

MINUTES OF THE CITY COUNCIL COMMITTEE
WEDNESDAY, AUGUST 30, 2023

23-0012

SPECIAL JOINT MEETING OF THE GOVERNMENT PERFORMANCE AND FINANCIAL
MANAGEMENT COMMITTEE AND AD HOC COMMITTEE ON LEGISLATIVE AFFAIRS
CITY COUNCIL CHAMBER, CITY HALL/VIDEO CONFERENCE
COUNCILMEMBER CHAD WEST, PRESIDING

PRESENT: [5] West, Blackmon, Moreno, Resendez, Mendelsohn

ABSENT: [0]

The meeting was called to order at 10:10 a.m. with a quorum of the committee present.

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

After all business properly brought before the committee had been considered, the meeting adjourned at 11:14 a.m.

Chair

ATTEST:

City Secretary Staff

Date Approved

The agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the committee are attached to the minutes of this meeting as EXHIBIT B.

The briefing materials are attached to the minutes of this meeting as EXHIBIT C.

***Note: Members of the Committee participated in this meeting by video conference.**

****Note: Indicates arrival time after meeting called to order/reconvened.**

MINUTES OF THE CITY COUNCIL COMMITTEE
WEDNESDAY, AUGUST 30, 2023

EXHIBIT A

RECEIVED

2023 AUG 25 PM 4: 53

**CITY SECRETARY
DALLAS, TEXAS**

City of Dallas

*1500 Marilla Street Council
Briefing, Room 6ES
Dallas, Texas 75201*

Public Notice

230737

POSTED CITY SECRETARY
DALLAS, TX



**Special Called Joint Meeting of Government
Performance and Financial Management Committee
and the Ad Hoc Committee on Legislative Affairs**

August 30, 2023

10:00 AM

2023 CITY COUNCIL APPOINTMENTS

COUNCIL COMMITTEE	
ECONOMIC DEVELOPMENT Atkins (C), Narvaez (VC), Arnold, Bazaldua, Ridely, Stewart, West	GOVERNMENT PERFORMANCE AND FINANCIAL MANAGEMENT West (C), Blackmon (VC), Mendelsohn, Moreno, Resendez
HOUSING AND HOMELESSNESS SOLUTIONS Moreno (C), Mendelsohn (VC), Gracey, West, Willis	PARKS, TRAILS, AND THE ENVIRONMENT Stewart (C), Moreno (VC), Arnold, Bazaldua, Blackmon, Narvaez, West
PUBLIC SAFETY Mendelsohn (C), Stewart (VC), Atkins, Moreno, Willis	QUALITY OF LIFE, ARTS, AND CULTURE Bazaldua (C), Resendez (VC), Blackmon, Gracey, Ridely, Schultz, Willis
TRANSPORTATION AND INFRASTRUCTURE Narvaez (C), Gracey (VC), Atkins, Mendelsohn, Resendez, Schultz, Stewart	WORKFORCE, EDUCATION, AND EQUITY Schultz (C), Arnold (VC), Bazaldua, Blackmon, Resendez, Ridley, Willis
AD HOC COMMITTEE ON ADMINISTRATIVE AFFAIRS Atkins (C), Mendelsohn, Moreno,	AD HOC COMMITTEE ON GENERAL INVESTIGATING AND ETHICS Mendelsohn (C), Gracey, Johnson, Schultz, Stewart
AD HOC JUDICIAL NOMINATIONS Ridley (C), Resendez, West	AD HOC LEGISLATIVE AFFAIRS Mendelsohn (C), Atkins, Gracey, Narvaez, Stewart
AD HOC COMMITTEE ON PENSIONS Atkins (C), Blackmon, Mendelsohn, Moreno, Resendez, Stewart, West, Willis	AD HOC COMMITTEE ON PROFESSIONAL SPORTS RECRUITMENT AND RETENTION Gracey (C), Blackmon, Johnson, Moreno, Narvaez, Resendez, Schultz

(C) – Chair, (VC) – Vice Chair

Note: A quorum of the Dallas City Council may attend this Council Committee meeting.

