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### COMMISSION ON DISABILITIES REGULAR MEETING

May 28<sup>th</sup>, 2024 at 2:00 P.M.
Dallas City Hall, 6ES Council Briefing Room and Videoconference

#### **Video Conference:**

https://dallascityhall.webex.com/dallascityhall/i.php?MTID=m4668f1edc5a7881b22245072e5eb2169

Telephone: (408) 418-9388, Access Code: 2482 055 5623

The City of Dallas will make reasonable modifications to programs and/or other related activities to ensure all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Office of Equity & Inclusion by calling (214) 670-7311 or TTY (800) 735-2989, forty-eight (48) hours prior to the scheduled meeting. A video stream of the meeting will be available two business days after adjournment by visiting

https://dallascityhall.com/government/Pages/Live.as px.

Individuals and interested parties wishing to speak must register with the Office of Equity & Inclusion by calling (214) 670-7311, twenty-four (24) hours prior to the meeting date and time.

La Ciudad de Dallas llevará a cabo Modificaciones Razonables a los programas u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio o interpretación para poder participar de forma íntegra en la reunión debe notificar a la Oficina de Equidad y Inclusión Ilamando al (214) 670-7311 o TTY (800) 735-2989, dos (2) días hábiles antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en <a href="https://dallascityhall.com/government/Pages/Live.aspx">https://dallascityhall.com/government/Pages/Live.aspx</a>.

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en la Oficina de Equidad y Inclusión llamando al (214) 670-7311, 24 horas antes del tiempo de la reunión.

#### **AGENDA**

- I. Call to Order: Chairman John Kalkanli, Mayor Appointee
- II. Roll Call

#### **VOTING AGENDA ITEMS**

- III. Approval of Minutes
  - Approval of the March 26<sup>th</sup>, 2024 Commission on Disabilities meeting minutes.
- IV. Public Speakers (3 Minute Limit)
- V. Officer Reports

- Chairman John Kalkanli (Mayor Appointee) will speak about the Autism Acceptance Month event on April 17<sup>th</sup>, 2024.
- Chairman John Kalkanli (Mayor Appointee) will discuss his fact-finding meeting at Mozee on April 10<sup>th</sup>, 2024 focusing on autonomous mobility options.
- Chairman John Kalkanli (Mayor Appointee) will share details of the "Disability Cultural Humility Trainings" by Metrocare and the Texas Council for Developmental Disabilities aimed to educate elected officials on Intellectual and Developmental Disabilities (IDD).

#### VI. Commissioners' Reports

#### **BRIEFING ITEMS**

#### VII. Briefings

- Chief Integrity Officer, Baron Eliason, will present on ethics, specifically code of conduct, civility, and decorum in meetings.
- Public Information Coordinator, Michael Smith, with the City of Dallas Department of Transportation will present on the Department's work and resources available for people with disabilities.

#### VIII. Announcements

#### IX. Adjournment

#### **Handgun Prohibition Notice for Meetings of Governmental Entities**

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propriedad."

#### **EXECUTIVE SESSION NOTICE**

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

- 1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
- 2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
- 3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
- 4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
- 5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
- 6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt . Code §551.087]
- 7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]



#### Commission on Disabilities Regular Meeting Minutes March 26, 2024 Dallas City Hall, 6ES

Call-in (408) 418-9388 Access Code: 2491 915 4254 John Kalkanli, Presiding

PRESENT: [7]

John Kalkanli, Chair District 15	Christina Puga, District 8
Gay Revi, District 1	Beverly White, District 9*
Rod Hooker, District 3*	Chris Bellew, District 10*
Starlet Ramirez, District 6*	

ABSENT: [2]

Nancy Immerman, District 11	
Nicole Munoz Hushcka, District 13	

\*Note: Members of the Commission on Disabilities participated in this meeting by video conference.

#### Technical Resource Panel Members Present: [2]

Dr. Priscylla Bento*	
Carrie Parks*	

Absent: [3]

Cynthia Suarez	Dylan Rafaty
Wade Wilcox	Bianca Walker

The March 26, 2024, Commission on Disabilities meeting was called to order at 2:09 p.m. with quorum being met.

The meeting agenda, posted in accordance with Chapter 551, "OPEN MEETINGS", of the Texas Government Code, was presented.

#### **PUBLIC SPEAKERS**

Chairman Kalkanli opened the meeting with roll call and requested for any public speakers, advising the public of the available time and advising that they turn on their cameras when speaking.

With no public speakers, Chairman Kalkanli moved to the next order of business.

<sup>\*\*</sup>Note: Indicates arrival time after meeting called to order/reconvened

### COMMISSION ON DISABILITIES MEETING MINUTES MARCH 26, 2024

#### **APPROVAL OF MINUTES**

Chairman Kalkanli opened the floor for amendments to the February 27, 2024 minutes before approval.

Chairman Kalkanli mentioned that his report should state: Chairman Kalkanli attended the 15<sup>th</sup> Annual Research, Arts, and Writing Graduate Conference at the University of Texas at Dallas.

Commissioner Puga requested the following edits:

- Minutes should read "Reverend Dr. Freddie Haynes" with "ie" not "y" Minutes should include: that on February 14<sup>th</sup>, she attended the Steven Goudeau fashion show titled Madison De Goudeau II, at the Tower Club, produced by Willie Johnson III. On February 15<sup>th</sup>, she attended the Netflix's "Black Beauty Effect" Documentary Red Carpet premiere. On February 17<sup>th</sup>, she attended the District 8 "Black Servant Award" event. On February 24<sup>th</sup>, she attended the 49<sup>th</sup> Annual Elite News Awards honoring: Constable Eddie Brown, Jr, Constable Deanna Hammond, Judge Lisa Green, Sean Reed (Dallas Mavericks), and Ed Gray "The Commish".
- Minutes should include that Commissioner Puga inquired about the 2023 Commission on Disabilities Annual Report. Chairman Kalkanli stated that he was informed by the office that the report was submitted and could not be edited. Commissioner Puga mentioned the report should have included the presentation given by City Attorney's Office in February 2023.

Commissioner Bellew requested that his name be listed as "Chris".

