

Memorandum



CITY OF DALLAS

DATE September 27, 2019

TO Honorable Mayor Johnson

SUBJECT **Upcoming Agenda Item #34, October 8, 2019- City Council Rules of Procedure Proposed Amendments**

The Ad Hoc Administrative Affairs Committee met on September 23, 2019, to review the City Council Rules of Procedure (ROP). Based on feedback from the committee members, attached is an outline of the additional amendments to the ROP that the committee is recommending as well as a copy of the proposed ROP showing the proposed *additions* underlined and *deletions* as strikethroughs. For your reference, also attached is a matrix showing the proposed amendments that were submitted by the city council and city appointed officers and highlighting the amendments included in the proposed ROP.

The committee requests that the proposed amendments are placed on the October 8, 2019, voting agenda for council adoption.

Please feel free to contact me or Kimberly Bizer Tolbert, Chief of Staff if you have any questions or should you require additional information at this time.

A handwritten signature in black ink that reads "Lee M. Kleinman".

Lee M. Kleinman, Chair Ad Hoc Administrative Committee
Council Member, District 11

c: Ad Hoc Administrative Committee
City Council Members
T.C. Broadnax, City Manager
Christopher J. Caso, Interim City Attorney
Biliera Johnson, City Secretary

City Council Rules of Procedure Proposed Amendments

The Ad Hoc Administrative Committee recommended approval of the proposed amendments to ROPs with the following additional changes:

1. Delete Section 3.1(g)
2. Councilmember as one word in Section 4.9
3. Second Wednesday voting agendas will begin at 9:00 am, and the public hearings will begin no earlier than 1:00 pm. See Section 6.1(c)
4. Delete Section 6.1(c)(2)
5. Not adding “Questions Regarding Agenda Items” in Section 6.1(d)
6. Not adding “Pulled Items” in Section 6.1(e)
7. Delete “the appropriate” in Section 6.2(f)(1)
8. Keep the CMO’s recommended language in Section 9.6(a) regarding providing an agenda to each committee chair but deleting “and supporting information.” The following is the draft paragraph:

- a) At least one week before [Before] each city council committee meeting, the city manager shall provide to each committee chair an agenda [and supporting information] for their [each] committee meeting. The committee chair shall provide feedback on their committee agenda to the city manager before 5:00 p.m. on the Wednesday before the committee meeting [members and the public]

CITY COUNCIL

RULES OF PROCEDURE

CITY OF DALLAS, TEXAS

Adopted August 11, 1993

Amended by Resolution Nos. 94-0297, 94-2571, 94-3328, 94-3675, 95-1545, 95-2450, 95-2451, 95-2760, 95-4204, 96-0713, 98-3005, 99-3641, 01-2476, 03-1652, 03-1779, 04-1257B, 05-1211, 07-2686, 09-1868, 09-2128, 09-2835, 11-2458, 11-3297, 13-1441, 14-0430, 15-0344, 17-0953, 17-1122, 17-1706, 18-0385, and 18-0849

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SECTION 1 AUTHORITY.

The Charter of the City of Dallas, Texas, provides for open meetings of the city council at which reasonable opportunity shall be given for the public [citizens] to be heard under such rules as the council may provide. The Rules of Procedure establish guidelines to be followed by all persons attending a city council meeting, including members of the city council, administrative staff, news media, and visitors. [City Charter Chapter III §8 and §10]

SECTION 2 MEETINGS.

2.1. Regular Meetings. The city council will meet [~~at 11:00 a.m.~~] on the day the councilmembers [~~council members~~] take office, and thereafter on dates and at times set by the city council, unless postponed or canceled for valid reasons. [City Charter Chapter III §6]

2.2. Special Meetings. The city secretary shall call special meetings upon written request of the mayor, the city manager, or three members of the council. [City Charter Chapter III §7]

2.3. Public Notice. The agenda for all [~~regular~~] meetings and the notice listing items to be considered shall be posted by the city secretary [~~on the City's official bulletin board~~] in accordance with the Texas Open Meetings Act. [Texas Government Code Chapter 551].

2.4. Quorum. Nine members constitute a quorum except when the number of councilmembers [~~council members~~], due to vacancies, is reduced to less than nine, in which event a quorum consists of all the remaining councilmembers [~~council members~~]. [City Charter Chapter III §9.] A quorum of the city council must be present to conduct a city council meeting, except that a quorum is not required to hear proclamations and special recognitions.

2.5. Compelling Attendance. A lesser number than a quorum may adjourn from time to time and compel the attendance of absent members. [City Charter Chapter III §9]

2.6. City Manager Participation. The city manager, or acting city manager, shall attend all meetings of the city council unless excused. The city manager may make recommendations to the city council and shall have the right to take part in all discussions [;] but shall have no vote. [City Charter Chapter VI §2(6)]

2.7. City Attorney Participation. The city attorney, or designated assistant city attorney, shall attend all meetings of the city council unless excused, [~~and shall, upon request,~~] give an opinion, either written or oral, on questions of law, and [~~. The city attorney shall~~] act as the city council's parliamentarian. [City Charter Chapter VII §3(7)]

2.8. City Secretary Participation. The city secretary or designated assistant city secretary shall attend all meetings of the city council and shall keep accurate records of all actions taken by the city council. [City Charter Chapter IIIA §3(1)]

2.9. City Auditor Participation. The city auditor or designated assistant city auditor shall be available in City Hall during all city council meetings to respond to inquiries made by the city council. Upon the request of any city councilmember [~~council member~~], the auditor shall attend the briefing or deliberation of any specific agenda item.

2.10. Executive Sessions. The city council may meet in executive session when it is scheduled by the mayor upon request by the city attorney, city manager, city auditor, city secretary, or any member of the city council and when it is in compliance with the Texas Open Meetings Act. No vote shall be taken in an executive session on any matter under consideration nor shall any city councilmember [~~council member~~] enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the city council. The city council shall follow the letter and the spirit of the Texas Open Meetings Act [~~, and closed executive sessions shall be kept to a minimum~~].

2.11. Reserved.

2.12. Punctuality and Breaks. City councilmembers [~~council members~~] shall arrive at city council and committee meetings at or before the scheduled time for the meeting to begin. If a quorum of a city council committee has not arrived at a committee meeting within 15 minutes after the scheduled starting time of the meeting, the chair may cancel the meeting. At the beginning of each city council meeting, the mayor shall announce the schedule for breaks and lunch to be taken during the meeting.

2.13. Briefing Meetings. During briefing meetings, city councilmembers [~~council members~~] shall refrain from calling on members of the public to speak unless arrangements with the mayor are made in advance of the meeting.

SECTION 3 CODE OF CONDUCT.

3.1. City Councilmembers [~~Council members~~].

(a) During city council meetings, city councilmembers [~~council members~~] shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the city council.

(b) A city councilmember [~~council member~~] desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine discussion to the question under debate, avoid discussion of personalities and indecorous language, and refrain from personal attacks and verbal abuse.

(c) A city councilmember [~~council member~~] desiring to question the administrative staff shall address questions to the city manager who shall be entitled either to answer the inquiries or to designate some member of city staff for that purpose. City councilmembers [~~council members~~] shall not berate nor admonish staff members.

(d) A city councilmember [~~council member~~], once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, unless a point of order is raised by another member, or unless the speaker chooses to yield to questions from another member. If a city councilmember [~~council member~~] is called to order while speaking, that member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or make additional remarks [~~so as~~] to comply with rules of the city council.

(e) City councilmembers [~~council members~~] shall confine their questions to the particular matters before the assembly and in debate shall confine their remarks to the issues before the city council.

(f) When there is more than one speaker on the same subject, city councilmembers [~~council members~~] will delay their comments until after all speakers on the subject have been heard.

[~~(g) City council members shall refrain from eating food inside the council chamber.~~]

3.2. Administrative Staff.

(a) Members of the administrative staff and employees of the City shall observe the same rules of procedures and decorum applicable to members of the city council.

(b) Although the presiding officer has the authority to preserve decorum in meetings, the city manager also is responsible for the orderly conduct and decorum of all city employees under the city manager's direction and control.

(c) The city manager shall take such disciplinary action as may be necessary to ensure that decorum is preserved at all times by city employees in city council meetings.

