter be amended to read:

"At the next called meeting which occurs after the date upon which canvassing of the municipal election is allowed under Texas Election Code, the City Council shall canvass the results of a municipal election during which the positions of Mayor, or at least one Councilmember, are elected, The City Council shall meet at the usual place and time for holding such meetings, at which time the newly elected Mayor or Councilmember(s) shall assume the duties of office. The City Council shall be the judges of the election and qualifications of its members, subject to review by the courts, and in accordance with the Texas Election Code.

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.

**PROPOSITION F** - Shall Section 25.1 of the Graham City Charter be created and added to the City of Graham Charter to read thusly:

**Sec. 25.1 - Forfeiture of office by Mayor or Councilmember for a felony conviction; expulsion of Mayor or Councilmember for disorderly behavior**

(a) In the event that the Mayor, or any Councilmember, is convicted of a felony while in office, the incumbent shall be deemed 'not qualified for office' and shall thereby immediately forfeit the office to which the Mayor or Councilmember was previously elected.

(b) The City Council may determine its own rules of procedure and punish its members for disorderly behavior. The Mayor, or a Councilmember, may be expelled from the City Council for disorderly behavior. Expulsion of the Mayor or a City Councilmember for disorderly behavior may only be affected through passage of an Expulsion Resolution. The Expulsion Resolution must receive a favorable vote from three-fourths of the City Council for passage.

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.

**EXHIBIT A**

**PROPOSED CHARTER PROPOSITIONS  
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**PROPOSITION G** - Shall Section 25.2 of the Graham City Charter be created and added to the Graham City Charter to read thusly:

**Sec. 25.2 - Frequency of City Council meetings, special meetings, and meeting in closed session**

(a) The City Council shall meet at such time and place as may be prescribed by ordinance, but not less frequently than once every two weeks unless, by a majority vote of the Council, a scheduled meeting is cancelled. A majority of all the members elected to the City Council shall constitute a quorum to conduct official business of the Council. The Council shall make its planned meeting schedule available to the public.

(b) Special meetings may be called by the Mayor, may be called by the City Secretary upon the written request of three Councilmembers, or may be called by the City Manager. All meetings of the City Council, and of the boards and committees thereof, except as hereinafter provided, shall be open to the public and the City Council shall provide that citizens shall have an opportunity to be heard at any such meeting in regard to any matter, or to be considered, thereat.

(c) Closed (also called 'Executive') sessions of the City Council, and of the boards and committees thereof, shall be held in accordance with the terms and provisions contained within the various laws, statutes, rules, and regulations collectively referred to as the "Texas Open Meetings Act'."

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.

**EXHIBIT A**

**PROPOSED CHARTER PROPOSITIONS  
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**PROPOSITION H** – Shall Section 117 of the Graham City Charter be amended to read:

"The City may enforce its ordinances by setting fines consistent with applicable state laws. Provisions may also be made by ordinance for the collection of fines imposed and executions issued in civil cases."

**Fiscal Impact Statement:** In the event this proposition is approved, the City may experience an increase in revenue from the increase in the possible amount of fines collected for ordinance violations.

**PROPOSITION I** - Shall Section 128 of the Graham City Charter be amended to read:

"The provisions of this Charter, in so far as they may conflict with the state laws, shall not supersede state law and the conflicting provisions of this Charter shall be held invalid."

**Fiscal Impact Statement:** In the event this proposition is approved, it will have no fiscal impact on the City or its residents.