Commissioner Revi mentioned that the "Announcement" section, should include the words "being planned" in her statement.

Chairman Kalkanli called to vote the approval of the February 27, 2024 minutes. All were in favor of approving minutes with edits.

#### **MEETING SUMMARY**

Chairman Kalkanli provided the Officer Reports:

March 19<sup>th</sup>, Chairman Kalkanli attended the Disability Listening Session hosted by WFAA News Station and organized by the North Texas Disability Chamber. Chairman Kalkanli stated it was his honor to represent the Commission on Disabilities, and a pleasure to see Commissioner Hooker in attendance.

Chairman Kalkanli opened the floor for other Commissioners to give reports.

### COMMISSION ON DISABILITIES MEETING MINUTES MARCH 26, 2024

Commissioner Revi provided a report on behalf of the Transportation Subcommittee. Commissioner Revi updated the commission on the status of the handicap enforcement program. Volunteers would have to be trained in the two-part process to submit a violation complaint. Parking violations are handled by Transportation, and can be submitted via 311 app. Commissioner Revi mentioned that "handicap parking violation" is not listed on the list of violations in the list provided by prompt. The process had 27 steps and would receive a response by Transportation department in two days. Commissioner Revi stated that when she followed up with the Transportation Department, she was informed that Dallas Police Department handles parking violations.

Commissioner Bellew mentioned that March 21<sup>st</sup> was World Down Syndrome Day. This is a global awareness day observed by the United Nations since 2002. The date is the 21<sup>st</sup> day of the third month signifying the uniqueness of the 21<sup>st</sup> chromosome. Commissioner Bellew mentioned the day is celebrated around the world to raise awareness to the value that people with down syndrome and other intellectual disabilities bring to their communities.

Commissioner Puga acknowledged Commissioner Revi for the work and effort that was put forth in going through the steps that was outlined earlier in her report. Commissioner Puga expressed her frustration with the situation and recommended a meeting be set up with Dallas Police, Transportation, Commissioner Revi, and the Chair to come up with a solution. Commissioner Puga also thanked Commissioner Bellew for his acknowledgement of World Down Syndrome Day. Commissioner Puga mentioned that on March 23<sup>rd</sup> she attended a Women's Herstory Month's "Women Breaking Barriers" event at the J. Erik Jonsson Public Library, and had the opportunity to meet Dr. Ruth Simmons, the 8<sup>th</sup> President of Prairie View A&M University, as well as President at Brown University, and now works at Harvard University creating diversity programs in selecting students to attend Harvard. Commissioner Puga mentioned her concerns regarding a golf clinic for those with disabilities, including the time of day, transportation, and lack of diversity on the promotional flyers. Commissioner Puga spoke with the Texas Golf Association about her thoughts and looks forward to their future events.

#### **BRIEFING**

Chairman Kalkanli moved to the next order of business and introduced Office of Equity and Inclusion Assistant Director/ Welcoming Communities and Immigrant Affairs Officer, Mrs. Christina da Silva, and Office of Equity and Inclusion Human Rights Officer, Mr. Christopher Graves, who presented on the prospect of a Human Rights Commission. Chairman Kalkanli expressed his support of the Human Rights Commission, and his appreciation for the intersectional approach. Chairman Kalkanli encouraged the office to take to City Council a collaboration effort and include an educational element. Commissioner Puga thanked staff for the presentation but expressed her concern with combining the two commissions and the possibility of those with disabilities being overlooked. Commissioner Bellew stated his support of the Human Rights Commission and the possibility of combining the two commissions, as long they do not lose focus of the purpose stated in the charter. Commissioner Bellew inquired how old the Human Rights Commission was, and staff responded that they were currently in the research phase of the proposal and would be reporting to WEE with feedback they have received thus far. Chairman Kalkanli thanked the

COMMISSION ON DISABILITIES MEETING MINUTES MARCH 26, 2024 presenters.

Chairman Kalkanli introduced the next presenter, Mr. Travis Houston, Interim Director of the Office of Emergency Management to discuss emergency preparedness and resources available to the community with disabilities. Mr. Houston shared that since the presentation was prepared, he had been assigned the role of Director. Mr. Houston shared an overview of the Office of Emergency Management, some of the hazards phased in the City of Dallas, some of the community preparedness work the office does, what it takes to get prepared as an individual, key resources available to the disability access/ functional needs of the community, and how the Commission and the department could work together. Chairman Kalkanli thanked Mr. Houston for his presentation and inquired about best practices for preparing for emergencies with service animals. Mr. Houston thanked Chairman Kalkanli for the guestion and stated he would have to do more research and provide information later. Commissioner Puga inquired if the Office of Emergency Management collaborates with other emergency agencies to identify behaviors of those with disabilities that may be misinterpreted as aggression. Mr. Houston thanked Commissioner Puga for the question, and responded that they partner with the American Red Cross and the North Texas Behavioral Health Authority, both partners are trained to identify those behaviors. Commissioner Bellew inquired if there were any emergency training for people with developmental disabilities/ cognitive issues. Mr. Houston mentioned they have not held a class specifically for those individuals but would like to investigate more and work with the Commission to possibly develop something.

#### **ANNOUNCEMENTS**

Chairman Kalkanli announced the Texas Golf Association's adaptive golf clinic taking place at Keaton Park. Chairman Kalkanli also acknowledged that March is Brain Injury Awareness Month. Chairman Kalkanli concluded with the information on NFP News Line and the mention of the Commission on Disabilities.

Commissioner Revi updated the Commission on the planning of the proposed skate park that was mentioned last month. Commissioner Revi encouraged commissioners to stay informed on this item.