(d) All persons addressing the city council, including the city manager, other staff members, or members of the public shall be recognized by the presiding officer and shall limit their remarks to the matter under discussion.

(e) All remarks and questions addressed to the city council shall be addressed to the city council as a whole and not to any individual member.

(f) No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the presiding officer.

3.3. Residents [Citizens] and Other Visitors.

(a) Residents [Citizens] and other visitors are welcome to attend all public meetings of the city council and will be admitted to the city council chamber or other room in which the city council is meeting up to the fire safety capacity of the room.

(b) Everyone attending the meeting will refrain from private conversations while the city council is in session.

(c) Residents [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.

(d) Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the presiding officer, who may direct the sergeant-at-arms to remove offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer. In case the presiding officer shall fail to act, any member of the city council may move to require enforcement of the rules, and the affirmative vote of the majority of the city council shall require the presiding officer to act.

(e) No placards, banners, or signs will be permitted in the city council chamber or in any other room in which the city council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the city council, however, are permitted. Video presentations requested by the public [citizens] as visual aids will not be broadcasted over cable television.

(f) Residents [Citizens] or other visitors attending city council meetings shall not bring food or drink into the city council chamber or into any other room in which the city council is meeting.

3.4. Enforcement. The city manager, as chief law enforcement officer, shall act as sergeant-at-arms for the city council and shall furnish whatever assistance is needed to enforce the rules of the city council.

SECTION 4 DUTIES AND PRIVILEGES OF MEMBERS.

4.1. Seating Arrangement. City councilmembers [council members] shall occupy the seats in the city council chamber assigned to them by the mayor on the day city councilmembers take office [, but any two or more members may exchange seats].

4.2. **Right of Floor.** A city councilmember [council member] who desires to speak must be recognized by the presiding officer. No member shall address the presiding officer or demand the floor while a vote is being taken.

4.3. **Conflict of Interest.** A member prevented from voting by a conflict of interest shall leave the city council meeting during the debate, shall not vote on the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest.

4.4. **Right of Appeal.** Any member may appeal to the city council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly explain the ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "Yes [Aye]," the ruling of the chair is sustained; otherwise, it is overruled.

4.5. **Voting.**

(a) Every member present when a question is called shall vote either "Yes" or "No" except where required by law, or on matters involving a conflict of interests or the consideration of the member's own official conduct. [City Charter Chapter III §10]

(b) A member has a right to change their vote up to the time the result is announced; after that, the member can make the change only by the unanimous vote of the members present, without debate, immediately following the chair's announcement of the vote [After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present].

4.6. **Demand for Roll Call.** Upon demand of any member for roll call vote, made before the result is announced, the vote shall be taken on the city council chamber voting machine, or if the machine is unavailable, the roll shall be called for yes and no votes upon any question before the city council. It shall not be in order for members to explain their vote during the roll call.

4.7. **Personal Privilege.** The right of a member to address the city council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are assailed, questioned, or impugned.

4.8. **Dissents and Protests.** Any member shall have the right to express dissent from or protest against any ordinance, resolution, or other action of the city council and have the reason for the dissent or protest entered in the minutes. Such dissent or protest may be filed in writing and presented to the city secretary for placement in the minutes not later than the next regular agenda meeting following the date of the city council's action on the matter.

4.9. **[Excusal from] Attendance.** City councilmembers [council members] are expected to attend meetings and stay in attendance during each meeting. [No member shall be excused from attendance at a city council meeting except for good and valid reasons.]

4.10. **Excusal During Meetings.** No member should leave a city council meeting while in session without advising the presiding officer.

4.11. **Absence Because of Official City Business.**

(a) If a city councilmember [council member] is absent from an entire regular city council meeting, or an entire regular meeting of a city council committee to which the councilmember [he or she] is assigned, because the councilmember [he or she] is on official city business at the direction of the city council, the member shall request that the city secretary record in the minutes for that meeting that the member was absent because of official city business. The city secretary shall maintain a record of these absences on official city business so that such absences will not count against the city councilmember [council member] in determining the councilmember's [his or her] annual compensation under Dallas City Charter Chapter III §4.

(b) An absence for any of the following reasons will automatically be deemed to be for official city business at the direction of the city council and will not be counted against a city councilmember [council member] for purposes of determining the councilmember's [council member's] annual compensation under Dallas City Charter Chapter III §4:

(1) Attending a meeting or conference of a professional organization [or] or association of municipalities or municipal officers.

(2) Testifying at a legislative hearing at the request of the mayor, the city council, the chair of the city council's legislative affairs committee, the city attorney, or the city manager.

(3) Attending a meeting or otherwise performing the official business of a board, commission, or committee to which the city councilmember [council member] has been appointed by the mayor or the city council.

(c) In addition to absences automatically considered to be on official city business at the direction of the city council under Paragraph (b) of this subsection, the city council may by resolution within two regular meetings after the date of the absence, designate whenever a councilmember's [council member's] absence is for official city business and not counted as a missed meeting for purposes of Dallas City Charter Chapter III §4.

4.12. **Absence from More than 50 Percent of a Meeting.**

(a) If a city councilmember [council member] is absent from more than 50 percent of a regular city council meeting, or more than 50 percent of a regular meeting of a city council committee to which the councilmember [he or she] is assigned[,] and [he or she] is not on official city business at the direction of the city council as approved under Subsection 4.11 of these

rules, the member will be deemed to be absent from the meeting, and the absence will be counted against the member for purposes of determining the member's annual compensation under Dallas City Charter Chapter III §4.

(b) If a city council committee meeting is scheduled to last for a designated length of time, then a city councilmember [council member] who is present during half or more of the scheduled length of the meeting shall be counted as having attended the meeting even if the meeting runs past its scheduled length.

(c) The city secretary, or a person designated by the city secretary or the city manager to record attendance of city councilmembers [council members] at a meeting, shall maintain a record of each city councilmember's [council member's] absences so that such absences can be used in determining the member's annual compensation under Dallas City Charter Chapter III §4.

4.13. Absences from City Council Meetings.

(a) At the end of each city council compensation year, the city secretary shall provide to the city auditor and city manager an attendance data report for each city councilmember.

(b) Within 60 days after the end of the city council compensation year, the city auditor shall determine if any councilmember's compensation must be adjusted pursuant to Dallas City Charter Chapter III §4 and shall inform the chief financial officer of the percentage of meetings missed during the prior city council compensation year.

(c) The chief financial officer shall calculate and collect any compensation adjustments required via payroll deductions of substantially equal payments from paychecks paid during the calendar year in which the debt was incurred.

SECTION 5 CHAIR AND DUTIES.

5.1. **Chair.** The mayor, if present, shall preside as chair at all meetings of the city council. In the absence of the mayor, the mayor pro tem shall preside. In the absence of both the mayor and mayor pro tem, the deputy mayor pro tem shall preside. In the absence of all three, the council shall elect a chair. If the mayor vacates the chair during a meeting, and the mayor pro tem or deputy mayor pro tem is not available, the mayor may, subject to the approval of the city council, appoint a temporary chair. The first adjournment puts an end to this appointment. [City Charter Chapter III §2 and §11]

5.2. **Call to Order.** The meetings of the city council shall be called to order by the mayor or, in the mayor's absence, by the mayor pro tem or, in the mayor pro tem's absence, by the deputy mayor pro tem. In the absence of the mayor, mayor pro tem, and deputy mayor pro tem, the meeting shall be called to order by the city secretary.

5.3. **Preservation of Order.** The chair shall preserve order and decorum, call upon the sergeant-at-arms as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion.

5.4. **Questions to be Stated.** The chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken when requested by a member in accordance with Subsection 4.6.

5.5. **Call for Recess.** The chair may call for a 10-minute recess at regular intervals of approximately one hour at appropriate points in the meeting agenda.

SECTION 6 ORDER OF BUSINESS.

6.1. Agenda.

(a) **Preparation and Distribution.** The order of business of each meeting shall be as contained in the agenda prepared as follows:

(1) The agenda shall be a listing by topic of subjects to be considered by the city council [;] and shall be delivered to members of the city council in advance of each meeting in accordance with the directives of the city council.

