



**Memorandum**

DATE March 21, 2014

TO The Honorable Chair and Members of the Charter Review Commission

SUBJECT Materials Requested By a Commissioner Regarding Board and Commission Processes in Other Texas Cities

---

Attached are the following materials:

1. Charter Provisions and Ordinances from Texas Cities- Board of Adjustment and Zoning/Planning Commission
2. DART Board Selection Process for Dallas and Other Member Cities
3. DFW Board Selection Process for Dallas and for Fort Worth

A handwritten signature in blue ink, appearing to read 'Barbara McAninch'.

BARBARA McANINCH  
Assistant City Attorney

Attachments (3)

# **BOARD OF ADJUSTMENT AND ZONING/PLANNING COMMISSION CHARTER PROVISIONS**

## **DALLAS CITY CHARTER**

### **Board of Adjustment**

#### **Ch. XV §7**

#### **SEC. 7. ALTERNATE MEMBERS OF THE BOARD OF ADJUSTMENT.**

In addition to the membership provided by state law to serve on the board of adjustment, the city council may, if it so desires, appoint six additional members who shall be designated as alternate members. The alternate members shall serve on the board at the designation of the board chair in any case where any regular member of the board of adjustment is either absent or unable to serve in any particular case for any reason so that all cases to be heard by the board of adjustment will always be heard by the minimum number of members required by state law. These alternate members, when appointed, shall serve for the same period as the regular members, and any vacancies shall be filled in the same manner.

### **Zoning Commission**

#### **Ch. XV, §6**

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

The city council shall appoint 15 qualified voters of the City of Dallas who shall constitute the zoning commission of the City of Dallas, and shall be the city plan commission as the same is referred to by state statute for the approval of plats and subdivisions. The members shall possess the same qualifications and be subject to the same disqualifications as provided by the Charter for members of the city council, or general laws of the State of Texas. The city council shall name one of the members to be the chair and one to be the vice chair.

#### **SEC. 4. DUTIES OF ZONING COMMISSION.**

The zoning commission shall:

- (1) Adopt, subject to approval of the city council, such rules and regulations as they deem best to govern their actions, proceedings and deliberations, including the time and place of meeting.
- (2) Upon application made, advertise and hold public hearings on zoning or changes in zoning, and make recommendations thereon to the city council.
- (3) Act as an advisory body to the city council in relation to any changes in the boundaries of the various original districts and any changes in the zoning ordinances and regulations to be enforced therein. Such recommendation shall be made after advertisement of and a public hearing held thereon. Notice of such public hearing shall be published at least one time in a newspaper of general circulation in the city at least 10 days prior to the date of said hearing, or as otherwise provided by state law or this charter.
- (4) Administer provisions of state law regarding the platting and recording of subdivisions and additions, and in connection therewith, to require the owners and developers of land who desire to subdivide, plat or replat land for urban development, to provide for building setback lines, to dedicate streets, alleys, parks, easements or other public places of adequate width and size; to coordinate street layouts and street planning with the city and with other municipalities, and to

coordinate the same with the county, state and federally designated highways, as they may deem best in the interest of the general public. In connection with the planning and the platting of property, the zoning commission shall have the power to consider the character of development or land use contemplated by the proposed platting and the zoning of the property, and require off-street parking, streets and alleys of adequate width to be provided for that purpose.

(5) Make recommendations to the city manager and the city council on matters affecting the physical development of the city.

(6) Advise and make recommendations on the comprehensive plan and the implementation thereof as may be requested by the city manager and the city council.

(7) Exercise all other responsibilities as may be provided by law.

## OTHER TEXAS CITIES

### AUSTIN

#### **Board of Adjustment:**

#### **§ 2-1-111 BOARD OF ADJUSTMENT.**

(A) The Board of Adjustment is established as provided in Local Government Code Chapter 211 (*Municipal Zoning Authority*).

(B) The board shall be composed of seven members.

(C) Each board member shall be appointed to serve a two-year term.

(D) The council may appoint alternate board members to serve in the absence of regular members. An alternate member shall be appointed to serve a two-year term.

(E) A regular or alternate board member may be removed by council for cause on a written charge after a public hearing.

