

## ORDINANCE NO. \_\_\_\_\_

An ordinance ordering a special election to be held in the city of Dallas on May 1, 2021, on the question of adopting amendments to the Charter of the City of Dallas; eliminating the requirement that a member of a board or commission created by the city charter be registered or qualified to vote; eliminating the requirement that a member of the civil service board be a qualified taxpaying citizen; prescribing the form and wording of the ballot propositions; designating polling places; providing that only resident qualified voters are entitled to vote; providing for the use of an electronic voting system for early voting by personal appearance and a computerized voting system for voting on election day and for early voting by mail; providing for early voting locations; providing for an early ballot board to process early voting; providing for notice of the special election; and providing an effective date.

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

SECTION 1. That a special election is ordered to be held in the city of Dallas on Saturday, May 1, 2021, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to the qualified voters of the city a proposition on whether the Charter of the City of Dallas should be amended. The proposed amendment will only affect the sections listed below and will read as set forth below (the new portions being underlined, and the repealed portions being crossed through):

**CHAPTER IV. ELECTIONS AND REFERENDUMS**

**SEC. 5. DISTRICTS AND REDISTRICTING.**

(a) The city shall be divided into 14 districts, known as Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.

(b) Redistricting commission.

(1) Not later than 30 days after the city council is briefed on the federal decennial census taken in the prior year, each member of the city council shall appoint one

member of the redistricting commission. The mayor shall designate the chair of the redistricting commission, subject to confirmation by a majority of the city council. In making such appointments, the city council and the mayor shall, as nearly as may be practicable, provide fair and balanced representation of all geographical areas of the city in the redistricting process and provide a total membership that reflects the racial and ethnic makeup of the city's population. Members of the redistricting commission shall be appointed to serve a term that will end upon completion of the redistricting commission's work.

(2) Persons appointed to the redistricting commission must ~~[be registered to vote and]~~ meet the qualifications for service on a city commission. A member of the city council is not eligible for appointment to the redistricting commission. A member of the redistricting commission is not eligible to be a candidate for a place on the city council in the next succeeding general election of the city, and may not be appointed or elected to the city council or to any other official board or commission of the city for a period of one year after service on the redistricting commission.

(3) The redistricting commission shall draw the districts in compliance with the following guidelines:

(A) The districts shall be substantially equal in population according to the total population count as presented in the census data, except where deviation is required to comply with federal law or is allowable by law.

(B) In addition to the requirements of federal law, there shall be no discrimination on the basis of race, color, or membership in a language minority group, and the voting strength of racial, ethnic, and language minorities in the districts shall not be diluted to deprive minority voters of an equal opportunity to elect a candidate of their choice.

(C) The districts shall be geographically compact, to the extent possible, and composed of contiguous territory.

(D) The reconfiguration of districts shall be neutral as to incumbents or potential candidates.

(E) Communities of interest shall be placed in a single district and attempts should be made to avoid splitting neighborhoods, where possible without violating the other requirements.

(F) The redistricting commission may adopt any other requirements of federal or state law.

(4) The redistricting commission shall promptly convene in such sessions as are necessary, including public hearings, to develop, prepare, and recommend a districting plan that proposes the respective boundaries of the various districts comprising the city council under this Charter.

(5) City council members may not have contact, directly or indirectly, with a redistricting commission member, or with redistricting commission staff, with respect to redistricting, except by testimony in an open meeting. Redistricting commission members may not engage in any discussions, directly or indirectly, regarding redistricting or the work of the redistricting commission with city council members, except during an open meeting or by written communication given to the entire redistricting commission. If a redistricting commission member engages in a prohibited discussion or violates the Texas Open Meetings Act, the redistricting commission may, by majority vote, remove the commissioner from the redistricting commission.