(2) The mayor shall determine the contents of the agenda relating to policy items. The mayor shall transmit these items to the city manager on an approved form in time for distribution to the city council at the same time operational items are distributed. ~~[The resolution or ordinance being considered must be posted with the agenda item.]~~

(3) The city manager shall present the operational agenda to the city council. [City Charter Chapter III §13(a)(1) and (4)]

(b) Briefing Meetings.

(1) Unless amended by city calendar, o[Q]n the first and third Wednesday of each month, the city council will hold a briefing meeting, which shall begin at 9:00 a.m. At a briefing meeting, the city council shall present any proclamations or other recognitions scheduled for the day. At the conclusion of the proclamations, the briefings scheduled for the day will begin. The city manager will present options and recommendations at the end of each policy briefing. A councilmember ~~[council member]~~ may speak no more than three times on any briefing item. The first round is limited to five minutes, the second round is limited to three minutes, and the third round is limited to one minute. The chair may increase the established time limits upon request of a councilmember ~~[council member]~~ or as the chair deems necessary. Responses by the staff or the public ~~[citizens]~~ to a councilmember's ~~[council member's]~~ questions will not be included in the councilmember's ~~[council member's]~~ speaking time.

(2) Voting items will not be scheduled on briefing days except for emergencies, construction contracts, construction change orders, architectural and engineering contracts, [and] architectural and engineering supplemental agreements, budget resolutions and ordinances, minutes, and board and commission appointments. Speakers may sign up to speak on any voting item placed on a briefing agenda. Speakers shall be allowed to speak before consideration of the item. Speakers may also sign up to speak at open microphone periods at the beginning and end of each briefing meeting. Speakers shall appear in accordance with applicable rules established in Subsection 6.3 of these rules.

(c) **Voting Agenda Meetings.**

(1) Unless amended by city calendar, o[θ]n the second and fourth Wednesday of each month, the city council will hold a voting agenda meeting, which [.~~On the second Wednesday, the voting agenda meeting shall begin at 2:00 p.m., and on the fourth Wednesday, the voting agenda meeting]~~ shall begin at 9:00 a.m. At a voting agenda meeting, the city council shall hear speakers who wish to comment on matters that are scheduled on the city council's voting consent and individual item agenda for that day. The city council shall also hear open microphone speakers. Speakers shall appear in accordance with applicable rules established in Subsection 6.3 of these rules. Upon completion of any speakers allowed under Subsection 6.3 to speak at the beginning of the meeting, the city council will consider the minutes, the consent agenda, and individual items for consideration until ~~[5:00 p.m. on the second Wednesday, and]~~ noon ~~[on the fourth Wednesday]~~, when city council shall recess. On the second ~~and fourth~~ Wednesday, the city council shall reconvene no earlier than ~~[6:00 p.m. to conduct public hearings.]~~ 1:00 p.m. to conduct public hearings. ~~On the fourth Wednesday, the city council shall reconvene no earlier than]~~ At the completion of the public hearings, the city council shall resume its voting agenda.

(2) ~~[Up to five of the second Wednesday city council meetings in a calendar year should be held outside of city hall, at locations and dates recommended by the city manager, in accordance with the Texas Open Meetings Act, and approved by city council with the adoption of the city calendar.]~~

(3) A city councilmember [council member] may speak no more than three times on any one voting [voting] agenda item. The first round is limited to five minutes, the second round is limited to three minutes, and the third round is limited to one minute. The chair may increase the time limits upon request of a city member or as the chair deems [meeds] necessary. Responses by the staff or the public [citizens] to a councilmember's [a~~council~~ member's] questions will not be included in the councilmember's [council member's] speaking time. The chair shall take care that responses are brief and to the point. Briefings will not be scheduled for voting days except for emergencies [emergies]."

[d) **Fifth Wednesdays.** When a fifth Wednesday occurs in a month, the city council meeting may be used for special workshops, planning sessions, or other matters as agreed between the city manager and the city council.

(e) **Times Specified.** The times specified for speakers and city council activities at the briefing meetings and the voting agenda meetings may be adjusted on days when the city council determines to hold an evening meeting.]

6.2. Presentations by Members of Council.

(a) The mayor shall refer to a council committee [~~include on an agenda~~] any item requested by [÷]

(1)] five city councilmembers [~~council members~~] if the item is presented on an approved five-signature memorandum form, which includes, if applicable, [~~, for a voting agenda,~~] a draft resolution or ordinance. [; or

(2) ~~a majority of a city council committee to be brought before the city council.~~]

(b) The five-signature memorandum form must include:

(1) an accurate description of the voting item or briefing request;

(2) the background information for the agenda posting; and

(3) the printed names and district numbers of the five councilmembers [~~council members~~] signing the five-signature memorandum form.

(c) The five-signature memorandum form must identify the lead city councilmember [~~council member~~] who must work with the City Attorney's Office on the substance and wording of the subject matter, and any resolution or ordinance before the five-signature memorandum form is signed.

(d) If applicable, the [~~For a voting item,~~] the lead city councilmember [~~council member~~] must attach the draft resolution or ordinance to the five-signature memorandum form and all five city councilmembers [~~council members~~] signing the five-signature memorandum form must also date, initial, and print their district numbers on the draft resolution or ordinance.

(e) The completed five-signature memorandum form with any necessary attachments must be date-stamped by the city secretary and the date-stamped five-signature memorandum form must be submitted to the mayor with copies provided to the city council, city manager, and city attorney.

(f) Unless the request is withdrawn by any of the five city councilmembers [~~council members~~]: [~~or by a majority of the city council committee, whichever applies,~~]

(1) the mayor shall refer a complete five-signature memorandum to a city council committee within 15 calendar days after receipt of the date-stamped five-signature memorandum. [~~place the item on: (1) the first briefing agenda scheduled at least 30 calendar~~

~~days after receipt of the request by the mayor on an approved five-signature memorandum form that is date stamped by the city secretary, if the item is requested to be placed on a briefing agenda; or]~~

(2) The council committee chair shall place the item on the city council committee agenda no later than the second city council committee meeting after receiving the five-signature memorandum from the mayor. The city council committee shall be briefed on the item, make a recommendation on the item to the city council not later than the next meeting after the city council committee is briefed, and forward its recommendation by memorandum to the mayor for placement of the item on a city council agenda. [the first voting agenda scheduled at least 30 calendar days after receipt of the request by the mayor on an approved five-signature memorandum form that is date stamped by the city secretary, if the item is requested to be placed on a voting agenda.]

(3) The mayor shall place the item on a city council briefing or voting agenda not later than the second regular meeting after receipt of the city council committee's written recommendation.

(g) Any change to a five-signature memorandum form or its attached resolution or ordinance made after it is submitted to the mayor will require a new five-signature memorandum form, restarting the calendaring of the item.

(h) The resolution or ordinance being considered must be posted with the agenda item.

(i) The mayor shall not refer to a council committee [place on the agenda] any five-signature memorandum that is not on a complete five-signature memorandum form, including any necessary resolution or ordinance.

(j) The mayor shall not place on an agenda any item that has been voted on by the city council within the one-year period preceding the date requested for placement of the item on the agenda.

6.3. **Public [Citizen] Speakers.** At briefing meetings and voting agenda meetings, a person may address the city council concerning voting items on the agenda before consideration of the voting item by city council. The public [or] may also present a topic [subject for the city council's consideration] during the open microphone periods in accordance with the rules in this section. [following rules:]

(a) **Speakers to Register.** A person wishing to address the city council must first register with the city secretary and provide the following information: Name, residence address, daytime telephone number, the subject matter to be presented, and whether the subject is on the current city council meeting agenda. A person may register in person, by electronic mail, or by telephone. The earliest a person may register for an upcoming city council meeting is 8:15 a.m. of the next regular business day following the previous city council meeting. The deadline

for registering to address the council at a city council meeting is 5:00 p.m. of the last regular business day preceding the meeting.

(b) **Manager May Contact Speaker.** On the Tuesday before the Wednesday city council meeting, the city secretary will provide the city manager with the registration information of persons who have registered up to that time. The city manager may direct a member of the city staff to contact the person to try to resolve a problem. Contact by a member of the city staff should in no way suggest that the person should not appear and address the city council.

