

Memorandum

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CITY SECRETARY
DALLAS, TEXAS



City of Dallas

DATE January 22, 2020

TO The Honorable Eric Johnson

FROM Jaime Resendez, District 5

SUBJECT **Request for Placement of Agenda Item – Council Member(s)**

ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:

Pursuant to Section 6.2 of the City Council Rules of Procedure, please refer the following item to a city council committee within 15 calendar days after receipt of this request:

An ordinance amending Chapter 8, "Boards and Commissions," of the Dallas City Code by amending Section 8-1.4, "Qualification Considerations in Appointments to Boards," by deleting the requirement that a board or commission member be a qualified voter in the city at the time of appointment.

BRIEF BACKGROUND:

Section 8-1.4 of the Dallas City Code requires that all board and commission appointees meet seven qualifications, including being a qualified voter in the city at the time of appointment. Under state law, a qualified voter must: (1) be 18 years of age or older, (2) be a United States citizen, (3) not be partially or totally mentally incapacitated, and (4) not have been finally convicted of a felony unless they have fully discharged their sentence or been pardoned. The qualified voter requirement in Chapter 8 can be deleted, except when required under the Charter or another city ordinance.

Submitted for consideration by:

Jaime Resendez
Printed Name

Dist. # 5

Signature

Supporting Council Member Signatures (4 Signatures Only):

Adam Medrano
Printed Name

Dist. # 2

Signature

Adam Bazaldua
Printed Name

Dist. # 7

Signature

Chad West
Printed Name

Dist. # 1

Signature

Omar Narvaez
Printed Name

Dist. # 6

Signature

Attachment: Draft Ordinance

c: Honorable Council Members
T.C. Broadnax, City Manager
Christopher J. Caso, Interim City Attorney
Mark S. Swann, City Auditor
Billerae Johnson, City Secretary
Tristan R. Hallman, Chief of Policy and Communications, Office of the Mayor

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1-22-20

CITY SECRETARY
DALLAS, TEXAS

ORDINANCE NO. _____

An ordinance amending Chapter 8, "Boards and Commissions," of the Dallas City Code by amending Section 8-1.4; deleting the requirement that an appointee to a board or commission must be a qualified voter of the city; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (a) of Section 8-1.4, "Qualification Considerations in Appointments to Boards," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(a) In addition to the qualifications for service on a board that are mandated by the city charter or other ordinances, an appointee to a board must:

(1) have been a resident of the city for at least six months prior to the date of appointment;

(2) ~~[be a qualified voter in the city at the time of appointment];~~

~~(3)]~~ have no conviction that is considered by the city council to be so serious that it should serve as a disqualification;

~~(3[4])~~ not be an adversary party to pending litigation or a claim against the city or a city employee, except for eminent domain proceedings; disqualification of an appointee under this subparagraph may be waived by the city council after review of the specific circumstances unless the subject of the litigation or claim involves the board on which the appointee will serve or the department providing support services to that board;

~~(4[5])~~ not be an employee or a business associate of either an adversary party or a representative of an adversary party, nor have a pecuniary interest, in any pending litigation or claim, other than an eminent domain proceeding, against the city relating to the board on which the appointee will serve or the department providing support services to that board or against any individual officer or employee of the support department (unless unrelated to such individual's office or employment); disqualification of an appointee under this subparagraph may not be waived;

(5[6]) not be in arrears on any city taxes, water service charges, or other obligations owed the city; and

(6[7]) have a creditable record of attendance pursuant to Section 8-20 in any previous board service.”

SECTION 2. That Chapter 8 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

Each councilmember signing the five-person request to place an item on the agenda must review and confirm that they have read and agree with the draft ordinance by dating, initialing, and placing their district number below.

2/5/20
DATE

[Signature]
CM INITIALS

5
DIST. NO.

2/3/2020
DATE

[Signature]
CM INITIALS

2
DIST. NO.

2/4/2020
DATE

[Signature]
CM INITIALS

7
DIST. NO.

2/3/20
DATE

[Signature]
CM INITIALS

1
DIST. NO.

2/5/2020
DATE

[Signature]
CM INITIALS

6
DIST. NO.