(F) The board shall:

(1) hear and decide a request for a variance from the requirements of Chapter 25-2 (*Zoning*), except as otherwise provided by the Code;

(2) hear and decide an appeal of an administrative action under Chapter 25-2 (*Zoning*);

(3) hear and decide a request for a variance from the requirements of airport zoning regulations under Section 241.034, Local Government Code;

(4) hear and decide a request for a special exception under Chapter 25-2 (*Zoning*); and

(5) perform other duties prescribed by ordinance or state law.

(G) The board shall hold meetings at the call of the chairperson and at other times as requested by the board.

(H) The chairperson, or the acting chairperson in the absence of the chairperson, may administer oaths and compel the attendance of witnesses.

(I) Each case before the board must be heard by at least 75 percent of the board members.

(J) The concurring vote of 75 percent of the board members is necessary to:

(1) reverse an order, requirement, decision, or determination of an administrative official;

(2) decide in favor of an applicant on a matter on which the board is required to pass under Chapter 25-2 (*Zoning*); or

(3) authorize a variation from the terms of Chapter 25-2 (*Zoning*).

(K) The board shall prepare minutes of its proceedings. The minutes shall include the vote of each member on each item before the board and shall state if a member is absent or fails to vote

on an item.

*Source: Ord. 20071129-011; Ord. 20080110-048; Ord. 20080618-030; Ord. 20110526-098.*

### **Planning Commission:**

#### **§ 2-1-166 PLANNING COMMISSION.**

(A) The Planning Commission is composed of nine members appointed to the commission by council.

(B) The city manager, the chairperson of the zoning board of adjustment, the director of public works, and the president of the board of trustees of the Austin Independent School District shall serve as ex officio members.

(C) The commission is established and governed by City Charter Article X (*Planning*). The Charter provisions supersede this chapter to the extent of conflict.

*Source: Ord. 20071129-011; Ord. 20111215-053; Ord. 20130228-045.*

## **EL PASO**

### **Board of Adjustment:**

#### **2.16.010 Appointment and terms.**

A. Appointment and Terms. There shall be a zoning board of adjustment consisting of nine members and nine alternates. The nine members will be appointed by the mayor and city council; the nine alternates will be appointed by the mayor and the city council. The alternate members shall sit in the absence of regular members when requested to do so by the chair of the board. The first alternate selected to replace an absent regular member shall be the alternate nominated by the same city council representative, or the mayor, who nominated the absent regular member. If both the member and alternate nominated by that city council representative or the mayor are absent, any other alternate may be selected. All cases before the board shall be heard and decided by at least seven members.

B. Term of Office. The term of office for members and alternates shall be staggered. Terms of office shall be two years.

(Ord. 16888 § 2 (part), 2008)

### **Planning Commission:**

#### **2.08.010 Creation—Membership.**

The city plan commission shall consist of nine members who shall be resident citizens of El Paso. They shall be appointed in the manner provided by the City Charter.

(Ord. 16977 § 1, 2008; Ord. 13152 § 1, 1997; prior code § 2-5 (part))

#### **2.08.020 Terms.**

- A. The terms of office for members of the commission, other than the ex officio members, shall be two years and the first commission members' terms shall be staggered by eight-month terms according to the following schedule:
1. Three members shall be appointed for an eight-month term;
  2. Three members shall be appointed for a sixteen-month term;
  3. Three members shall be appointed for a twenty-four-month term beginning upon the first appointments after May 2, 1957.
- B. Upon the expiration of the eight-month term the members in this group will then be appointed for a full two-year term. Upon the expiration of the sixteen-month term the members in this group will then be appointed for their two-year terms, thus staggering the appointment setup so that no more than three members shall be reappointed in any one given eight-month term.
- (Prior code § 2-5 (part))

#### **2.08.030 Removal.**

The members of the commission shall serve until their successors are appointed and shall be subject to removal under the terms of the City Charter concerning officers appointed by the mayor.

(Prior code § 2-5 (part))

#### **2.08.040 Members not to hold other public offices—Exception.**

No member of the city plan commission, other than the ex officio members, shall hold any other public office of honor, trust or profit in the government of the city or county during his term of office.

### **FORT WORTH (\*No planning commission provision)**

#### **Board of Adjustment:**

##### **☐ Sec. 3-204. - Board of adjustment.**

(a) There is hereby created a board of adjustment to have and exercise the following powers:

(1) To hear and decide appeals from any order, requirement, decision or determination made in the enforcement of this division;

(2) To hear and decide special exceptions to the terms of this division upon which such board of adjustment may be required to pass by subsequent regulations;

(3) To hear and decide specific variances.