(c) **Speaker Rules.** In order that the city council may properly consider each matter brought to it by the public [citizens], speakers are asked to observe the following rules:

(1) Only one person may approach the microphone at any one time, and only the person at the microphone will be allowed to speak.

(2) There will be no substitutions or pooling of speakers.

(3) Speakers must address their comments to the presiding officer rather than individual city councilmembers [council members] or staff. Speakers may not refer to a city councilmember [council member] by name.

(4) Speakers may file copies of their remarks or supporting information with the city secretary. The city secretary will make the information available to the city council and city manager if requested.

(5) A person who addresses the city council during a public hearing or on a voting item must limit remarks to the specific subject matter being considered by the city council in that public hearing.

(6) Dallas residents [citizens] will be allowed to speak before nonresidents.

(7) Whenever it is necessary for a speaker to use an interpreter to translate their comments to the city council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the city council. [Any person who has addressed the city council at either a briefing meeting or a voting agenda meeting in the preceding 30 days, excluding speaking at a public hearing, may only speak during the open microphone period at the end of the city council meeting.]

(d) **Time Limits on Voting Items.** The length of time a person will be allowed to speak on voting items at city council meetings will be determined according to the following rules:

(1) A person who registers to speak on a voting item, other than a public hearing, will be called on at the time the item is considered by the city council [~~, subject to the time restraints set forth in Subsection 6.1(e)~~]. A person who registers to speak on multiple voting

items must speak on all items at the time the first item for which the speaker is registered is considered by the city council. Speakers will have a maximum of three minutes to speak regardless of the number of voting items they wish to address. The mayor may determine the order in which speakers are called. ~~[The order in which speakers are called is not required to be in the order that items appear on the agenda, nor are all speakers on a particular item required to be called at the same time.]~~ If an item is deferred by a procedural motion from a city council agenda, a speaker who signed up to speak on the item may not be heard until the meeting at which the item is actually considered by the city council.

(2) The mayor may impose more restrictive time limits on voting items ~~[that are not public hearings, but]~~ for which a large number of persons register to speak.

(3) For called public hearings concerning applications to change zoning, to remove a flood plain designation, to change the name of a street, to use park land for another purpose, annexation, benefit assessment, budget, community development block grant, development code amendments, thoroughfare alignment, thoroughfare plan, and other specially-called hearings [and similar cases], each person who registers will have a maximum of three minutes to speak ~~[, or if the city council approves by a majority vote, each side of the issue will be allowed a maximum of 15 minutes to make a presentation]~~.

(4) ~~For other called public hearings, including annexation, benefit assessment, budget, community development block grant, development code amendments, thoroughfare alignment, thoroughfare plan, and other specially called hearings, each person who registers will have a maximum of three minutes to speak]~~. The mayor may impose more restrictive time limits on public hearings for which a large number of persons register to speak.

(e) **Closed Public Hearings.** A person will not be permitted to address the city council during the consideration of a zoning ordinance placed on the agenda on which a public hearing has been held by the city council after ~~[if]~~ the public hearing has been closed.

(f) **Open Microphone.** The city council will provide an opportunity for the public ~~[citizens]~~ to present concerns or address issues that are not matters for consideration listed on a posted meeting agenda during an "open microphone" period at city council meetings, subject to the following rules:

(1) Five persons may speak on any matter, including an agenda item, during an open microphone period at the beginning of each city council meeting. These first five speakers will be called in the order in which they registered to speak with the city secretary. Whenever a person fails to speak when his name is called, the name of the next speaker registered for the initial open microphone period will be called, until either five persons have spoken, or all of the names have been called. An open microphone period will also be provided after the city council has concluded its agenda, at which time all speakers not heard earlier in the meeting may speak. For purposes of enforcing all provisions of Subsection 6.3 governing public ~~[citizen]~~ speakers, a person who signs up to speak during the open microphone period at the beginning of a city council meeting, but who fails to speak when called upon, will be deemed to have spoken at the meeting.

(2) Each speaker may speak only once, and the length of time a person will be allowed to speak during the open microphone period is three minutes. If a large number of speakers register for the open microphone period, however, the mayor may, with the concurrence of a majority of the city council, impose more restrictive time limits in order to allow the maximum number of persons to speak.

(3) The order in which speakers will be called will be determined by the mayor.

(4) No person may register to speak during an open microphone period more than once within any 30-day period.

(g) **Designated Speakers.** During designated speaker times city councilmembers [~~council members~~] may ask factual questions or make a brief acknowledgement of speakers. Speakers will have one minute to respond. More time may be granted to the speaker for a response at the discretion of the mayor or by a nondebatable motion approved by the city council. Councilmembers [~~Council members~~] will refrain from debate on any item during time allotted to speakers unless a specific time is granted by the mayor or by a nondebatable motion approved by the city council.

[~~(h) Use of Interpreters. Whenever it is necessary for a speaker to use an interpreter to translate his or her comments to the city council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the city council.~~]

6.4. Communications to Mayor and City Council. The city manager shall provide the city council with an analysis of major items to be acted upon by the city council at its meetings. The analysis shall be delivered to the city councilmembers [~~council members~~] preceding the meeting at which the item is to be discussed.

6.5. Oral Presentations. Matters requiring the city council's attention or action may be presented orally by the city manager. If matters have developed since the deadline for delivery of the agenda, the city manager, or any city councilmember [~~council member~~], may make an oral report to the city council, but formal action, if required, shall be delayed until the next meeting.

[6.6. Public Hearings.]

(a) The city manager shall schedule public hearings on the city council's agenda ~~to be held at least two weeks before the city council must vote on the matter, except for zoning and assessment hearings.~~

(b) ~~By request of a majority of the city council or by the mayor, the city manager may schedule a public hearing on the same day or within two weeks before the time that a vote must be taken on the item.~~

(e) Whether a public hearing is closed or held open, the vote on the item may be placed on the agenda two weeks after the opening of the public hearing.

(d) The city council may schedule public hearings at times other than its regular meetings when it determines that the matter to be heard is a significant issue that requires more time than is available at regular meetings. The mayor may call an advertised public hearing at a specified time on any matters.]

SECTION 7 CONSIDERATION OF ORDINANCES, RESOLUTIONS, AND MOTIONS.

7.1. **Electronic or Printed Form.** All ordinances and resolutions shall be presented to the city council [only] in electronic or printed form.

7.2. **City Attorney to Approve.** All ordinances shall be approved as to form by the city attorney, or the city attorney shall file with the city council, in writing, any objection to an ordinance. [City Charter Chapter VII [§3 and] §4]

7.3. **Distribution of Ordinances.** The city manager shall prepare copies of all proposed ordinances to be available for distribution to all members of the city council at the meeting at which the ordinance is introduced, or at such earlier time as is appropriate.

7.4. **Rules of Order.** The most recent edition of Roberts Rules of Order Revised shall govern the proceedings of the city council in all cases, unless they [are in] conflict with these rules.

7.5. **Order of Precedence of Motions.** The following motions shall have priority in the order indicated:

- | | | |
|-----|----------------------------------|-------------------|
| 1. | Adjourn (when privileged) | See notes 1 and 2 |
| 2. | Take a recess (when privileged) | See notes 1 and 3 |
| 3. | Raise a question of privilege | |
| 4. | Lay on the table | |
| 5. | Previous question | See note 5 |
| 6. | Limit or extend limits of debate | See notes 3 and 5 |
| 7. | Postpone to a certain time | See note 3 |
| 8. | Commit or refer | See note 3 |
| 9. | Amend | See notes 3 and 4 |
| 10. | Postpone indefinitely | |
| 11. | Main motion | See note 3 |

Note 1: The first two motions are not always privileged. To adjourn shall lose its privileged character and be a main motion if in any way qualified. To take a recess shall be privileged only when other business is pending.

Note 2: A motion to adjourn is not in order: (1) when repeated without intervening business or discussion; (2) when made as an interruption of a member while speaking; (3) while a vote is being taken.

Note 3: Can be amended - others cannot be amended.

Note 4: A motion to amend shall be nondebatable when the question to be amended is nondebatable.

Note 5: Two-thirds vote of members present required.