#### ADJOURNMENT,

Chairman Kalkanli adjourned the March 2 pm.	26, 2024, Commission on Dis	sabilities meeting at 3:15
Drafted by: Salena Meeks, Executive Assistant Office of Equity & Inclusion	_	Date

## COMMISSION ON DISABILITIES MEETING MINUTES MARCH 26, 2024

Approved by:	 Date
John Kalkanli, Chairman	
Commission on Disabilities	

# **Chapter 12A Code of Ethics**

City Attorney's Office DHADC Training 2024

Baron Eliason
Chief Integrity Officer



City of Dallas

#### **Three Goals for this Presentation**

- Why: The importance of ethics in the City of Dallas
- What: An overview of the Code of Ethics
- How: Resources- where you can go to get help

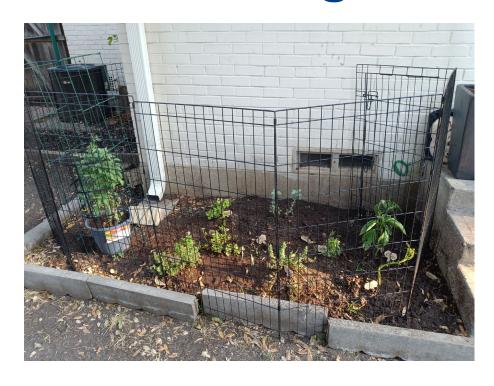


2



# Why ethics are important? Good fences make... Good neighbors



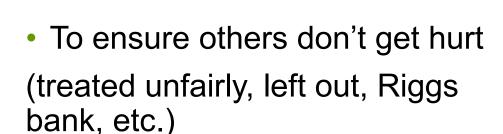


Commitment to ethical behavior is the fence that keeps Professor Fritz from digging up our garden.



## Why build an ethical fence here?

 To ensure you don't get hurt (disciplined, passed over, blamed, become a pawn in somebody else's chess game, etc.)







4



# Some People Say



5



## What Is The Code?

## More than a guideline –

- 1. Expectations,
- 2. Boundaries,
- 3. Safeguards, and
- 4. Enforcement





## Why does Professor Fritz violate ethics?



- 1. Pressure based on need or greed
- 2.
- Opportunity greatest when employee perceives bad behavior is acceptable, or when fear of retaliation prevents reporting







## Why does Professor Fritz violate ethics?



- 1. **Pressure** based on need or greed
- 2. Rationalization everybody does it, I deserve it, no one will notice
- Opportunity greatest when employee perceives bad behavior is acceptable, or when fear of retaliation prevents reporting

People, and bad dogs, respond to the overwhelming logic of the moment.







#### **Because**

- We have access that the public does not have to:
  - Power, money, and authority
  - Influence, information, and opportunity
- We have responsibility to act:
  - With independence and impartiality
  - Solely for the people of the city





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- We have access that the public does not have to:
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Classic Blunder: exploiting our access for personal gain





# Location for the fence: City Government





## Important Secret About the Fence (Ethics)



Wherever you will be working, the fence will only be as strong as you.

The only thing needed for Professor Fritz to get away with ethical violations is for good people to do nothing about it.

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# Posts of the fence – the "Articles"

- Article One: Policy and Definitions
- Article Two: Duty and conduct
- Article Three: Conflicts of Interest (pickets)
- Article Six: Reporting (more pickets)



## **Three Main Backers**



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## FIDUCIARY DUTY RAISES THE BAR

from providing a suitable outcome to acting in the best interests of another.

In other words -



## It's NOT About You





## Fiduciary Duty BIG Word Alert 12A-3

- Utmost loyalty, care, and accountability
- Owed by you in performance of official duties
- To the City of Dallas
- Scope: what you do (conduct) and how you do it (appearance) 16

## **Standards of Conduct: Civility**



### 12A-4 – "don't bring me down"

- treat others with respect
- accord the utmost respect and courtesy to each other....
- shall not make comments or take actions that are abusive; belligerent; crude; derogatory; impertinent



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## More on Conduct: Appearances

12A-4(a)(6) carefully consider the public perception of **personal and professional actions** and the effect....on the city's reputation....

if you look, quack, swim, or walk like a duck



in the public's eye, you are a .....

duck!

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NOTE: Appearance is not a conflict. However, it's a good reason to consider disclosure!



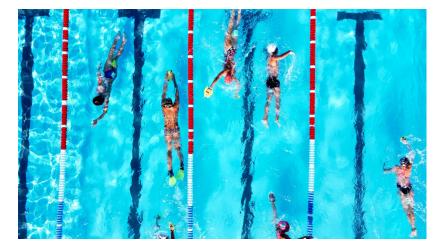
## City Officials – stay in your lane Do's and Don'ts

 Work through channels to get work done such as directors to get work done.

Interfere with, impair or influence the work of

employees.

 Very similar rules for city council members working with boards and Commissions.





## City Officials – deeper dive

- Officials make policy
- Employees implement policy
- Officials obtain information or request assistance with projects working through (1) the city manager, secretary, attorney, auditor, inspector general AND (2) the applicable department director
- Prohibitions: city officials shall not interfere with work, impair implementation of policy, influence the making of recommendations or decisions, or berate city officials.







## **Protect People**





### Protect people by prohibiting

• Discrimination §12A-5.

• Retaliation §12A-6.

• Using others to violate the Code §12A-7.



### Titanic Lesson



(Titanic lookout) Mr. Fleet testified at the subsequent inquiries into the disaster that, if he and Lee had been issued binoculars: "We could have seen it (the iceberg) a bit sooner." When asked how much sooner, he responded, "Well, enough to get out of the way."





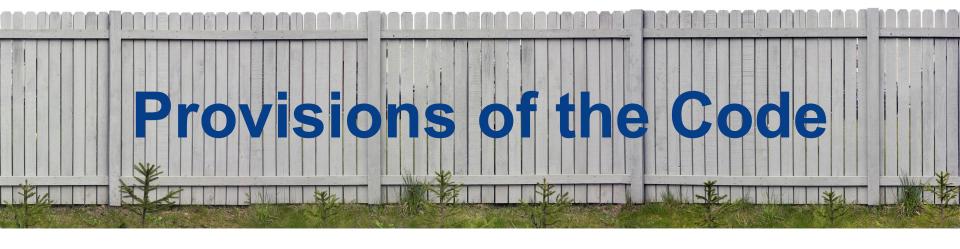




City of Dallas

You have the key to the fence – turn it!

# The Pickets of Our Fence:







## **Pro Tip – Words Matter**

- 12A-2: definition section
- Big Ones Include: Benefit, Business Entity, Client, Confidential Government Information, Doing Business with the City, Gift, Knowingly, City Official, Official Action, Official Information, Personal Benefit, Relative, Representation, and Solicitation.
- Heads up: these definitions apply to 12A Code of Ethics issues. The definitions may be different elsewhere. For example, "relative" is more broadly defined for HR purposes.