(6) Upon completion of its work, the redistricting commission shall file its recommended districting plan with the mayor. The mayor shall present the recommended plan to the city council at its next meeting. The city council shall adopt the plan as submitted or shall modify and adopt the plan, in either case within 45 days of receipt by the mayor. Any modification or change to the plan must be made in open session at a city council meeting, with a written explanation of the need for the modification or change and a copy of the proposed map with the modification or change made available to the public 72 hours before a vote, and the proposed plan must be approved by a vote of three-fourths of the members of the city council. If final action is not taken by the city council within 45 days after the plan was presented to the mayor, then the recommended plan of the redistricting commission will become the final districting plan for the city.

(7) The districting plan developed in accordance with this section must be implemented at the next general election of the city council conducted at least 90 days following the date the final districting plan becomes effective for the city.

## **CHAPTER XV. PLANNING AND ZONING**

### **SEC. 3. ZONING COMMISSION.**

The city council shall appoint 15 members who shall be residents ~~[qualified voters]~~ of the City of Dallas who shall constitute the zoning commission of the City of Dallas, and shall be the city plan commission as the same is referred to by state statute for the approval of plats and subdivisions. The members shall possess the same qualifications and be subject to the same disqualifications as provided by the Charter for members of the city council, or general laws of the State of Texas, except that a member is not required to be a qualified voter of the city. The city council shall name one of the members to be the chair and one to be the vice chair.

## **CHAPTER XVI. CIVIL SERVICE AND PERSONNEL**

### **SEC. 1. ORGANIZATION OF CIVIL SERVICE.**

There is hereby created and established a civil service board to be composed of seven members who shall be residents ~~[qualified taxpaying citizens]~~ of the City of Dallas and a number of adjunct members equal to the number of members on the city council who shall have qualifications established by the city council. Biennially in September of each odd-numbered

year, the city council shall appoint the members and adjunct members to serve for two years and until their successors have been appointed and qualified, and the mayor shall designate one member as chair subject to confirmation by a majority of the city council. The adjunct members shall not have voting privileges on matters to be determined by the civil service board but shall perform such duties as prescribed for them by this Charter. The members and adjunct members of the civil service board shall not hold any other position under the city, county, or state government. The city council may remove any member or adjunct member of the board. Any vacancies on the board must be filled by the city council for the unexpired term.

## **CHAPTER XVII. PARK AND RECREATION DEPARTMENT**

### **SEC. 2. ORGANIZATION OF BOARD AND TERMS OF OFFICE MEMBERS.**

(a) The city council shall appoint a number of members ~~[qualified voters of the city]~~ equal to the number of members on the city council who shall be residents of the City of Dallas and constitute the park and recreation board of the city. The members shall possess the same qualifications and be subject to the same disqualifications as provided by the Charter for members of the city council, or by general laws of the State of Texas, except that a member is not required to be a qualified voter of the city, and shall serve without compensation.

(b) All members of the board shall be appointed by the city council, in accordance with Chapter XXIV, Section 13 of this Charter, as are other boards and shall serve for like terms, as provided by this Charter. The mayor shall appoint the president of the board from among the members appointed by the city council, subject to confirmation by a majority of the city council.

SECTION 2. That electronic and computerized voting systems must be used for voting at and on the date of the special election in compliance with the provisions of the Texas Election Code, as amended, and the vote must be upon an official ballot prepared in such a manner as will permit the voters to vote "For" or "Against" the proposition submitted, with the propositions to be expressed on the official ballot in a form substantially as follows:

### **PROPOSITION NO. 1**

#### **Eliminating the Requirement That A Member of a Board or Commission Created by the City Charter be Registered or Qualified to Vote.**

Shall Chapter IV, Section 5; Chapter XV, Section 3; and Chapter XVII, Section 2 of the Dallas City Charter be amended to eliminate the requirement that a member of a board or commission created by the city charter be a registered or qualified voter?

## **PROPUESTA NO. 1**

### **Eliminar el Requisito de que un Miembro de una Junta o Comisión creada por la Carta de la Ciudad sea Registrado o Calificado para Votar.**

El capítulo IV, Sección 5; Capítulo XV, Sección 3; y el Capítulo XVII, Sección 2 de la Carta de la Ciudad de Dallas será enmendado para eliminar el requisito de que un miembro de una junta o comisión creada por la carta de la ciudad sea un votante registrado o calificado?