7.6. **Reconsideration.**

(a) A motion to reconsider any action of the city council may be made, seconded, and voted on not later than the next succeeding voting agenda meeting of the city council. If reconsideration of the council action has not been posted on the council agenda for the meeting at which the motion to reconsider is made, however, actual reconsideration of the item must be delayed until the next voting agenda meeting after the posting requirements of the Texas Open Meetings Act are met.

(b) A motion to reconsider an action of the city council may only be made by a member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered except by unanimous vote of the city council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.

7.7. **The Previous Question.** When the previous question is moved and seconded, it shall be put as follows: "Shall the main question be now put?" There shall be no further amendment or debate [;] but pending amendments shall be put in their order before the main question. If the motion for the previous question is lost, the main question remains before the city council. An affirmative vote of two-thirds of the city councilmembers [~~council members~~] present shall be required to approve the previous question. (To demand the previous question is equivalent in effect to moving "that debate now cease, and the city council immediately proceed to vote on the pending motion." In practice, this is done with the phrase "Call for the Question," or by simply saying "Question.")

7.8. **Withdrawal of Motions.** A motion may be withdrawn, or modified, by its mover without asking permission until the motion has been stated by the chair. If the mover modifies the motion, the seconder may withdraw the second. After the question has been stated, the mover shall neither withdraw it nor modify it without the consent of the city council.

7.9. **Amendments to Motions.** No proposal of a subject different from that under consideration shall be admitted as a motion or amendment to a motion. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order.

7.10. Appropriations of Money. Before formal approval by the city council of motions providing for appropriation of money, information must be presented to the city council showing the purpose of the appropriation and the account to which it is to be credited. In addition, before finally acting on an appropriation, the city council shall obtain a report from the city manager as to the availability of funds and the city manager's recommendations as to the desirability of the appropriation.

7.11. Deferral of Agenda Items.

(a) A city councilmember [~~council member~~] may defer, until the next city council voting agenda meeting, a voting item appearing on the draft city council agenda by delivering a written list of the agenda item numbers to be deferred and the reason for the deferral of each agenda item to the city secretary before 5:00 p.m. of the Friday before the city council meeting for any item on the regular agenda and before 5:00 p.m. of the Monday before the city council meeting (or if Monday is a city holiday, then 5:00 p.m. of the Tuesday before the city council meeting) for any item listed as an addition on ~~[the addendum to]~~ the final agenda, unless the item:

(1) previously appeared on a city council meeting agenda and was deferred by request of a city councilmember [~~council member~~];

(2) was previously presented and discussed at a city council briefing meeting within the past six months at which a quorum was present during at least part of the briefing on that item;

(3) is a public hearing or was previously discussed within the past six months at a public hearing before the city council; or

(4) was placed on the agenda pursuant to a request by five city councilmembers [~~council members or by a majority of a city council committee under Subsection 6.2 of these rules~~].

(b) A majority vote of the city council is required to:

(1) defer an agenda item described in Paragraph (a)(1), (2), (3), or (4);
or

(2) defer an agenda item to a time later than the next city council voting agenda meeting.

(c) The city manager may delete agenda items by delivering a written list of the agenda item numbers to be deleted to the city secretary before 5:00 p.m. of the Friday before the city council meeting for any item on the draft city council [~~regular~~] agenda and before 5:00 p.m. of the Monday before the city council meeting (or if Monday is a city holiday, then 5:00 p.m. of the Tuesday before the city council meeting) for any item listed as an addition on ~~[the addendum to]~~ the final agenda.

(d) No later than 5:30 p.m. of the Friday before each city council meeting, the city secretary shall post a list of all items appearing on the regular agenda that were deferred by a city councilmember [~~council member~~] or deleted by the city manager. No later than 5:30 p.m. of the Monday before each city council meeting (or if Monday is a city holiday, then 5:30 p.m. of the Tuesday before the city council meeting), the city secretary shall post a list of all items appearing as additions on [the addendum to] the agenda that were deferred by a city councilmember [~~council member~~] or deleted by the city manager. The lists must be posted adjacent to each entrance to the city council chamber in Room 6 E North. The city secretary shall not include on these lists any item described in Paragraph (a)(1), (2), (3), or (4).

(e) For the convenience of the public, other city councilmembers [~~council members~~], and the staff, a city councilmember [~~council member~~] should announce the intent to defer an item on the agenda and the reason for the deferral of the agenda item when the item is considered [~~as soon as that determination is made~~].

7.12. Moratoriums.

(a) A [~~No~~] moratorium on the acceptance of applications for permits, certificates, licenses, or other city approvals may be imposed for a maximum of [time period of greater than] 120 days, but a moratorium on commercial property development that is not based on a demonstrated shortage of essential public facilities may only be imposed for a maximum of 90 days. Moratoriums must be imposed in accordance with Chapter 212 of the Texas Local Government Code.

(b) No moratorium may be extended beyond its original time period except in accordance with state law [unless three fourths of all members of the city council approve the extension. An extension may not exceed an additional 120 days each time].

(c) When the city council desires to extend a moratorium, it shall direct the city manager to:

(1) publish a notice of the proposed extension in the official newspaper of the City at least 15 days before the date the extension is to be considered; and

(2) use best efforts to notify the organizations and associations whose members would be most directly affected by the extension.

(d[e]) When the city council imposes a moratorium, it shall direct the city manager and all appropriate city boards and commissions to:

(1) expedite their performance of appropriate analyses, evaluation of alternatives, and preparation of recommendations as to what amendments, if any, should be made to the city's regulations during a moratorium; and

(2) submit these recommendations by a specified date.

SECTION 8

VOTES REQUIRED.

Approval of every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of city councilmembers [eouncil members] present, except that the City Charter and certain state statutes impose other voting requirements on various questions. In addition, these rules set forth certain instances in which the number of votes required is greater than a majority of all members. As a matter of convenience, questions on which the voting requirement is varied by City Charter, State statutes and these rules are listed below:

8.1. Charter and State Requirements.

(a) Removal of Certain Officers - Two-thirds Vote of All Members.

Removal of the city manager (unless otherwise provided by contract) during a term of office requires a vote of two-thirds of all members of the city council. [City Charter Chapter VI §1]

(b) Establishment of Departments - Three-fourths Vote of All Members.

Ordinances creating or making any change in a department require approval of three-fourths of all members of the city council. [City Charter Chapter X §1]

(c) Changing Paving Assessment Plans - Two-thirds Vote of All Members.

A change that substantially affects the nature or quality of an improvement funded by an assessment requires a two-thirds vote of all members of the city council. [Texas Transportation Code §313.053(b)]

(d) Expulsion of Members - Two-thirds Vote of All Members.

Expulsion of a member of the city council requires an affirmative vote of two-thirds of all members of the city council. [City Charter Chapter III §16]

(e) Changes in Zoning Ordinance - Three-fourths Vote of All Members.

A change in zoning district classification or boundary that has been recommended for denial by the city plan commission or that has been protested by the owners of 20 percent or more of either the land in the area or request or land within 200 feet of the boundary of the area of request must have the approval of three-fourths of all members of the city council. [Texas Local Government Code §211.006(d) and (f) and Dallas Development Code §51A-4.701(c)(2)]

8.2. City Council Rules Requirements.

(a) Suspending Rules - Two-thirds Vote of Members Present.

A city council rule may be suspended by an affirmative vote of two-thirds of the members present. [Rules of Procedure 10.1]

(b) Special Meeting - Three Votes.

Special meetings may be called by the mayor, city manager or any three city councilmembers [eouncil members]. [City Charter Chapter III §7 [Rules of Procedure 2.2]]

(c) **The Previous Question - Two-thirds Vote of Members Present.** An affirmative vote of two-thirds of the members present is required to approve the previous question. [Rules of Procedure 7.7]

(d) **Extension of Moratoriums - Three-fourths Vote of All Members.** A moratorium may be extended by an affirmative vote of three-fourths of all members of the city council. [Rules of Procedure 7.12(b)]

SECTION 9 CITY COUNCIL COMMITTEES.