#### **Overview of Conflict Provisions**

Where you have authority, there may be a conflict if you are

- related to,
- own,
- represent,
- work for,
- do business with,
- receive gifts from, or
- have a job lined up
- with a person or entity doing business with the city.





## **Advisory Opinions - §12A-47(d)**

- Make a request in writing to the Chief Integrity Officer for an advisory opinion.
- Request must be regarding future conduct (e.g., accepting a gift).
- Give all the needed facts.
- Follow the advice.

A safe harbor for you.

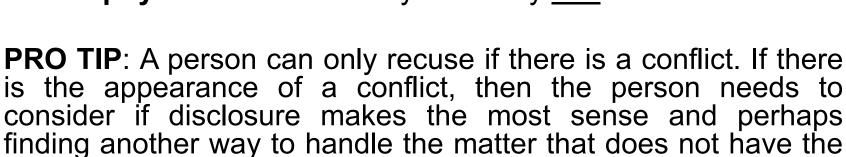


## Bumping into a conflict: § 12A-24

- If a conflict arises recuse yourself:
  - From the time of recognition,

appearance issue.

- Immediately refrain from participation,
- **Promptly disclose** to the city secretary and ....



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J can't touch TI-

## **Code Violation Protocols**

- Duty to report violations §12A-8.
- Duty to recuse §12A-24.
- Duty to cooperate with an investigation §12A-52(e).
- Duty to maintain confidentiality §12A-52(d)(1).
- Duty to be **truthful** in sworn statements §12A-60.
- Duty to avoid interference with investigations §12A-61.
- Shall **not retaliate** against those who cooperate §12A-6.





City of Dallas



#### The Whistle - Ethics Hotline











# Break it down..... see bonus slides





# Benefits to Previous Employers § 12A-14(a)(3)

May not, within 12 months of beginning service with the city, award a contract or participate in a matter benefiting a person or business entity that formerly employed you.





#### **Use of Public Resources**

May not use, request, or grant permission to use City facilities, personnel, equipment or supplies for personal use.





# Nepotism – when work is a family reunion?

- We can't take action to appoint or influence appointment or employment of relatives to:
  - Positions of employment
  - Quasi judicial boards or commission
- Can't be immediate supervisor of relatives or your domestic partner
- Personnel Code §34-5(d):
  - "under the line of supervision"





# When Is It Best to Keep Quiet § 12A-17

Confidential information gained by reason of your position cannot be disclosed. This includes what happens in meetings closed to the public such as a certified agenda, recording or topics of discussion.





# Reciprocal Favors § 12A-14(a)(2)

We may not enter into an agreement or understanding with any other person that official action will be rewarded or reciprocated.





# Political activity and disclosures: § 12A-21

#### City officials

- Cannot serve as the designated campaign treasurer under the Texas Election Code.
- Don't solicit or receive contributions on behalf of a political candidate, party, or committee.

#### All

- Must avoid using name/prestige of your office or position on behalf of a political candidate, party, or committee..
- Cannot influence any subordinates.
- Cannot accept money for political activity relating to an item pending on the ballot if you
  contributed to the development of the ballot item.
- Cannot display or fail to remove campaign materials on any city vehicle under your control.





# **Outside Employment § 12A-19**

- You cannot have outside employment that could reasonably be expected to impair your independence of judgement or the performance of duties at the city.
- You cannot personally provide services for compensation to a person or organization that is seeking business or requesting an approval, investigation, or determination from the department of which you are a member.

# Acquisition of Interests § 12A-14(a)(1)

We may not acquire an interest (economic or otherwise) in any matter:

- (A) if you know the interest will be affected by upcoming official action of the city.
- (B) affected by an official action of the city for a period of one year after the date of the official action.

**NOTE**: the key element here is AN INTEREST.

The substantial interest tests of §12A-13.1 do not apply here.



Insider trading and the 12-month rule

# Personal Benefit to Others § 12A-13

You cannot take, or refrain from taking, any official action that would result in a personal benefit for any of the following:

- Relatives,
- A person with whom the employee has an outside business or financial relationship

   including, but not limited to, outside employers of the employee or relatives,
- A client or substantial customer of the employee or their relative,
- A debtor or creditor,
- People or a business you have engaged in negotiations pertaining to a business opportunity or solicited, received and not rejected an offer of employment, or accepted an offer of employment in the last twelve months.

#### NOTE: There is a disclosure and recusal process

Personal benefit means any benefit knowingly solicited, accepted, or agreed to be accepted by another for the purpose of influencing how a city official or employee performs or refrains from performing an official action (§12A-2(29).

# FINANCIAL INTEREST OF EMPLOYEE OR OFFICER PROHIBITED – Chapter 22 § 11

- (a) No city official or employee shall have any financial interest, direct or indirect, in any contract with the city, or be financially interested, directly or indirectly, in the sale to the city of any land, materials, supplies or services, except on behalf of the city as a city official or employee. Any violation of this section shall constitute malfeasance in office, and any city official or employee guilty thereof shall thereby forfeit the city official's or employee's office or position with the city. Any violation of this section, with knowledge, express or implied, of the person or corporation contracting with the city shall render the contract involved voidable by the city manager or the city council.
- (f) This section does not apply to a nominee or member of a city board or commission, including a city appointee to the Dallas Area Rapid Transit Board. A nominee or member of a city board or commission, including a city appointee to the Dallas Area Rapid Transit Board, must comply with any applicable conflict of interest or ethics provisions in the state law and the Dallas City Code.



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# Substantial Interests In A Business § 12A-13.1

- You must recuse if you or your relative:
  - Owns 10% or more of the voting stock or shares, or
  - Owns 10% or more or \$15,000 or more of the fair market value, or
  - funds received from the business exceed 10% of your gross income for the previous year, and
- The action on the matter will have a special economic effect on it that is different from the effect on the public





# **Substantial Interests In Property § 12A-13.1**

- You must recuse if you or your relative's interest in property is an equitable or legal ownership with a fair market value of \$2,500 or more.
- It is reasonably foreseeable that an action on the matter will have a specific economic effect on the value of the property, distinguishable from the effect on the public.



