

OFFICIAL ACTION OF THE CITY COUNCIL

CITY OF DALLAS, TEXAS



Meeting of May 7, 1973

It was moved by Deputy Mayor Pro Tem Smith and seconded by Mayor Pro Tem Allen that a Special Meeting of the City Council be set for 11:30 a.m., Thursday, May 10, 1973, in the Council Chamber of the City Hall for the purpose of considering amendments to Ordinance No. 14085 which called a Special Election to be held on June 12, 1973, for the purpose of submitting stated propositions to amend the City Charter of the City of Dallas. Motion unanimously carried.

Harold G. Shank

Harold G. Shank
City Secretary

OFFICIAL ACTION OF THE CITY COUNCIL

CITY OF DALLAS, TEXAS

731970



Meeting of May 10, 1973

The City Attorney presented a proposed ordinance which would amend Ordinance No. 14085, Chapter III, Sections 2 and 5, of the City Charter requiring Council vacancies occurring within one year from an election be filled by Special Election rather than by a vote of the Council.

It was moved by Councilman Weber and seconded by Councilman Gilmore that the City Council vote whether or not this matter would be placed in the Ordinance calling the election of June 12, 1973.

ROLL CALL ON MOTION:

Aye - Aguirre, Gilmore, Harrison, Murr, Patterson, Storey, Terrell, Weber, Wise - 9
Nay - Allen, Smith - 2
Mayor declared motion carried.

It was moved by Councilman Smith and seconded by Councilman Gilmore that the proposed contract maximum of \$50,000 to be authorized by the City Manager be inserted in the ordinance calling the City Charter election of June 12, 1973.

ROLL CALL ON MOTION:

Aye - Gilmore, Murr, Smith, Storey - 4
Nay - Aguirre, Allen, Harrison, Patterson, Terrell, Weber, Wise - 7
Mayor declared motion failed.

The City Attorney presented the proposed ordinance with the following caption:

" ORDINANCE NO. 14096

"An Ordinance amending Ordinance No. 14085 of the City of Dallas, adopted by the City Council on April 30, 1973; providing an effective date for the proposed City Charter Amendments concerning the election of the City Council; providing a proposed Charter amendment concerning fill of vacancies in the City Council; providing corresponding ballot propositions; clarifying language in certain other ballot propositions; providing a savings clause; and providing an effective date."

It was moved by Councilman Storey and seconded by Councilman Gilmore that the ordinance pass.

ROLL CALL ON MOTION:

Aye - Aguirre, Gilmore, Harrison, Murr, Patterson, Smith, Storey, Terrell, Weber, Wise - 10
Nay - Allen - 1
Carried - ordinance passed.

Harold G. Shank
Harold G. Shank, City Secretary

ORDINANCE NO. _____

An Ordinance amending Ordinance No. 14085 of the City of Dallas, adopted by the City Council on April 30, 1973; providing an effective date for the proposed City Charter Amendments concerning the election of the City Council; providing a proposed Charter amendment concerning filling of vacancies in the City Council; amending the proposed Charter amendment concerning approval of contracts by the City Council; providing corresponding ballot propositions; clarifying language in certain other ballot propositions; providing a savings clause; and providing an effective date.

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

SECTION 1. That SECTION 1 of Ordinance No. 14085 of the City of Dallas, adopted by the City Council on April 30, 1973, is amended by amending only Sections 1, 2 and 17 of Chapter III and Section 2 of Chapter XXVII of the proposed City Charter amendments to read as follows:

CHAPTER III

Section 1

"Section 1. COMPOSITION OF COUNCIL -- (a) Except as otherwise provided by the Charter of the City of Dallas, all powers conferred on the City shall be exercised by a City Council to be composed of thirteen (13) [~~eleven-(11)~~] members, nominated and elected in the manner hereinafter provided unless otherwise required [~~provided~~] by law. The members of the City Council shall be elected by the qualified voters of the entire City or by the qualified voters residing in a particular District as provided in Chapter IV of this Charter, and they shall each be elected for a term of two (2) years. The Council members so elected shall take office on the first Monday in May succeeding the election and they shall serve until their respective successors shall have been elected and shall have qualified. [~~provided, however, that upon the adoption of this amendment, the present Council shall appoint the first two (2) additional Council members who shall, with the present Councilmen, serve until the next ensuing City General Election and until their respective successors shall have been elected and shall have qualified. Thereafter, eleven-(11) Council members shall be elected biennially.~~]

(b) Changes in the number of Councilmen and the procedures for electing Councilmen provided by these 1973 amendments shall become effective from and after the General City Election on the first Tuesday of April, 1975, and such procedures shall be followed for that election."

