



CITY OF DALLAS

## Memorandum

DATE April 29, 2014  
TO The Honorable Chair and Charter Review Commission Members  
SUBJECT Suggestions that Could be Addressed by City Code Amendments

---

As requested, following is a list of suggestions that could be addressed by amendments to the City Code.

Suggestion: **Limit on the duration or frequency of open mic speakers.**  
Charter provision: III §8  
Code provision: City Council Rule 6.3  
Comment: City Council adopted Resolution No. 140430 on February 26, 2014 to amend City Council Rule 6.3(f)(4) to provide that citizens may speak during the open microphone period no more than once within any 30-day period.

Suggestion: Harmonize the language to be consistent with the time periods and appeal process in the Personnel Rules.  
Charter provision: XVI §11(b)  
Code provision: Dallas City Code §34-38(f)(4)  
Comment: The Charter provision concerns appeals of a disciplinary action by an employee to the City Manager. The City Code used to provide for a five-day appeal period, consistent with the Charter. The City Code was amended to increase the appeal period to 10 working days to be consistent with other appeal periods in the Personnel Rules.

Suggestion: **Allow the city attorney to hire outside counsel to represent councilmembers who are accused of violating the code of ethics.**  
Charter provision: None  
Code provision: Dallas City Code §12A-32.

Comment: City Code §12A-32(b) currently allows the City Attorney to hire outside counsel to represent the Ethics Advisory Commission if the complaint involves a City Council member or a city officer or for other good cause. The City's office and employee liability plan in Dallas City Code §31A-12(b) currently allows the City Attorney to hire outside counsel to represent officers or employees who are sued in connection with their job duties, if there is a conflict with representation by the City Attorney.

Suggestion: **Create sanctions for repeated filing of frivolous ethics complaints.**

Charter provision: None

Code provision: Dallas City Code §12A-40.1 (proposed)

Comment: The Ethics Advisory Commission and the Budget, Finance and Audit Committee have recommended a new Dallas City Code §12A-40.1 to address frivolous complaints. Other amendments to the Code of Ethics have also been proposed.

Suggestion: **Add a mission statement for the city that the city will be more pedestrian friendly.**

Charter provision: None

Code provision: Dallas Development Code §51A-1.102(b) (purpose of the Development Code)

Comment: The Comprehensive Plan adopted in 2006 encourages walkable mixed use development (Vision Statement, page I-33: “[The urban design element] promotes urban design standards to support walkable mixed-use environments.”) The proposed Complete Streets Manual encourages redevelopment of streets to promote walkability.

Suggestion: **Require city councilmembers to vote on all agenda items.**

Charter provision: None

Code provision: City Council Rule 4.5(a)

Comment: City Council Rule 4.5(a) states “Every member present when a question is called shall vote either ‘Yes’ or ‘No’ except on matters involving a conflict of interests or the consideration of the member's own official conduct.

Suggestion: **The Charter states that a person may not serve on more than two city boards or commissions. Dallas City Code §8-1.4(b), however, states that a person may not serve on more than one city board or commission, except that Dallas City Code §8-1.4(c) states that a person may serve on two boards of TIF reinvestment zones. The Charter also states that a person forfeits the board or commission position if they miss more than three meetings. Dallas City Code §8-20 states that a person forfeits the board or commission position if they miss three meetings.**

Charter provision: XXIV §17(a)

Code provision: Dallas City Code §8-1.4(b) and Dallas City Code §8-20.

Comment: The Charter Review Commission recommended denial of the suggested amendment to the Charter at the April 1, 2014 meeting. The City Secretary's Office follows Dallas City Code Chapter 8 because it is the more restrictive provision and because it is consistent with prior practice.

JOHN ROGERS  
Assistant City Attorney