#### **Contact Information**

# **Inspector General's Office**

Kelly.bevers@dallas.gov - Inspector General

Baron. Eliason@dallas.gov - Chief Integrity Officer

Hai.tran@dallas.gov - Ethics Officer, CMO



Speak Up Line- 877-860-1061



# **Bonus Slides and Guides**

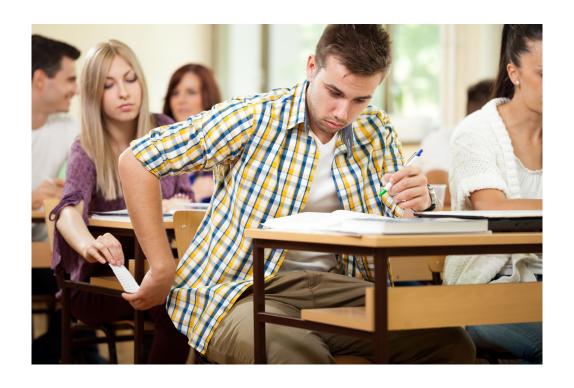


#### **Inspector General Division – Chief Integrity Program**

- CAO Inspector General
  - Investigations and hearings
  - Chief Integrity Program (Baron Eliason and Rachel Craig)
    - Advisory opinions
    - Marketing the IG Ethics Week is next week!!
    - Communication and Training
    - Risk Assessment
- CMO Ethics Officer (Hai Tran)
  - Ethics Hub Teams based hub for resources
  - Ethics liaison



# 12A Cheat Sheets (thick irony in an ethics program)





TOPIC	Ethics	Crime	Charter	NOTES
	12A	Penal Code		
Standards of Behavior	4			
Standards of Civility	4			
Conflicts of Interest				
Retaliation	6			
				9- 12A applies per website 22- prohibits any financial
Procurement	9, 22		XXII sec 11	interest in
Gifts	12	see 36		NOTE, some departments have more restrictive gift rules
Personal Benefit	13	see 36		See also, Local Gov't Code 171 covering substantial business interest in business entity or real property and voting by public officials. State Law requires filing of an affidavit regarding that interest.  See also, Local Gov't Code 176 that requires a local gov't official to file disclosure when officer or family member has employment or business relationships with a vendor contracting with the city, or has rec'd gifts >\$100 in 12 months time.
Acquisition of Interest and Reciprocal				
Favors				Includes economic interest in property within zoning case
	14	see 36		including BOA zoning cases, thoroughfare right of way.
Nepotism	15			see also Gov't Code 573
Prohibited Interests in Contracts	22		XXII sec 11	see 12A-13 to 14 for related issues



Ex Parte Communications	23, 52	see 36	
			recuse, disclose, not even discuss, give form to city
Recusal and Disclosure	24		secretary
Subsequent Representation	26		
Lobbying	28		
Confidential Information	17, 25, 52		access/disclosure, continuing confidentiality,
Reporting Requirements	art VI		Sections cover annual, gift, donations, and travel reports.  Top positions must submit verified reports per 145 of Local Gov't Code. Top positions can submit sworn short form provided by IG if no changes to finances in the last five years per section 41.
Public Property and Resources	20		
Interferance with Investigation	59		
Fraud		32	
Lobbyist	35, 36		
Bribery and Corrupt Influence		36	
Perjury and Other Falsification	52, 58	37	
Obstructing Governmental Operation		38	
Abuse of Office		39	
Running for Office	20, 21(b)		Becoming a candidate means current position is forfeited; 17 however, this forfeiture does not apply to a city employee.
Advisory Opinions by the IG	47		We are responsible for these now. We can write them by request or at our discretion. In the past, CAO has routinely done these before election season.



#	Article	Report	Section	Reporter	Timing	Filed With
1	I	Duty to Report Violations	8	All	immediately	inspector general
2	П	Ethics Pledge	11	city officials	upon appointment	city secretary
3	III, VI	Gifts	12, 42	officials and employees	quarterly	city secretary
4	III, VI	Donations	15, 43	officials, employees,	within 30 days,	city secretary,
				departments	and quartlerly	city manager
5	III, VI	Recusal	24	city official or employee	promptly	city secretary
6	V	Lobbyists	30, 31, 37	lobbyist	when compensated	city secretary
		(for each client)			then annually	
7	V	Lobbyist Activity Reports	33, 37	lobbyist	quarterly	city secretary
8	V	Non-Registrant Disclosure Statement	34, 37	applicant, property owner,	within 5 days of contact,	city secretary
				or purchaser lobbying	then quarterly	
				a city council member		
L						
9	VI	Financial Disclosure Report	40	officials and designated	annually	city secretary,
				employees		IGD depending
10	VI	Financial Disclosure Report (short form)	41	officials and designated	annually	city secretary,
				employees		IGD depending
11	VI	Travel	12, 44	all	quarterly	city secretary,
						IGD depending
12	VII	IGD Quarterly Reports	47	IGD	quarterly	EAC, city council,
						city auditor,
						city manager
	VII	EAC Annual Report	51	EAC	annually	city council
_	VII	Recommendation of Settlement	52	IGD	with report to EAC	EAC
15	VII	EAC Written Decision	54	IGD	ten days from	complainant, respondent,
					rendering report	city attorney, city council,
						IGD, EAC, city secretary,
						sanctioning body
1						
16	VII	Vexatious Complainant Report	63	IGD	when pc established	EAC



# Gifts Deep Dive



#### **Gifts and Donations**

#### Both are defined as

- a voluntary transfer of property or the conferral of a benefit,
- 2. with no equal or greater value received in return (§12A-2(15) and (19)).



#### What's the Difference?

Gifts are made to employees or officials.

 Donations are made to the city through employees or officials.



# **Options with Gifts**

#### Three options:

- 1. Accept;
- 2. Refuse; or
- 3. Receive and donate (§12A-12(a)(5).

Note: This is not a recusal situation. Either you can accept the gift, or you cannot. You cannot accept a prohibited gift and deal with it by following the recusal process.