(b) The board of adjustment shall consist of five (5) members, each to be appointed for a term of two (2) years and removable for cause upon written charges and after public hearing. All vacancies shall be filled by appointment of new members by the joint airport zoning board. The chairman of the board of adjustment will be elected by the members and from the members of the board of adjustment.

(c) The board of adjustment shall adopt rules for its governance and procedure in harmony with the provisions of this division. Meetings of the board of adjustment shall be held at the call of the chairman and at such times as the board of adjustment shall determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The board of adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the board of adjustment, and shall be a public record.

(Ord. No. 6687, § 14, 6-19-72)

**Cross reference**— City boards generally, § 2-46 et seq.

### **Boards and Commissions – Generally:**

#### **□ Sec. 2-83. - Number of members and terms of service; establishment of places.**

(a) Unless otherwise provided by state law, city charter or city council exception, all city boards shall be composed of nine (9) members. Board members shall serve for terms of two (2) years. No member shall serve more than three (3) consecutive terms. Each such board shall have nine (9) places, and all appointments shall be made for two-year terms, as follows:

(1) Places 1, 3, 5, 7 and 9—Terms expire October first, each odd-numbered year.

(2) Places 2, 4, 6 and 8—Terms expire October first, each even-numbered year.

(b) Those boards excepted from the provisions of this section regarding the number of members serving on the board, and regarding the length of terms of service, because of conflicting state law, city charter provision or city council exception, shall include currently, but shall not be limited to, the following:

Civil service commission;

Dallas-Fort Worth International Joint Airport Zoning Board;

Meacham Field Joint Airport Zoning Board; city council exception (ordinance);

Dallas-Fort Worth International Airport Board; state law exception;

Board of Commissioners of the Fort Worth Housing Authority; state law exception;

Fort Worth Human Relations Commission;

Disciplinary appeals board; city council exception (ordinance);

Neighborhood resources development council; federal law.

(c) Those boards exempted from the provisions of this section regarding the limitation on the number of terms which may be served, because of conflicting state law, City Charter provision of city council exception shall include currently, but shall not be limited to, the following:

Board of trustees of the employee retirement fund—City council exception (ordinance).

(Code 1964, § 5-35; Ord. No. 8758, § 1, 3-15-83; Ord. No. 8971, § 1, 11-15-83; Ord. No. 9272, § 2, 12-13-84; Ord. No. 11921, § 1, 4-18-95; Ord. No. 14849, § 1, 11-13-01)

**Cross reference**— Aviation advisory board, § 3-20.

## **HOUSTON**

### **Board of Adjustment:**

#### **Sec. 9-733. Board of adjustment.**

(a) *Establishment of board of adjustment and board powers.* A board of adjustment is hereby created pursuant to Chapter 241 and shall have the following powers:

- (1) To hear and decide appeals, as provided by Chapter 241, or pursuant to this article, from an order, requirement, decision, or determination made by the director in the enforcement of this article;
- (2) To hear and decide special exceptions to the terms of this article; and
- (3) To grant variances from these regulations.

(b) *Board composition.* The board shall be composed of five members appointed by position to two-year terms. The mayor may appoint an individual board member to serve in matters involving only IAH, matters involving only HOU and matters involving only EFD, which members shall serve individually in position 5(IAH), position 5(HOU), and position 5(EFD), respectively. Members, including alternate members, shall be appointed by the mayor and confirmed by the city council and shall be residents of the city, except as provided in subsection (4), below.

- (1) The mayor shall appoint a chair from among the members.
- (2) The director shall be a non-voting, ex officio member of the board and shall serve as secretary to the board.

- (3) An alternate member may be appointed for each position. An alternate member may serve in the absence of the member in that position.
- (4) In the event another governmental entity whose jurisdiction includes land within an airport hazard area enters into an interlocal agreement with the city for enforcement of the terms of this article, the agreement may contain provisions for the appointment to the board of a resident of that governmental entity for matters affecting property within that entity's jurisdiction only. Any member so appointed does not need to be a resident of the city.
- (5) The board may be composed of the same members appointed to the Board of Adjustment for Airport Land Use regulations in article VI of this chapter.