9.1. Committees Established.

(a) The following standing committees of the city council are established:

[To be determined]

- [①] ~~Economic development and housing committee.~~
- [②] ~~Government performance and financial management committee.~~
- [③] ~~Quality of life, arts, and culture committee.~~
- [④] ~~Public safety and criminal justice committee.~~
- [⑤] ~~Mobility solutions, infrastructure, and sustainability committee.~~
- [⑥] ~~Human and social needs committee.]~~

(b) Each standing committee shall review matters in its area of responsibility that are referred to it by the city council, the city manager, or an individual city councilmember [~~council member~~].

(c) Except as provided in Section 6.2(f), a[A] standing committee may by majority vote recommend action to the city council, but a standing committee recommendation is not necessary for a matter to be placed on the city council agenda. The committee chair may make a statement on behalf of the standing committee on an item in a briefing or voting meeting of the council.

9.2. Appointment.

(a) A standing committee shall consist of not less than three members of the city council appointed by the mayor. The mayor shall also appoint a chair and vice chair of each committee. Only city councilmembers [~~council members~~] may serve on a standing committee.

(b) The mayor may remove and reassign members to and from the various standing committees.

9.3. Committee Meetings.

(a) Standing committees shall meet each month in accordance with the schedule adopted by the city council in its annual calendar, unless the chair cancels the meeting or establishes another meeting time. The chair may also schedule additional meetings, but such meetings may not exceed two each month unless called by the mayor or the city council.

(b) ~~[The chair of a committee must place an item on the agenda of a committee meeting at the request of any three members of the committee. The request must allow for at least 72 hours public notice that the item will be considered at the committee meeting.]~~

(e)] A majority of the members of the committee constitutes a quorum. Committee meetings must be conducted in accordance with the Texas Open Meetings Act. Committees may also, as approved by the mayor or the city council, conduct public hearings to receive public comments.

9.4. Ad Hoc Committees. The ad hoc committees shall be established for a designated period of time which may be extended by the mayor. The ad hoc committees shall meet as needed, and the ad hoc committee chair shall determine and schedule the meeting dates and times [and shall meet as needed].

9.5. Reserved.

9.6. Agenda and Information.

(a) At least one week before [Before] each city council committee meeting, the city manager shall provide to each committee chair an agenda [and supporting information] for their [each] committee meeting. The committee chair shall provide feedback on their committee agenda to the city manager before 5:00 p.m. on the Wednesday before the committee meeting [members and the public].

(b) Items may be scheduled on the agenda for committee briefing by the chair, the city council, the city manager, or the mayor.

(c) The committee chair shall place on the committee agenda an item requested by any three members of that city council committee not later than the second committee meeting after the committee chair receives the written request.

SECTION 10 RULES SUSPENSION OR AMENDMENT.

10.1. **Suspension of Rules.** Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the city council present. The vote on any such suspension shall be taken by “Yeses” and “Nos” [yeas and nays] and entered upon the record.

10.2. **Amendment of Rules.** These rules may be amended, or new rules adopted, by a majority vote of the members of the city council present.

City Council Rules of Procedure Proposed Changes

***Highlighted amendments in yellow have been included in the proposed Rules of Procedures.**

TYPE	SECTION	AMENDMENT	REQUEST
Cleanup	All	Search and replace to make all references to Mayor, City Council members, City Manager, City Secretary, City Auditor, Committee Chair consistent and use upper case letter for title.	Mendelsohn
Cleanup	All	Request to remove or add "out of date" watermark to outdated Rules of Procedure on city's website.	Mendelsohn
Cleanup	All	Remove all outdated Rules of Procedures from the entirety of the City's website	Gates
Cleanup	All	Search and replace "citizen" with "resident"	Bazaldua
Cleanup	All	Search and replace "council member" with "councilmember"	CMO
Cleanup	All	Correct typographical errors.	City Auditor CAO CMs
Cleanup	2.1 Regular Meetings	The city council will meet [at 11:00 a.m.] on the day the council members take office, and thereafter on dates and at times set by the city council, unless postponed or canceled for valid reasons.	Gates
Amend	2.1 Regular Meetings	Change Council Agenda meetings back to regular hours (9:00 a.m. Agenda, 1:00 p.m. Public Hearings. Meeting locations to be held at City Hall (Agree with CM Kleinman proposed edits) [See Section 6.1]	Kleinman Mendelsohn
Amend	2.2 Special Meetings	Change from 3 Councilmember requirement to 5 Councilmember requirements	Kleinman
Cleanup	2.3 Public Notice	The agenda for all [regular] meetings and the notice listing items to be considered shall be posted by the city secretary [on the City's official bulletin board] in accordance with the Texas Open Meetings Act. [Texas Government Code Chapter 551].	CAO
Cleanup	2.7 City Attorney Participation	The city attorney, or designated assistant city attorney, shall attend all meetings of the city council unless excused and shall [, upon request,] give an opinion, either written or oral, on questions of law, and [. The city attorney] shall act as the city council's parliamentarian.	CAO
Cleanup	2.10 Executive Session	The city council may meet in executive session....The city council shall follow the letter and the spirit of the Texas Open Meetings Act [, and closed executive sessions shall be kept to a minimum].	CAO

City Council Rules of Procedure Proposed Changes

***Highlighted amendments in yellow have been included in the proposed Rules of Procedures.**

Delete	3.1 City Council Members	Omit Subsection (g)	Bazaldua
Amend	3.2(e) Administrative staff	All remarks and questions addressed to the city council shall be addressed to the city council as a whole and not to any individual member <u>without permission of the Mayor or presiding officer.</u>	Bazaldua
Amend	3.3(a)	Citizens and other visitors are welcome to attend all public meetings of the city council and will be admitted to the city council chamber or other room in which the city council is meeting up to the fire safety capacity of the room. Citizens and other visitors are welcome to attend all public meetings of the city council and will be admitted to the city council chamber or other room in which the city council is meeting up to the fire safety capacity of the room. <u>When visitor attendance at a briefing exceeds capacity, the Mayor shall move meeting to council chambers to accommodate resident participation in government.</u>	Mendelsohn
Amend	3.3(f)	Citizens or other visitors attending city council meetings shall not bring food or <u>drink, other than water,</u> into the city council chamber or into any other room in which the city council is meeting.	Mendelsohn
Cleanup	4.1 Seating Arrangement	City <u>councilmembers [eouncil members]</u> shall occupy the seats in the city council chamber assigned to them by the mayor <u>on the day city councilmembers take office [, but any two or more members may exchange seats].</u> (Agree with CM Gates proposed edits)	Gates Mendelsohn
Amend	4.4 Right to Appeal	Change “aye” to “yes” to be consistent with 4.5 (Agree with CM Kleinman proposed edits)	Kleinman Mendelsohn
Amend	4.5(b) Voting	After the result of vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by majority vote of the members present <u>or the presiding officer.</u> (Agree with CM Kleinman proposed edits)	Kleinman Mendelsohn
Change/ Cleanup	4.9 Excusal from Attendance	<u>[Excusal from] Attendance.</u> City <u>councilmembers [eouncil members]</u> are expected to attend meetings and stay in attendance during each meeting. <u>[No member shall be excused from attendance at a city council meeting except for good and valid reasons.]</u>	CAO
Delete Section	4.10 Excusal During Meetings	Remove this section as that is not the practice: <u>[No member should leave a city council meeting while in session without advising the presiding officer.]</u> (Agree with CM Kleinman proposed edits)	Kleinman Mendelsohn
Amend	4.11(b)(3) Official City Business	Attending a meeting <u>or otherwise performing official business</u> of a board, commission, or committee to which the city council member has been appointed by the mayor or the city council.	Kleinman
Amend	4.11(c) Official City Business	In addition to absences automatically considered to be on official city business at the direction of the city council under Paragraph (b) of this subsection, the city council may be resolution	CMO