# When Is a Gift Prohibited? - §12A-12(a)

#### The general rule is that a gift is prohibited when it:

- Reasonably tends to influence or reward official conduct; or
- 2. The city official or employee knows it is intended to influence or reward the discharge of official duties.



# Is there more guidance?

YES, the Code sets out specific elements to help with the following:

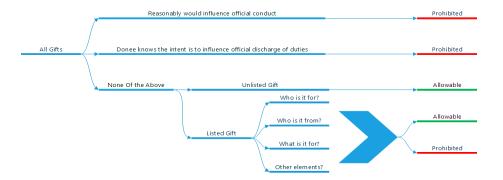
- Recognitions such as honorariums, public awards, and ceremonial/protocol gifts;
- 2. Meals, travel, lodging, and entertainment;
- 3. Tickets;
- 4. Relation based gifts (relatives, friends, etc.); and
- 5. Loans and scholarships.



# **Analyzing Gifts**

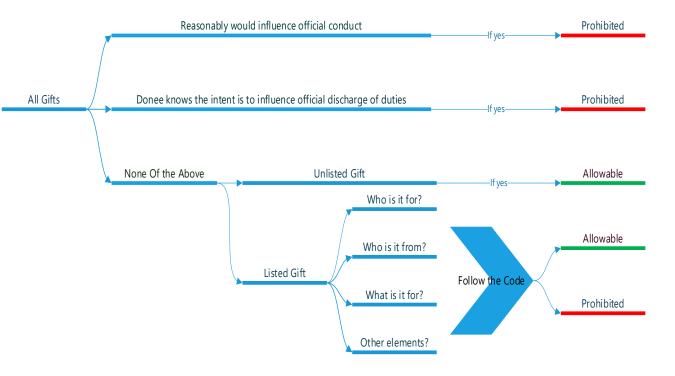
Three steps to analyze if a gift is allowable or prohibited:

- 1. § 12A-12 general rule.
- 2. § 12A-12 listed exceptions and special rules.
- 3. Department rules that are stricter.





# **Analyzing Gifts**

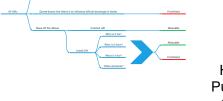


#### §12A-12 LISTED GIFTS

- · All gifts general rule
- Items <\$50 in noncash value
- Cash
- Honorarium, Public Award, Ceremonial
- Meals, travel, lodging, and entertainment
- All tickets
- Tickets fundraisers
- Tickets memberships
- Tickets city owned, non-profit
- Tickets city owned, profit
- Ticket blocks
- Ticket discounts
- Admission to an event
- Loans and scholarships
- Gifts from friends and family



#### **Listed Gifts Cheat Sheet**



All gifts Gifts <\$50 Cash Honorarium **Public Award** Ceremonial Meals, travel, lodging, and entertainment All tickets Tickets - fundraisers Tickets - memberships Tickets - city owned, non-profit Tickets – city owned, profit Ticket blocks Ticket discounts Admission to events Loans and scholarships Gifts from friends and family

#### Code Section | Type of Gift | From | For | Prohibited if | Allowable if | Reportable if | Other

Section	Type of Gift	From	To	Prohibited if	Allowed if	Reportable	Other
\$12A-12(*)(1)	HE GENERAL HULL Any gift, favor, benefit, or service	Anyone	City officials and employees (see reportable notes in this row).	Reasonably tends to influence official conduct; or     Vou know is intended to influence or reward the discharge of official duties		Reportable when gifts valued at \$500 or more received from a single source in a single s	Reports are made quarterly on a calendar year basis.     Giff reports are filed electronically with the city sceretary. This is in addition to any reports required by state law.
§12A-12(b)(7)	Items having a nominal value of less than \$50	Resident or person or entity doing, or seeking to do, business with the city	City officials and employees			Not reportable for items less than \$50 in a calendar year.     Reportable for cumulative items from a single source in a calendar year of more than \$50 or plaques, caps, key rings, mugs, tee shirts, fresh cut flowers given at public appearances, or perishable food and beverages infrequently given.	
§12A-12(a)(3)	Cash, gift card, check, negotiable instrument	Person, or representative of a person, or entity doing business or seeking to do business with the city.	City officials and employees	Cash, gift card, check, negotiable instrument.			
§12A-12(c)(1)	Honorarium (cash or in-kind gift except a plaque)	Anyone	City officials and employees	Is in consideration for services provided because of an official's or employee's official position.			



# Reporting of Gifts - §12A-42

- 1. Find the form on the city secretary's web page or build your own.
- 2. Submit the report in an electronic format.
- 3. Certain city officials are required to file a "no gift" report if no gift was accepted in the quarter. See §12A-42(c) for the complete list of those required to file a "no gift" report.

#### What's It Worth?

- 1. Face value the price to buy the ticket from the vendor even if the ticket has no price or says "complimentary".
- 2. Fair market value what the public will pay for the ticket.
- **3. Estimate** educated guess.

**Pro-tip**: ask the donor for the value and get something in writing for your records.





# What counts as a year?

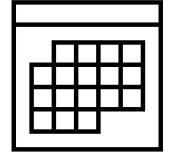
- Gift reporting is based on the calendar year.
- Gift totaling for calculating cumulative totals of small gifts is based on the calendar year (The Code requires cumulative gifts of \$300 or more from a single source in a single year to be reported (§12A-42(a)(3). So, to figure out the cumulative value of multiple gifts, go back to January 1st and count all gifts since that date, but none before that date).