General Information

The Dallas Council Committees regularly meet on Mondays beginning at 9:00 a.m. and 1:00 p.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council Committee agenda meetings are broadcast live on bit.ly/cityofdallastv and on Time Warner City Cable Channel 16.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Información General

Los Comités del Concejo de la Ciudad de Dallas se reúnen regularmente los lunes en la Cámara del consejo en el sexto piso del Ayuntamiento, 1500 Marilla, a partir de las 9:00 a.m. y la 1:00 p.m. Las reuniones de la agenda del Comité del Consejo se transmiten en vivo por la estación de bit.ly/cityofdallastv y por cablevisión en la estación *Time Warner City Cable* Canal 16.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que este presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

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 pistola 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 propiedad."

The Special Called Meeting of Government Performance and Financial Management Committee and the Ad Hoc Committee on Legislative Affairs meeting will be held by videoconference and in the Council Briefing, Room 6ES at City Hall.

The public is encouraged to attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols.

The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the Special Called Meeting of Government Performance and Financial Management Committee and the Ad Hoc Committee on Legislative Affairs meeting on Spectrum Cable Channel 16 and [bit.ly/cityofdallastv](https://cityofdallas.tv):

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=ma3e321ff77873b6b70c8ebd720949c49>

Call to Order

BRIEFING ITEMS

- A. 23-2179 Review of House Bill 14 and discussion of potential changes to Chapters 51A and 52 of the Dallas City Code

Attachments: [Presentation](#)

ADJOURNMENT

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]

MINUTES OF THE CITY COUNCIL COMMITTEE
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EXHIBIT B

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

AUGUST 30, 2023

BRIEFING ITEMS

Item A: Review of House Bill 14 and discussion of potential changes to Chapters 51A and 52 of the Dallas City Code

The following individuals briefed the committee on the item:

- Andrew Espinoza, Director, Development Services;
- Mina Eskander, Assistant Director, Development Services;
- Casey Burgess, Assistant City Attorney, City Attorney's Office;
- Clifford Sparks, Manager, City Attorney's Office; and
- Majed Al-Gahfry, Assistant City Manager, City Manager's Office

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EXHIBIT C



City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-2179

Item #: A.

Review of House Bill 14 and discussion of potential changes to Chapters 51A and 52 of the Dallas City Code



City of Dallas

House Bill 14

**Special Called Joint Meeting of
the Government Performance
and Financial Management
Committee and the Ad Hoc
Committee on Legislative Affairs
August 30, 2023**

Andrew Espinoza, CBO, MCP, CFM, CCEA
Director/Chief Building Official
Development Services Department
City of Dallas

HB 14



- The bill adds a provision to the Local Government Code that if a regulatory authority does not approve a plat, plan, or development permit by the 15th day after the date prescribed for approval, the review may be conducted by someone who is NOT the applicant or a person whose work is the subject of the application; and IS:
 - an employee of the regulatory authority;
 - an employee of another political subdivision; or
 - a licensed engineer.



HB 14



- Similarly, if a regulatory authority does not conduct a required inspection by the 15th day after the date prescribed for the inspection, the inspection may be conducted by someone who is NOT the owner of the land subject to the inspection; or a person who is the subject of the inspection, and who IS:
 - a certified building inspector;
 - an employee of the regulatory authority; or
 - an employee of another political subdivision under the same regulatory authority.