### **Planning Commission:**

#### **Sec. 33-14. Created.**

There is hereby created a commission composed of 26 members. Five of the 26 members shall be nonvoting ex officio members. The director or, in his or her absence or inability to act, a deputy director or assistant director of the department shall serve as ex officio member and secretary to the commission. The four additional ex officio members shall be (1) the director or, in his or her absence or inability to act, a deputy director or assistant director of the department of public works and engineering; (2) a designee of the Board of Directors of the Metropolitan Transit Authority of Harris County, Texas; (3) the most recent former chair of the commission; and (4) the director of the convention and entertainment facilities department or his or her designee. In the event that the most recent former chair of the commission is unable or unwilling to serve as an ex officio member of the commission, any former member of the commission with five years experience on the commission may be appointed by the mayor, subject to confirmation by the city council, to serve in the former chair nonvoting ex officio position. The members of the commission, as same may exist from time to time, shall hereafter serve both as the zoning commission and as the planning commission. The director may request that directors of other city departments or their designees meet with the commission from time to time when the commission has business affecting their departments."

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 05-14, § 1, 1-5-05; Ord. No. 05-994, § 1, 8-24-05)

#### **Editor's note—**

Section 3 of Ord. No. 05-994 provides for an effective date for this section of 12:01 a.m. on October 1, 2005.

#### **Sec. 33-15. Qualifications, appointment and terms of members.**

- (a) Four members of the commission shall be ex officio members as specified in section 33-14 of this Code and do not need to be residents or qualified voters of the city. In addition, three members of the commission may be appointed, one each, from the membership of the Commissioners' Courts of Harris County, Texas, Fort Bend County, Texas, and



Montgomery County, Texas, whether or not the appointees are residents or qualified voters of the city or residents of the city's extraterritorial jurisdiction. Two members of the commission shall be residents of the city's extraterritorial jurisdiction. The remaining 16 members shall be residents and qualified voters of the city. As far as practicable, these 16 nominated and confirmed members of the commission shall be representative of the ethnic and geographical demography of the city. The determination by the city council that the members of the commission meet the qualifications set forth in this section shall be final.

- (b) If a commission member, except for the ex officio members and any representative from the membership of the commissioners' courts provided in subsection (a) above, removes his or her actual residence from the city or the city's extraterritorial jurisdiction, as applicable, during the term of his or her appointment, such person shall be disqualified to hold such position, and the position shall become vacant effective simultaneously with such change in residency.
- (c) The members of the commission, other than the ex officio members, shall be appointed by the mayor, subject to confirmation by the city council. All appointments will be for two-year staggered terms. Each commissioner shall continue to act after the end of his or her term until a successor is appointed and confirmed.
- (d) Within 12 months after the population within the city's extraterritorial jurisdiction in Waller County exceeds 25,000 persons, according to the most recent federal census, one member of the commission shall be appointed from the membership of the Commissioners' Court of Waller County, Texas. At such time the number of commission members will be increased by one.
- (e) Within 12 months after the population within the city's extraterritorial jurisdiction in Liberty County exceeds 25,000 persons, according to the most recent federal census, one member of the commission shall be appointed from the membership of the Commissioners' Court of Liberty County, Texas. At such time the number of commission members will be increased by one.

(Ord. No. 91-63, § 3, 1-9-91; Ord. No. 92-1046, §§ 1, 2, 7-29-92; Ord. No. 05-14, § 2, 1-5-05)

## **SAN ANTONIO (\*No planning commission provision)**

### **Boards and Commissions Generally:**

#### **Sec. 2-527. District appointments.**

- (a) The office of the city clerk will coordinate review of the applications with the pertinent city departments and the city attorney's office to ensure that the applicants meet the necessary qualifications for each respective board or commission. The office of the city clerk will notify the applicant in writing, or via email if an email address is provided, if he/she is not qualified to serve on the board or commission for which he/she has applied.
- (b) The city clerk will forward the applications of the qualified applicants to the respective city council member for his/her review.
- (c) The office of the city clerk will initiate appointments, upon submission of a memorandum by a city council member, designating his/her respective appointees.
- (d) The provisions of this section apply to mayoral appointments.