### When are reports due?

The quarterly report is due on the following dates:

- 1. April 30th covers Jan Mar
- 2. July 30th covers Apr June
- 3. Oct 30th covers July Sept
- 4. Jan 30th covers Oct Dec





### Where do I find the report form?

Financial Disclosure	PDF - Fillable (Long) (Rev. 12/20/21) PDF - Fillable (Short)	Who must file?
Disclosure of Conflict of Interest	PDF - Fillable	
Disclosure of Travel Form	PDF - Fillable (Rev. 12/23/21)	
Councilmember (only) Affidavit on Abstention from Voting	PDF - Fillable	
City of Dallas Officials(Councilmembers and Board/Commission Members): Quarterly Gift Disclosure Report	PDF - Fillable (Rev. 4/14/22)	Requirements
Ethics Advisory Commission Rules of Procedure		PDF
Ethics Training Video Affidavit	PDF - Fillable	Video
Ethics Pledge	PDF - Fillable	
City of Dallas Code of Ethics: Complaint Form	PDF - Fillable	PDF

http://citysecretary2.dallascityhall.com/pdf/forms/QUARTERLY%20GIFT %20DISCLOSURE%20REPORT%20 %20SIGNED.pdf



Date of Report:

# For Official Use Only

#### QUARTERLY GIFT DISCLOSURE REPORT

The Dallas City Council has adopted a gift policy for city officials and employees. The gift policy requires city officials and employees to file a gift disclosure statement with the City Secretary for all gifts received in each three-month period in a calendar year on a quarterly basis.

City officials and employees are not required to report gifts with a monetary value of less than \$300, except that reporting is required for gifts from a single source in a single year with a cumulative value of \$300 or more, excluding gifts of perishable food or beverages of an estimated value of \$100 or less. City officials who have no reportable gifts must file a quarterly gift report acknowledging that no reportable gifts were received. [City Council Resolution 212023]

Reporting Period: From: through:

Check One Reporting Party Council District/Board Name/Department

Elected Official (City Councilmember)

Appointed Official (Board or Commission Member)

Employee Employee

1. Name of Reporting Party:

 Please list each gift or accumulation of gifts from one source of more than \$300 in estimated fair market value by you or a family member, or received by a person for the use or benefit of the you or a family member, within the preceding calendar year and the estimated fair market value of each gift. (Peck Preer if \_\_\_\_\_\_ NO REPORTABLE GIFTS RECEIVED.)

OFFICE OF THE CITY SECRETARY

DALLAS, TEXAS REVISED 04/14/22



City of Dallas

#### **Donations**

#### **Donations**

- Donations of money, real estate, products, and services to the city allow citizens to make valuable contributions to our programs and should be encouraged.
- Donations should be documented by the receiving department to ensure transparency of government and allow for audits of donations.
- Any donation over \$1,000 should continue to be reported to the City Manager at <u>DallasEthics@dallas.gov</u>. Send an email if your department needs the form.



#### The Fence Inspectors:

### Inspector General, Ethics Advisory Commission,



#### Inspector General – § 12A-47

- Receives and investigates complaints
- Seeks out and investigates misconduct
- Issues subpoenas
- Prosecutes alleged or suspected violations
- Provides advisory opinions
- Promotes building the fence through the Chief Integrity Officer in coordination with city departments and offices.



#### Ethics Advisory Commission – § 12A-49

- Issue subpoenas
- Hears cases brought by the inspector general
- Makes findings of fact
- Determines if violations have occurred
- Disposes of complaints
- Advises council about ethics and ethic policies



## Reporting Chart — Financial Disclosure



REPORT	WHO REPORTS	DUE DATE	SUBMITTED TO
Financial I Disclosure Report	commissions, and committees  a. Board of Adjustment and Board of Adjustment Alternate	30th·	City Secretary
Section 12A 40  2 3 4 5 6 7	<ul> <li>c. Business Development Corporation Board</li> <li>d. City Plan and Zoning Commission</li> <li>e. Civil Service Board and Civil Service Board Adjunct Members</li> <li>f. Community Development Commission</li> <li>g. Dallas Area Rapid Transit Board</li> <li>h. Dallas-Fort Worth International Airport Board</li> <li>i. Ethics Advisory Commission</li> <li>j. Fire Code Advisory and Appeals Board</li> <li>k. Housing Finance Corporation Board</li> <li>l. Landmark Commission and Landmark Commission Alternate Members</li> <li>m. Park and Recreation Board</li> <li>n. Permit and License Appeal Board</li> <li>o. All Reinvestment Zone Boards</li> <li>p. All Municipal Management District Boards</li> <li>First Assistant City Attorney</li> <li>Inspector General</li> <li>City Auditor and City Secretary, and their First Assistants</li> <li>Assistant City Managers and Chiefs</li> <li>Municipal Judges</li> </ul>	Saturday or Sunday, or on an official city holiday as established by the city council, the deadline for receipt by the City Secretary is extended to 5:00 p.m. of the next day that is not a Saturday, Sunday, or official city holiday.  * The Inspector General may for good cause grant an extension of time in	



#### Reporting Chart – Financial Statement



REPORT	WHO REPORTS	DUE DATE	SUBMITTED TO
Financial Statement Report  Texas Local Government Code Chapter 14	<ol> <li>Mayor</li> <li>City Council Members</li> <li>City Attorney</li> <li>City Manager</li> <li>Candidates for a Place on the City Council</li> </ol>	Annual Filing Date for the Mayor, City Council Members, City Attorney, and City Manager – 5:00 p.m., April 30th  Filing Date for Candidates for a Place on City Council, not later than the earlier of:  1. The 20th day after deadline for filing an application for a place on the ballot of an election; or  2. The fifth day before the date of the election.  * When the deadline falls on a Saturday, Sunday, or an official national or state holiday, the deadline for receipt by the City Secretary is extended to 5:00 p.m. of the next day that is not a Saturday, Sunday, or an official national or state holiday.  * The City Attorney or City Manager may request the City Secretary to grant an extension of not more than 60 days for filing the statement.	City Secretary



#### Reporting Chart – Short Form



REPORT	WHO REPORTS	DUE DATE	SUBMITTED TO
Short Form Annual Report	A person who is required to file an annual financial disclosure report may fulfill those filing obligations by submitting a short sworn statement if there have been		City Secretary
Section 12A 41	no changes in the information disclosed by that person in a complete financial disclosure report filed within the past five years.		