CHAPTER III

Section 2

"Sec. 2. MAYOR'S ELECTION AND DUTIES -- The person elected as member of City Council, Place No. 13, [~~11~~] shall be the presiding officer and the Mayor of the City of Dallas. He shall have a vote on all matters coming before the Council unless otherwise disqualified, but no power to veto. He shall be the official head of the City Government. [~~For the purpose of electing a Mayor under this section, this amendment shall become effective on the first Tuesday of April, 1969, and the Mayor so elected shall take office on the first Monday in May next succeeding. In the event a vacancy occurs in the office of the Mayor by death, resignation or otherwise, then the City Council shall fill the unexpired term of the Mayor by appointing a qualified citizen to fill the vacant place.~~]"

CHAPTER III

Section 17

"Sec. 17. PROHIBITING HOLDING OR RUNNING FOR OTHER OFFICE -- (a) No person elected to the City Council, shall during the term for which he was elected, be appointed to any office or position of emolument in the service of the City. If [~~a member of the Council;~~] a member of any Board appointed by the Council or any appointive officer [~~or employee~~] of the City shall become a candidate for nomination or election to any public office, [~~other than when seeking re-election to the City Council;~~] he shall immediately forfeit his place or position with the City.

(b) A member of the City Council shall forfeit his place on the Council if he becomes a candidate for nomination or election to any public office other than a Place on the City Council, or if he becomes a candidate for election to any different Place on the City Council which requires him to take office prior to the end of his elective term.

(c) If any employee of the City shall become a candidate for nomination or election to any elective public office within Dallas County; or elective public office in another county within the State, having contractual relations with the city, direct or indirect; or any elective public office which would conflict with his position as an employee of the City, he shall immediately forfeit his place or position with the City."

CHAPTER XXVII

Section 2

"Sec. 2. CONTRACT LETTING -- All City contracts calling for or requiring the expenditure or payment of Two Thousand Dollars (\$2,000.00) or more, creating or imposing an obligation or liability of any nature or character upon the City, must first be submitted for competitive bids. Such bids shall be based upon plans and specifications prepared for that purpose. Notice of the time and place when and where such contract shall be let shall be published in a newspaper of general circulation in the City of Dallas once a week for two (2) consecutive weeks prior to the time set for letting such contract, the date of the first publication to be at least fourteen (14) days prior to the date set for letting said contract. Such contract shall be let to the lowest responsible bidder. A contract for \$50,000.00 or less may be let to the lowest bidder without City Council approval under rules established by the City Council. A contract let to other than the lowest bidder or a contract for more than \$50,000.00 shall be first approved by the City Council. The City Council shall have the right to reject any and all bids. The City in the first instance may elect to perform the work involved by its own forces or by day labor, or if such contract is let for bids and all are rejected, the City may either re-advertise for competitive bidding or may thereafter perform such work with its own forces or by day labor."

SECTION 2. That SECTION 1 of Ordinance No. 14085 of the City of Dallas, adopted by the City Council on April 30, 1973, is amended by adding to the proposed City Charter amendments, an amendment to Section 5 of Chapter III of the City Charter, to read as follows:

CHAPTER III

Section 5

"Sec. 5. VACANCIES IN THE CITY COUNCIL -- HOW FILLED -- (a) Vacancies which occur in the City Council one year or more after the date of the preceding General City Election, but where the same do not exceed four (4) at any one time, shall be filled by a majority vote of the remaining members of the Council, and the persons chosen [elected] to fill such vacancies shall serve only until the next General City Election.

(b) Vacancies which occur in the City Council in less than one year from the date of the preceding General City Election, or vacancies which exceed four (4) [~~where more than four (4) vacancies shall develop~~] at any one time, shall be filled by [~~then the City Council shall call~~] a Special Election called by the City Council to elect the successors to fill the vacancies for the unexpired terms. At its next regular meeting following the occurrence of such vacancies, the City Council shall issue the Call [~~shall be issued by the City Council at its next regular meeting thereafter~~] for a Special Election to be held not less than forty (40) days nor more than ninety (90) [~~sixty (60)~~] days after the date of calling the same.

(c) Where more than four (4) vacancies [~~if such vacancies shall~~] occur within ninety (90) [~~sixty (60)~~] days before a General City Election, [~~then~~] no Special Election to fill such vacancies shall be called, but in that event the remaining members of the Council shall, by a majority vote, fill such vacancies, and the persons so chosen [elected] shall serve only until the next General City Election. [~~when such vacancies shall be filled, as in the case of an original election.~~]

(d) Any vacancy, whether filled by a majority vote of the remaining members of the Council, or by Special Election, shall be filled by a person meeting all eligibility requirements for a candidate for the Place Number in which the vacancy has occurred."