HB 14



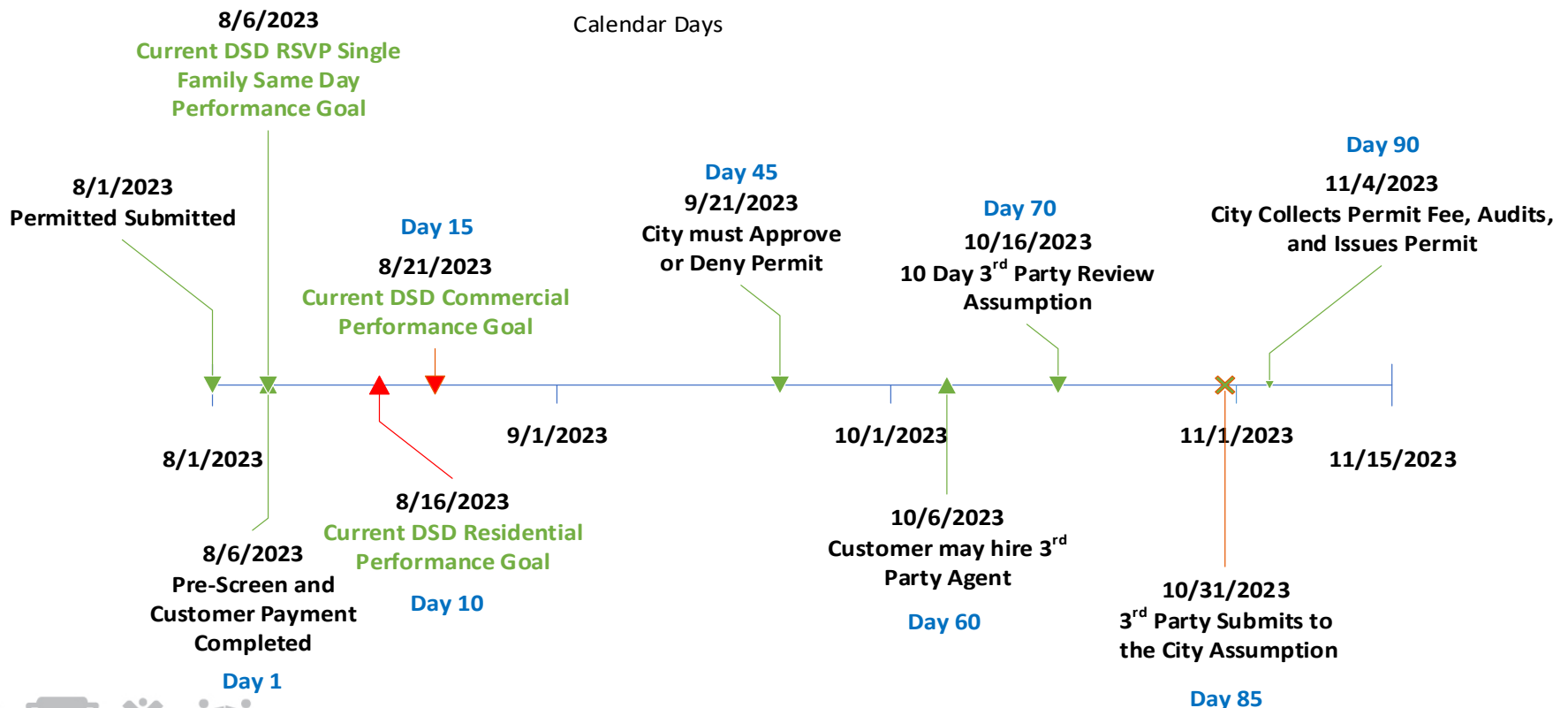
- The bill also makes decisions on development documents and inspections appealable to city council.
- Chapters 51A and 52 will need to be amended to incorporate the new timelines and establish an appeals procedure.



HB 14



Development Services Performance Goals and Metrics and House Bill 14 Timelines





HB 14 Timeline Examples

- Texas Local Government Code § 214.904 requires a city to grant or deny a permit (or send the applicant a letter—see Example 2) within 45 days of receiving a complete application.
 - Day 1: application filed.
 - Day 45: deadline for approving or denying a permit.
 - Day 60: the applicant can hire a third party to review the application if the city has not approved or denied the application.



HB 14 Timeline Examples



- Under Texas Local Government Code § 214.904, if a city knows it will not be able to approve or deny the permit by the 45-day deadline, it can send the applicant written notice explaining why it has not been able to grant or deny the permit. If the city provides this notice, the permit must be granted or denied within 30 days of sending the notice.
 - Day 1: application filed.
 - Day 45: letter sent to applicant explaining why the city has been unable to grant or deny the permit.
 - 'Day 75: new deadline for approving or denying the permit.
 - Day 90: the applicant can hire a third party to review the application if the city has not approved or denied the application.



HB 14 Timeline Examples



- Texas Local Government Code § 212.009 requires a city to approve, approve with conditions, or deny a plat within 30 days of receiving a complete application. A plat is automatically approved if CPC fails to act on the application by the 30-day deadline.
 - Day 1: application filed.
 - Day 30: deadline for taking action on plat application.
 - Day 45: the applicant can hire a third party to review the application if the city has not approved or denied the application, but under the terms of § 212.009 the application will automatically be approved if the 30-day deadline is not met—this scenario would never come into play.



Notes & Next Steps



- While HB 14 provides that an applicant can hire a third-party inspector if an inspection is not completed by a deadline provided in the Texas Local Government Code, the Texas Local Government Code does not provide any deadlines for completing an inspection. This part of the bill has no application.
- The City Attorney's Office is working with city departments to draft code amendments.
- Code amendments will be briefed to the appropriate city council committees in the coming weeks.





City of Dallas

House Bill 14

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