#### Reporting Chart – Gifts



1. Not required to report gifts with a monetary value of less than \$300, except that reporting is required filed for gifts from a single source in a single year with a cumulative value of \$300 or more, excluding gifts of perishable food or beverages of an estimated value of \$100 or less.	Disclosure statement must be iled on a quarterly basis, for	
1. Not required to report gifts with a monetary value of less than \$300, except that reporting is required filed for gifts from a single source in a single year with a cumulative value of \$300 or more, excluding gifts of perishable food or beverages of an estimated value of \$100 or less.		
City officials and city employees who are required to file an annual financial disclosure report:  1. Received gifts with a monetary value of \$300 or more, excluding gifts of perishable food or beverages of an estimated value of \$100 or less.  2. May use the annual financial disclosure report as the first quarter's disclosure statement.  3. Must also follow departmental reporting requirements for gifts.  The Mayor, City Council Members, City Attorney, City Manager, and City Officials and Employees under Section 12A-40(a) are required to report:  1. Gifts of \$300 or more in the financial disclosure report in addition to the quarterly report.  2. If no reportable gifts were received, must file a quarterly gift report acknowledging that no reportable gifts were received.  No one is required to report gifts from a relative or person with whom the city official or employee has a personal, professional, or business relationship, unless the gift is accepted in the city official or employee's official capacity.  *See Section 12A-12(b) for gifts that are not considered reportable gifts.	all reportable gifts received in each three-month period in a calendar year.	•



#### Reporting Chart – Donations



REPORT	WHO REPORTS	DUE DATE	SUBMITTED TO
Donations Section 12A 43	City Officials, city employees, and city departments:  1. Reporting is required for donations to the city of money, real estate, products, or services with a monetary value of \$1,000 or more or from a single source in a single year with a cumulative value of \$1,000 or more.  2. The donation report must be filed in addition to any other documentation required for the donation.	Donations must be reported to the city secretary on a quarterly basis, received in each three-month period in a calendar year.  Donations must be	City Secretary (quarterly)  City Manager (within 30



#### Reporting Chart – Travel



REPORT	WHO REPORTS	DUE DATE	SUBMITTED TO
Travel Section 12A 44	Any person who, in connection with his or her official duties, accepts a trip or excursion to a location greater than 50 miles from the city that involves the gratuitous provision of transportation, accommodations, entertainment, meals, or refreshments paid for by a person or entity other than a public agency.	Travel must be reported on a quarterly basis in each three-month period	City
			warager.





# Overview of the Dallas Department of Transportation

City of Dallas Commission on Disabilities May 28, 2024

Dr. Gus Khankarli, Director Mike Smith, Public Information Coordinator Department of Transportation City of Dallas

#### Mission Statement



The mission of the Dallas Department of Transportation is to provide a safe and inclusive transportation system for the City of Dallas that advances economic vitality, quality of life, and access to mobility for our communities and businesses through the core values of empathy, ethics, excellence, engagement, and equity.



#### Purpose



The purpose of this presentation is to give an overview of the Department of Transportation, its various divisions, and a few of the ways ADA guidelines inform our operations.



#### **Presentation Overview**



- Department Overview
- Transportation Network
- Services
- Disability Resources
- Examples of Ongoing Work
- Service Requests



#### Department Overview



- The Dallas Department of Transportation serves the city through 12 divisions
  - District Engineering
  - Field Operations
  - Signal Engineering
  - Parking Management
  - Finance/Budget
  - Street Lighting

- Transportation Planning
- Transportation Development Review
- Interlocal Partnership
- Interagency
- Performance Assessment
- Business Operations



#### We serve the surface.

The Dallas Department of Transportation's engineers, planners, and specialists are dedicated to improving how you navigate our streets, sidewalks, and bike lanes.







#### WHAT WE DO

- Crosswalks
- Dallas Bike Plan
- Dockless mobility (scooters)
- · Parking enforcement
- Pavement markings
- Street/thoroughfare planning
- Street lights
- Street signs
- Traffic signals

We serve everything on our road network "from your wheels up."

SURFACE

UNDERGROUND

#### WHAT THEY DO

- · Mass transit (bus, light rail) (DART)
- Road construction (Public Works)
- Storm sewers (Water Utilities)
- Transportation-for-hire (Uber, Lyft, taxis, etc.) (Aviation)
- Drainage (Stormwater Mgmt.)



#### Department Overview



- City Hall (main office)
- Oak Cliff Municipal Center (OCMC)
- Central Service Center (Canton Street)









#### Department Overview



#### **Director:**

Dr. Ghassan (Gus) Khankarli

**Assistant Director:** 

Auro Majumdar

**Assistant Director:** 

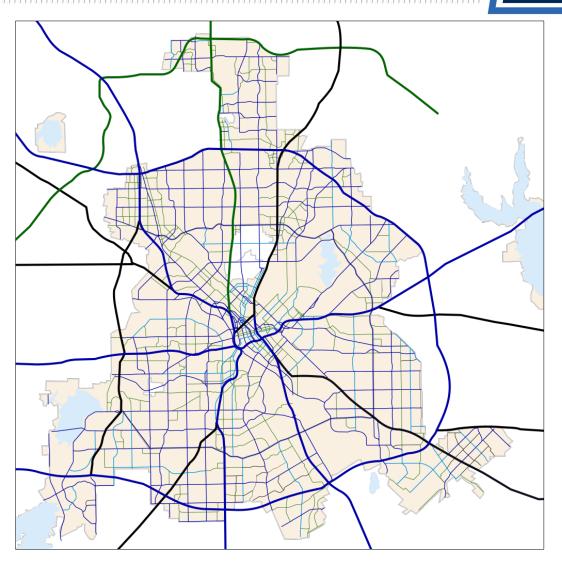
Scott Walton



#### **Transportation Network**



- Approximately 1,450 signalized intersections
- About 97,000 streetlights\*
- About 150,000 signs
- More than 70 miles of bike lanes
- About 8,700 crosswalks





<sup>\*</sup>Oncor owns most streetlights in the city.

#### **ADA Impacts**



Reconstructing signalized intersections

 ALL new or rebuilt signals have accessible pedestrian signal (APS) buttons with audible signals





#### **ADA Impacts**



 Design review for reconstructing roadways with sidewalks





### Ongoing Work



- Routine maintenance schedule
- Corridor studies
- Vision Zero





#### Service requests



- Contact 311
- Service requests from 311 are distributed to the different divisions for processing.





#### Questions?



## Dallas Department of Transportation

1500 Marilla Street, L1BS Dallas, TX 75201





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