## **PROPOSITION NO. 2**

### **Eliminating the Requirement That a Member of the Civil Service Board be a Qualified Taxpaying Citizen.**

Shall Chapter XVI, Section 1 of the Dallas City Charter be amended to eliminate the requirement that a member of the civil service board be a qualified taxpaying citizen?

## **PROPUESTA NO. 2**

### **Eliminar el Requisito de que un Miembro de la Junta de Servicio Civil sea un Ciudadano Calificado.**

¿Se modificará el Capítulo XVI, Sección 1 de la Carta de la Ciudad de Dallas para eliminar el requisito de que un miembro de la junta de servicio civil sea un ciudadano calificado que pague impuestos?

SECTION 3. That the election must be held and conducted in the manner provided by law governing the holding of city charter elections by home rule cities of the State of Texas. The official ballots, together with such other election materials as are required by the Texas Election Code, as amended, must be printed in both the English and Spanish languages and must contain such provisions, markings, and language as may be required by law.

SECTION 4. That the boundaries of the election precincts in which the election is to be held are defined by Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375. Locations of the polling places in the election precincts are listed in the attached Exhibit A, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made

part of this ordinance by reference and can be found by visiting the Dallas County webpage:  
<http://www.dallascountyvotes.org/election-day-information/> or by contacting:

Dallas County Elections Department  
1520 Round Table Drive  
Dallas, Texas 75247  
(214) 819-6389

SECTION 5. That each voter must vote in the precinct in which the voter resides, and only resident qualified voters are entitled to vote.

SECTION 6. That a person qualified to vote and residing in the City of Dallas, but not within any precinct described in Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375 may vote in the precinct nearest the person's residence, and for that purpose the person's residence will be considered as part of that city election precinct. A person who has registered in a city election precinct, but whose residence is not in the city of Dallas, is not entitled to vote in the special election even though the person may own property subject to taxation in the city.

SECTION 7. That early voting by personal appearance will be by the use of an electronic voting system in accordance with the Texas Election Code, as amended. Early voting by mail will be by the use of a computerized voting system in accordance with the Texas Election Code, as amended. Early voting will be conducted at the locations and during the dates and times established by Dallas County, Texas, as reflected in Exhibit B, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made part of this ordinance by reference and can be found by visiting the Dallas County webpage:  
<http://www.dallascountyvotes.org/early-voting-information> or by contacting:

Dallas County Elections Department  
1520 Round Table Drive  
Dallas, Texas 75247

(214) 819-6389

SECTION 8. That application for early voting ballots to be voted by mail must be mailed to the following:

- For Dallas County: Early Voting Clerk  
Dallas County Elections Department  
1520 Round Table Drive  
Dallas, Texas 75247
- For Denton County: Early Voting Clerk  
Denton County Elections Administration Office  
P.O. Box 1720  
Denton, Texas 76202
- For Collin County: Early Voting  
Collin County Elections Administration Office  
2010 Redbud Boulevard, Suite 102  
McKinney, Texas 75069

SECTION 9. That applications for early voting ballots to be voted by mail may, pursuant to Section 84.007 of the Texas Election Code, be sent to the following email addresses:

- For Dallas County: [evapplications@dallascounty.org](mailto:evapplications@dallascounty.org)
- For Denton County: [elections@dentoncounty.gov](mailto:elections@dentoncounty.gov)
- For Collin County: [absenteemailballoting@collincountytexas.gov](mailto:absenteemailballoting@collincountytexas.gov)

SECTION 10. That the early voting ballots will be processed by an early voting ballot board created in accordance with the Texas Election Code, as amended.

SECTION 11. That the mayor or, in the mayor's absence or inability to act, the mayor pro tem, shall give notice of the special election by causing the notice to be published in a newspaper within the city and posted on the city's public meeting bulletin board in accordance with applicable state law governing notice of charter elections.

SECTION 12. That this ordinance will 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, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_