(Ord. No. 100199, § 1, 12-17-04; Ord. No. 101119, § 1, 7-14-05; Ord. No. 2009-03-19-0205, § 1, 3-19-09)

#### **Sec. 2-528. At-large appointments.**

- (a) The office of the city clerk will coordinate review of the applications with the pertinent city departments and the city attorney's office to ensure that the applicants meet the necessary qualifications for each respective board or commission. The office of the city clerk will notify the applicant in writing, or via email if an email address is provided, if he/she is not qualified to serve on the board or commission for which he/she has applied.
- (b) The office of the city clerk shall submit applications to the city council committee to which the board reports. The city council committee will review the applications to determine a proposed slate for council consideration, and may request to conduct interviews of applicants during a committee meeting.
- (c) City council members may submit their nominations, in writing, to the office of the city clerk, in the form of a memorandum, for consideration by the respective city council committee as described in subsection (b).
- (d) Official selection by the city council shall take place no sooner than one week after the date of the council committee meeting, unless otherwise directed by the city council.
- (e) If an interview is requested, nominees must appear in person for the interview. If an individual is ill, out of town, or cannot appear in person, a written statement must be submitted to the office of the city clerk prior to the date of the interview, in order to be considered for appointment. An individual will not be considered for appointment if he/she fails to appear in person for the interview or fails to submit a written statement.
- (f) Subsection 2-529(a) does not apply to boards or commissions whose members are appointed at-large.

(Ord. No. 100199, § 1, 12-17-04; Ord. No. 101119, § 1, 7-14-05; Ord. No. 2007-02-15-0175, § 1, 2-15-07; Ord. No. 2009-03-19-0205, § 1, 3-19-09)

### **Sec. 2-529. Membership.**

- (a) Each board or commission shall consist of eleven (11) members (one per council district and mayor). This subsection does not apply to section 2-528 and any board or commission in existence prior to December 27, 2004.
- (b) In order to be qualified to serve, all applicants for boards and commissions must be residents of the city, and continue such residency during the term of their appointment, if appointed.
- (c) When making appointments to boards and commissions, the city shall not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, veteran status, age or disability.

(Ord. No. 100199, § 1, 12-17-04; Ord. No. 101119, § 1, 7-14-05; Ord. No. 2007-02-15-0175, § 1, 2-15-07; Ord. No. 2009-03-19-0205, § 1, 3-19-09; Ord. No. 2013-09-05-0577, § 6, 9-5-13)

### **Sec. 2-530. Terms of office.**

*Length of term.* Board or commission members are appointed for a term of office of two (2) years. The term of office for each board or commission member will run concurrently with the terms of office of the city council that appoints each member.

(Ord. No. 100199, § 1, 12-17-04; Ord. No. 101119, § 1, 7-14-05; Ord. No. 2009-03-19-0205, § 1, 3-19-09)

### **Planning Commission:**

#### **Sec. 117. Organization.**

There is hereby established a planning commission which shall consist of nine members, who shall be appointed by the council as nearly as practicable from various areas of the city, for overlapping two year terms; provided, however, that, initially, five members of the commission shall be appointed for terms of two years and four members for terms of one year. The city manager, a member of the council designated by the council, the chairman of the zoning commission and the chairman of the zoning board of adjustment shall be ex officio members of the commission. The council may appoint other ex officio members. Appointive members of the commission, other than those serving in an ex officio capacity, may not hold any other public office for which compensation is paid by the State of Texas or any political subdivision thereof. A majority of appointive members, other than ex officio, shall constitute a quorum. The commission shall elect a chairman from its own membership, and shall meet not less than once each month. Members of the commission, other than those serving in an ex officio capacity, may be paid compensation not to exceed twenty dollars per meeting, and not exceeding \$1,040 per

annum, as may be determined by the council. Any vacancy occurring during the unexpired term of an appointive member shall be filled by the council for the remainder of the unexpired term.

## **HOW MEMBER CITIES SELECT REPRESENTATIVES FOR DART BOARD**

### **NO CITY CHARTER HAS A PROVISION RELATED TO DART BOARD**

**Dallas** (7 full members and 1 member shared with Cockrell Hill)

City Council members (including mayor) nominate candidates for positions to be filled; City Secretary vets applicants for compliance with City requirements; Transportation Committee interviews candidates, Transportation Committee ranks candidates and sends report to City Council; City Council appoints candidates of its choice to fill vacancies or to be reappointed

**Carrollton** (shared member with Irving) Information provided by the Carrollton City Attorney's Office that they appoint by City Council resolution in June when the shared term comes up for appointment or reappointment. Irving concurs in the Carrollton appointment or reappointment. It is not in their City Charter.