City Council Rules of Procedure Proposed Changes

***Highlighted amendments in yellow have been included in the proposed Rules of Procedures.**

		within two regular meetings after the date of the absence, designate whenever a councilmember's absence is for official city business and not counted as a missed meeting for purposes of the Dallas City Charter Chapter III §4.	
New Section	4.13 Absences from Council Meetings	<p>4.13. Absences from Council Meetings</p> <p>(a) At the end of each city council compensation year, the city secretary shall provide to the city auditor and city manager an attendance data report for each city councilmember.</p> <p>(b) Within 60 days after the end of the city council compensation year, the city auditor shall determine if any councilmember's compensation must be adjusted pursuant to Dallas City Charter Chapter III §4 and shall inform the chief financial officer of the percentage of meetings missed during the prior city council compensation year.</p> <p>(c) The chief financial officer shall calculate and collect any compensation adjustments required via payroll deductions of substantially equal payments from paychecks paid during the calendar year in which the debt was incurred.</p>	CMO
New Section	6. Order of Business	Council questions on agenda-related items: City councilmembers shall submit written questions to the city manager regarding items appearing on the upcoming agenda before 5:00 p.m. on the Friday before the city council meeting. The city manager shall provide written responses to city councilmembers before 12:00 p.m. on the Tuesday before the city council meeting.	CMO
Cleanup	6.1(a)(2) Agenda	The mayor shall determine the contents of the agenda relating to policy items. The mayor shall transmit these items to the city manager on an approved form in time for distribution to the city council at the same time operational items are distributed. [The resolution or ordinance being considered must be posted with the agenda item.]	CAO
Amend	6.1(b)(2) Briefing	Voting items will not be scheduled on briefing days except for emergencies, construction contracts, construction change orders, architectural and engineering contracts, [and] architectural and engineering supplemental agreements, and approval of the minutes.	Bazaldua
Amend/ Required	6.1(b)(2) Briefing	Voting items will not be scheduled on briefing days except for emergencies, construction contracts, construction change orders, architectural and engineering contracts, [and] architectural and engineering supplemental agreements, budget resolutions and ordinances, minutes, and board and commission appointments. Speakers may sign up to speak on any voting item placed on a briefing agenda. Speakers shall be allowed to speak before consideration of the item. Speakers may also sign up to speak at open microphone periods at the beginning and end of each	CAO

City Council Rules of Procedure Proposed Changes

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		briefing meeting. Speakers shall appear in accordance with applicable rules established in Subsection 6.3 of these rules.	
Delete	6.1(c)(1) Voting Agenda Meeting	Delete: "On the second Wednesday shall begin at 2:00 and on the fourth Wednesday the voting agenda shall begin at 9:00AM ... Change to "The voting agenda meeting shall begin at 9:00 AM." Remove or correct similar language in this section regarding reconvening for public hearings. (Agree with CM Kleinman proposed edits)	Kleinman Mendelsohn
Amend	6.1(c)(1) Voting Agenda Meeting	Change: 2:00 p.m. with 3:00 p.m.	Narvaez
Required	6.1(c)(1) Voting Agenda Meeting	Add: At a voting agenda meeting, the city council shall hear speakers who wish to comment on matters that are scheduled on the city council's voting consent and individual item agenda for that day. Speakers shall be allowed to speak <u>before consideration of the item</u>	CAO
Delete Section	6.1(c)(2) Voting Agenda Meeting	Reduce the cost to the City by hosting all City Council meetings at City Hall.	McGough
Delete Section	6.1(c)(2) Voting Agenda Meeting	[Up to five of the second Wednesday city council meetings in a calendar year should be held outside of city hall, at locations and dates recommended by the city manager, in accordance with the Texas Open Meetings Act, and approved by city council with the adoption of the city calendar.] (Agree with CM Kleinman proposed edits)	Kleinman Mendelsohn
Amend	6.1(c)(2) Voting Agenda Meeting	Up to five of the second Wednesday city council meetings in a calendar year <u>may</u> [<u>should</u>] be held outside of city hall, at locations and dates recommended by the city manager, in accordance with the Texas Open Meetings Act, and approved by city council with the adoption of the city calendar.	Narvaez
Delete Section	6.1(d) Fifth Wednesday	[<u>(d) When a fifth Wednesday occurs in a month, the city council meeting may be used for special workshops, planning sessions, or other matters as agreed between the city manager and the city council.</u>]	Kleinman
Delete Section	6.1(e) Times Specified	[<u>The times specified for speakers and city council activities at the briefing meetings and the voting agenda meetings may be adjusted on days when the city council determines to hold an evening meeting.</u>]	Mendelsohn
Amend	6.2(a) Presentation by Members	Change the order between item 6.2.(a)(1) and (2) to allow for better flow and understanding of items: (a) The mayor shall include on an agenda any item requested by: (1) a majority of a city council committee to be brought before the city council; or	Blackmon

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		(2) five city council members if the item is presented on an approved five-signature memorandum form, which includes, for a voting agenda, a draft resolution or ordinance.	
Amend	6.2(a) Presentation by Members	Add: 6.2(1) a majority of a city council committee <u>with a date provided by the committee can place an item on the committee agenda in lieu of a five-member signature memo [to be brought before the city council]</u> . See Section 9.1.b for more clarification.	Blackmon
Amend	6.2(a) Presentation by Members	Add: A five-signature memorandum must first be briefed to either the full council or appropriate council committee before being placed on a voting agenda.	McGough
Amend	6.2(b) Presentation by Members	Add: A five-signature memorandum must be briefed to a council committee before going to council. The council committee may recommend changes and committees shall make a recommendation.	Kleinman
Amend	6.2(b) Presentation by Members	Add: Five-signature memorandum must be briefed to committee before going to council.	Gates
Amend	6.2(f) Presentation by Members	Add for a five-signature memorandum: The Mayor shall request that a council committee chair place the item on a committee agenda <u>or that the city manager place the item on the briefing agenda. Once briefed, then . . . (1) or (2)</u>	Kleinman
Amend	6.2(f)(2) Presentation by Members	Add: the first voting agenda scheduled at least 30 calendar days after receipt of the request by the mayor on an approved five-signature memorandum form that is date-stamped by the city secretary, if the item is requested to be placed on a voting agenda. <u>The Mayor will request staff conduct a briefing of the item at the voting meeting.</u>	Mendelsohn
Amend	6.2(j) Presentation by Members	Add: The mayor shall not place on an agenda any item that has been voted on by the city council within the one-year period preceding the date requested for placement of the item on the agenda <u>unless council rules are suspended by a 2/3s vote of members present.</u>	Blackmon
New Section	6.2(k)	A five-signature memorandum may request the Mayor instruct a committee chair to add a briefing or voting item to a committee agenda <u>within 30 days.</u>	Mendelsohn
New Section	6.2(l)	An affirmative vote by a majority of any council committee to place an item on the council agenda will add the item to the council agenda within 30 days with no additional action needed.	Mendelsohn
Required	6.3 Citizen Speakers	Add: At briefing meetings and voting agenda meetings, a person may address the city council concerning voting items on the agenda <u>before consideration of the voting item by city council.</u> <u>Residents [or] may also</u> present a subject for the city council's consideration during the open microphone periods in accordance with the <u>rules in this subsection. [following rules:]</u>	CAO
Required	6.3(c)(7) Speaker Rules	In order that the city council may properly consider each matter brought to it by citizens, speakers are asked to observe the following rules: (7) <u>Whenever it is necessary for a speaker to use an interpreter to translate his or her comments to the city council, the time required for the</u>	CAO