SECTION 3. That SECTION 6 of Ordinance No. 14085 of the City of Dallas, adopted by the City Council on April 30, 1973, is amended by amending only ballot PROPOSITION NUMBERS THREE, FIVE, THIRTY-TWO, and THIRTY-SEVEN, and by adding a new ballot PROPOSITION NUMBER FOUR A to read as follows:

PROPOSITION NUMBER THREE

Shall Chapter III, Sections 1, 2, 3, and 9; Chapter IV, Sections 3, 4, 5, 6, and 8 of the Charter of the City of Dallas be amended to provide for the increase in the number of City Councilmen to 13 members; to provide for the election of eight of said Councilmen from single-member districts; to provide for the election of four of said members at-large but residing in a combination of two districts for each member; to provide for the dividing of the City into districts as census data is available; to provide that the candidates must have resided in the district from which they seek election at least six months prior to the date of the election and must continuously reside in the district during their term of office; to provide for the election of the Mayor at-large; to provide for the proper designation of the candidates on the ballot and the voters who may vote for the same; to provide that no member of the Council exclusive of the Mayor shall serve more than two consecutive elective terms; to provide for a quorum; to provide that these amendments shall become effective the first Tuesday in April, 1975?

FOR AGAINST

PROPOSITION NUMBER FOUR A

Shall Chapter III, Section 5 of the Charter of the City of Dallas be amended to provide that vacancies in the City Council occurring within one year from an election be filled by Special Election; to provide that persons filling vacancies meet all requirements for candidates in a General City Election?

FOR AGAINST

PROPOSITION NUMBER FIVE

Shall Chapter III, Section 6 of the Charter of the City of Dallas be amended to provide that the members of the City Council shall meet at the building designated as the official City Hall for regular meetings of the Council; to provide that the meetings shall be held in the City Council Chamber in such building unless postponed or cancelled for valid reasons?

FOR AGAINST

PROPOSITION NUMBER THIRTY-TWO

Shall Chapter XXI, Section 16 of the Charter of the City of Dallas be amended to provide that employees or associations of employees in the City may not actively participate in City Council election campaigns and to provide the rules limiting their participation in election campaigns other than for City Council?

FOR AGAINST

PROPOSITION NUMBER THIRTY-SEVEN

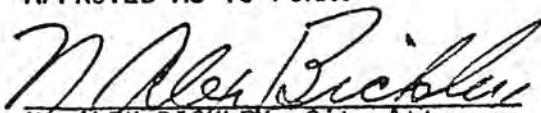
Shall Chapter XXVII, Section 2 of the Charter of the City of Dallas be amended to provide for the acceptance of the lowest bid on contracts under \$50,000.00 by the City Manager under rules set by the Council; to provide that bids other than the lowest bid may be accepted only by the City Council?

FOR AGAINST

SECTION 4. That Ordinance No. 14085 of the City of Dallas, as adopted by the City Council on April 30, 1973, shall remain in full force and effect, save and except as amended herein.

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

APPROVED AS TO FORM:


N. ALEX BICKLEY, City Attorney

Copy

OFFICIAL ACTION OF THE CITY COUNCIL

CITY OF DALLAS, TEXAS



Meeting of May 7, 1973

Councilman Weber: I move that Chapter III, Sections 2 and 5, of the City Charter be amended to require an election in the event a Council position is vacated with more than a year of the term remaining." Motion seconded by Mayor Pro Tem Allen.

ROLL CALL ON MOTION:

Aye - Aguirre, Harrison, Murr, Terrell, Weber, Wise	- 6
Nay - Allen, Gilmore, Patterson, Smith, Storey	- 5

Mayor declared motion carried.

Harold G. Shank

Harold G. Shank
City Secretary

HGS:hg

cc: City Attorney

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CITY SECRETARY'S - PERMANENT FILE
RETURN PROMPTLY

NOTICE

THE CITY COUNCIL OF THE CITY OF DALLAS
WILL HOLD TWO REGULAR MEETINGS THE WEEK
OF MAY 7, 1973, WITH THE SECOND REGULAR
MEETING TO BE HELD IN THE COUNCIL CHAMBER
AT ~~10:30~~ 11:30 O'CLOCK A. M., THURSDAY, MAY 10,
1973 FOR THE FURTHER CONSIDERATION OF
AMENDMENTS TO THE CITY CHARTER CHANGE
ELECTION TO BE HELD ON JUNE 12, 1973.

HAROLD G. SHANK
CITY SECRETARY

DATE POSTED: May 7, 1973
DATE REMOVED: 5-15