**Garland** (1 full member and 1 shared member with Rowlett) The Garland City Secretary indicated that the city posts when there is a vacancy; citizens submit a letter of interest and a resume; the City council interviews the applicants; appointments are made by Minute Action in a regular meeting of the City Council.

**Irving** (1 member and a shared member with Carrollton that Carrollton appoints) Per Irving City Attorney, it is an informal process. Citizens submit their names by email or letter, the City Council reviews the names submitted and by Resolution selects the appointee.

**Richardson** (1 shared member) The city secretary facilitates the board and commission appointment process by receiving and maintaining resumes submitted by citizens for consideration by City Council. The City Council appoints the member.

**Plano** (1 full member and 1 shared member with Farmers Branch) Information provided by City Secretary: DART appointments are outside of annual appointment process in September; if a Plano citizen submits an application requesting the DART Board, it is held until May; City Manager reviews applications and may talk with applicants; City Manager has a Resolution prepared with name of appointee; and City Council appoints or reappoints members of DART Board.

**DFW BOARD SELECTION PROCESS FOR DALLAS AND FOR FORT WORTH  
NO CHARTER PROVISION IN EITHER CITY**

**Dallas** (7 members) See the Attached Resolution

City Council members (including mayor) nominate candidates for positions to be filled (process permits 3 nominees by each council member for each open seat); Transportation Committee reviews all nominations and selects 2 nominees for each open seat to be interviewed; after the initial selection, the City Secretary vets the selected applicants for compliance with City requirements; Transportation Committee interviews candidates that have cleared the background check and qualify for appointment; Transportation Committee ranks candidates and sends report to City Council; City Council appoints candidates of its choice to fill vacancies or to be reappointed by Resolution.

Members are appointed for 4-year terms. Terms are staggered.

**Fort Worth** (4 members)

There is no formal written process in Fort Worth. When the attorney who is responsible for the DFW Board returns to the office, more information will be provided to the Commission.

November 16, 2011

**WHEREAS**, the Cities of Dallas and Fort Worth by Contract and Agreement dated April 15, 1968 (the "Contract"), provided for the construction and operation of Dallas-Fort Worth Regional Airport, subsequently renamed the Dallas-Fort Worth International Airport (the "Airport"), and continued, confirmed and established the Airport Board as its operating Board of Directors (the "Board"); and

**WHEREAS**, pursuant to City Council Resolution No. 76-1888, the duly elected Mayor of the City of Dallas is automatically appointed to fill Place 10; and

**WHEREAS**, the Dallas City Council is authorized to appoint six members to the Board (Place Nos. 1, 4, 5, 6, 9 and 11), with the terms for Places 1, 5 and 11 expiring on January 31st of odd-numbered years; and the terms for Places 4, 6 and 9 expire on January 31st of even-numbered years; and

**WHEREAS**, the City Council has determined that it is desirable to delineate the nomination, selection and appointment process for those members; **NOW, THEREFORE**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That, for each set of Board members to be appointed for terms to commence on February 1 of a particular year, by 5 pm on the third Friday in the preceding November each Councilmember and the Mayor may submit to the City Secretary's Office a memo with the names, supplemented by the 5 pm deadline with the biographical information or resume, of up to three individuals to be nominated for appointment or re-appointment to the D/FW International Airport Board; if a biography or resume is not received for a particular nominee by the 5 pm deadline on the third Friday in the preceding November, the nomination will be considered incomplete and the nominee will not be considered for review.

**SECTION 2.** That the Transportation and Environment Council Committee (TEC) shall select from the complete nominations submitted by Councilmembers and the Mayor six individuals to interview and by December 1 shall direct the City Secretary's Office to conduct background checks on the six selected individuals.

**SECTION 3.** That prior to the first Council agenda meeting in January the TEC shall interview the six individuals (to the extent they have been cleared by the City Secretary's Office) and shall select three of those individuals to recommend to the City Council for appointment to the Board.

11-3106

**SECTION 4.** That upon selection of individuals to serve on the Board, the City Secretary's Office shall assign to each of those individuals one of the then-open Board places.

**SECTION 5.** That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED BY  
CITY COUNCIL

NOV 16 2011

*Scott C. Lewis*  
Acting City Secretary