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		<p><u>translation will not be counted against the designated time allotted for the speaker to address the city council [Any person who has addressed the city council at either a briefing meeting or a voting agenda meeting in the preceding 30 days, excluding speaking at a public hearing, may only speak during the open microphone period at the end of the city council meeting.]</u></p> <p>NOTE: addition is moved from 6.3(h). Also, regarding the deleted portion, this rule may only apply to open microphone speakers under 6.3(c)(7) to comply with TOMA</p>	
Amend	6.3(c)(7) Speaker Rules	This is not consistent with 6.3(f)(4)	Mendelsohn
Required	6.3(d) Time Limits on Voting Items	<p>(d) The length of time a person will be allowed to speak on voting items at city council meetings will be determined according to the following rules:</p> <p>(1) A person who registers to speak on a voting item, other than a public hearing, will be called on at the time the item is considered by the city council[, subject to the time restraints set forth in Subsection 6.1(e)]. A person who registers to speak on multiple voting items must speak on all items at the time the first item for which the speaker is registered is considered by the city council. Speakers will have a maximum of three minutes to speak regardless of the number of voting items they wish to address. The mayor may determine the order in which speakers are called. [The order in which speakers are called is not required to be in the order that items appear on the agenda, nor are all speakers on a particular item required to be called at the same time.] If an item is deferred by procedural motion from a city council agenda, a speaker who signed up to speak on the item may not be heard until the meeting at which the item is actually considered by the city council.</p> <p>(2) The mayor may impose more restrictive time limits on voting items that are not public hearings, but for which a large number of persons register to speak.</p> <p>(3) For called public hearings concerning applications to change zoning, to remove a flood plain designation, to change the name of a street, to use park land for another purpose, annexation, benefit assessment, budget, community development block grant, development code amendments, thoroughfare alignment, thoroughfare plan, and other specially-called hearings [and similar cases], each person who registers will have a maximum of three minutes to speak[, or if the city council approves by a majority vote, each side of the issue will be allowed a maximum of 15 minutes to make a presentation].</p> <p>(4) For other called public hearings, including annexation, benefit assessment, budget, community development block grant, development code amendments, thoroughfare alignment, thoroughfare plan, and other specially called hearings, each person who registers will</p>	CAO

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		have a maximum of three minutes to speak]. The mayor may impose more restrictive time limits on public hearings for which a large number of persons register to speak.	
Amend	6.3(f)(1)	Add: An open microphone period will also be provided after the city council has concluded its agenda <u>and adjourned</u> , at which time all speakers not heard earlier in the meeting may speak.	Kleinman
Delete Section	6.3(f)(4)	Delete Section: <u>[4) No person may register to speak during an open microphone period more than once within any 30 day period.]</u>	Narvaez
Cleanup	6.5 Oral Presentations	Add: Matters requiring the city council's attention or action may be presented orally by the city manager. If matters have developed since the deadline for delivery of the agenda, the city manager, or any city council member, may make <u>an</u> oral report to the city council, but formal action, if required, shall be delayed until the next meeting.	Mendelsohn
Cleanup	6.6 Public Hearings	<p>[6.6. Public Hearings.]</p> <p>(a) <u>The city manager shall schedule public hearings on the city council's agenda to be held at least two weeks before the city council must vote on the matter, except for zoning and assessment hearings.</u></p> <p>(b) <u>By request of a majority of the city council or by the mayor, the city manager may schedule a public hearing on the same day or within two weeks before the time that a vote must be taken on the item.</u></p> <p>(c) <u>Whether a public hearing is closed or held open, the vote on the item may be placed on the agenda two weeks after the opening of the public hearing.</u></p> <p>(d) <u>The city council may schedule public hearings at times other than its regular meetings when it determines that the matter to be heard is a significant issue that requires more time than is available at regular meetings. The mayor may call an advertised public hearing at a specified time on any matters.]</u></p>	CAO
Cleanup	7.1 <u>Electronic or Printed Form</u>	Delete section or add: Section 7.1 states, "All ordinances and resolutions shall be presented to the city council only in printed form." Deleted or edit to add in printed <u>or</u> electronic form.	CMO
Cleanup	7.2 City Attorney to Approve	All ordinances shall be approved as to form by the city attorney. [City Charter Chapter VII <u>[§3 and] §4]</u>	CAO
Amend	7.11(a) Deferral of Agenda Item	Add language to require a reason for deferral of an agenda item as well as the agenda item number submitted in writing.	McGough
Delete	7.11(a)(4) Deferral of Agenda Item	Delete this section as should be able to defer 5 person memos until the next voting Agenda: <u>[4) was placed on the agenda pursuant to a request by five city council members or by a majority of a city council committee under Subsection 6.2 of these rules.]</u>	Kleinman

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Amend	7.11(e) Deferral of Agenda Items	Add: (e) For the convenience of the public, other city council members, and the staff, a city council member <u>shall</u> [<u>should</u>] announce the reason for the intent to defer an item on the agenda as soon as that determination is made.	Gates
Amend	7.11(e) Deferral of Agenda Items	Add: (e) For the convenience of the public, other city council members, and the staff, a city council member should announce the intent to defer an item on the agenda as soon as that determination is made <u>and include the reason for deferral</u> .	Mendelsohn
Required	7.12 Moratoriums	<p>(a) A [No] moratorium on the acceptance of applications for permits, certificates, licenses, or other city approvals may be imposed for a <u>maximum of [time period of greater than]</u> 120 days, but a moratorium on commercial property development that is not based on a <u>demonstrated shortage of essential public facilities</u> may <u>only be imposed for a maximum of 90 days</u>. Moratoriums must be imposed in accordance with Chapter 212 of the Texas Local Government Code.</p> <p>(b) No moratorium may be extended beyond its original time period <u>except in accordance with state law [unless three fourths of all members of the city council approve the extension. An extension may not exceed an additional 120 days each time]</u>.</p>	
Amend	8.2 (b) Special Meeting	Special meetings changed to 5 CMs	Kleinman
Cleanup	8.2(b) Special Meeting	Add: Special meetings may be called by the mayor, city manager or any three city council members. [City Charter Chapter III §7 [Rules of Procedure 2.2]]	CAO
Amend	9 Committees	Add: Language clarifying that city council committees are advisory only and clarify further that a recommendation by the committee is not necessary for an item to be placed on the city council agenda.	CMO
Amend	9 Committees	CITY COUNCIL COMMITTEES AND CITYWIDE TASK FORCES	Blackmon
Amend	9.1 Committees Established	Add: Define how committees are established. (Agree with CM Gates proposed edits)	Gates Mendelsohn
Amend	9.1(a) Committees Established	Add: Legislative committee.	Narvaez
Amend	9.1(a)(1)	Separate economic development and housing into their own individual committees.	Narvaez
Amend	9.1(a)(2)	Add: (2) Government performance and financial management committee (<u>required by City Charter</u>).	Gates
Amend	9.1(b)	Add: A standing committee <u>shall</u> [<u>may</u>] by majority vote recommend action by the city council <u>and such item shall be placed on the city council agenda as directed by the council committee</u> <u>[but committee recommendation is not necessary for a matter to be placed on the city council]</u>	Blackmon

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		[agenda]. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the council.	
Amend	9.1(b)	Add: A standing committee may by majority vote recommend action by the city council, but committee recommendation is not necessary for a matter to be placed on the city council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the council. <u>All items that receive a majority vote by a committee must be placed on the voting agenda at the guidance of the committee's timeline.</u>	McGough
New Section	9.1(c)	(c) Each citywide task force created shall have at least one councilmember and one staff liaison to ensure collaboration by city council and staff.	Blackmon
Amend	9.4 Ad Hoc Committees	Add: The ad hoc committees shall be established for a designated period of time which may be extended by the mayor. <u>The ad hoc committees shall meet as needed, and the chair shall determine and schedule the meeting dates and times [and shall meet as needed].</u>	CMO
New Section	9.5 Mayor Appointments	List all board, commission, and ad hoc positions appointed by the Mayor (RTC, Legislative, etc...)	Mendelsohn
Amend	9.6(a) Agenda and Information	Add: Before each committee meeting, the city manager shall provide <u>the committee chair</u> an agenda and supporting information <u>one week in advance of the committee meeting, subject to the chair's approval. The agenda and all supporting documentation must be made available to the committee members and the public 72 hours before the committee meeting for ample time to review [for each committee meeting to committee members and the public].</u> Items may be scheduled on the agenda for committee briefing by the chair, the city council, the city manager, or the mayor.	McGough
Amend	9.6(a) Agenda and Information	<u>At least one week before [Before] each city council committee meeting, the city manager shall provide to each committee chair an agenda [and supporting information] for their [each] committee meeting. The committee chair shall provide feedback on their committee agenda to the city manager before 5:00 p.m. on the Wednesday before the committee meeting [members and the public].</u>	CMO
Cleanup	10.1 Suspension of the Rules	Change “yeas” and “nays” to yes and no to be consistent with other sections (Agree with CM Kleinman proposed edits)	Kleinman Mendelsohn
Amend	10.2 Amendment of Rules	Add: These rules may be amended, or new rules adopted, by a <u>two-thirds [majority]</u> vote of the members of the city council present.	Mendelsohn