

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 28, 1989

89-2050

Agenda item 85: August 12, 1989 City Special Election

Ordinance calling a special election for Saturday, August 12, 1989, for the purpose of submitting to the qualified voters of the city proposed amendments to the City Charter

The following individuals addressed the council concerning the proposed amendments:

- Brian Shivers, 10707 Preston Rd., representing North Dallas Chamber of Commerce
- Roy Williams, 109 Spanish Village, #574, representing Selective Enhancement for Latent Faculties (S.E.L.F.) Williams also spoke on agenda items 77 and 89 in accordance with the City Council Rules of Procedure, Section 6.3(d)(2).
- Vivian Johnson, 3820 Malden Ln.
- Karen Roberts, 502 Cameron Ave.
- Marvin Crenshaw, 6936 Clearglen Dr., representing Malcolm X Community Council. Crenshaw also spoke on agenda items 77 and 89 in accordance with the City Council Rules of Procedure, Section 6.3(d)(2).
- Dallas Jackson, P.O. Box 274, Dallas, representing African Warriors for Cultural Protection. Jackson also spoke on agenda items 77, 89 and second addendum items 1 and 2 in accordance with the City Council Rules of Procedure, Section 6.3(d)(2).
- John Wiley Price, 411 Elm St.
- Yvonne Ewell, 4641 Kushla Ave.
- Larry Duncan, 5415 Banting Way, representing Dallas Homeowners League
- Joan Smotzer, 5407 Mercedes Ave.
- Patty Bates, 8234 Ridgelea St.
- Domingo Garcia, 2429 Bentley Ave.
- C. Victor Lander, 1447 Plowman Ave., representing Dallas Branch NAACP
- Fred Blair, 1266 E. Ledbetter Dr.
- Vincent Hendricks, 6827 Coronado Ave.
- Johnnye T. Hughes, 2381 Blue Creek Dr., representing the Dallas Chapter of the National Black Media Coalition
- Demetrius Sampson, 1814 Billie Dr.
- Becky Matthews, 8563 Eustis St.
- Guillermo Galindo, 2015 N. Garrett Ave., representing Barrios Unidos
- Kathleen Gilliam, 3817 Wendelkin St., representing Dallas Chapter National Political Caucus of Black Women
- Roberto R. Alonzo, 4665 Bridgewater Ln.
- Thomas G. Jones, 1527 Bilco St.
- Diane M. Orozco, 10738 Park Village Pl., representing the Mexican American Bar Association
- Bernice J. Washington, 4359 Highlander Dr., representing Dallas Branch of the Southern Christian Leadership Conference

Councilman Bartos moved to call a special election for Saturday, August 12, 1989, for the purpose of submitting to the qualified voters of the city proposed amendments to the City Charter, and to approve the recommendations of the Dallas Citizens Charter Review Committee concerning:

Increasing the city council composition to 15 members, with 10 members elected from local districts, four members elected from regional districts and one member elected as mayor by all qualified voters of the city;

Establishing a two-year term for members of the city council from local or regional districts and a four-year term for mayor;

Limiting the number of terms a member of the city council from a local or regional district may serve to four consecutive two-year terms and limiting the number of terms the mayor may serve to two consecutive four-year terms;

Defining the duties of the mayor;

Establishing procedures for appointments of city boards; and

Deleting the \$50 candidate filing fee requirement

and to place these recommendations on the election ballot as Proposition No. 1.

Motion seconded by Councilman Wells.

Councilman Lipscomb moved to amend Councilman Bartos' motion by substituting language concerning the composition of the council:

Increasing the city council composition to 13 members, with 12 members elected from local districts and one member elected as mayor by all qualified voters of the city.

Motion seconded by Deputy Mayor Pro Tem Ragsdale.

Councilman Buerger moved to amend Councilman Bartos' motion by substituting a motion to call the special election for Tuesday, November 13, 1989, and to determine the exact ballot wording at a later time.

Motion seconded by Deputy Mayor Pro Tem Ragsdale.

During debate on Councilman Buerger's amendment Councilman Tandy moved the previous question.

Motion seconded by Councilwoman Palmer.

The Mayor called the vote on the previous question:

Voting Aye: Strauss, Evans, Tandy, Palmer, Bartos, Wells,
Box, Lipscomb, Miers, Buerger
Voting Nay: Ragsdale

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The mayor declared that as two-thirds of the council had voted in the affirmative the previous question was ordered on Councilman Buerger's amendment, and if that amendment failed, on Councilman Lipscomb's amendment, then Councilman Bartos' main motion.

The Mayor called the vote on Councilman Buerger's amendment:

Voting Aye: Ragsdale, Palmer, Lipscomb, Buerger	- 4
Voting Nay: Strauss, Evans, Tandy, Bartos, Wells, Box, Miers	- 7

The mayor declared the amendment lost.

The Mayor called the vote on Councilman Lipscombs's amendment:

Voting Aye: Ragsdale, Palmer, Lipscomb	- 3
Voting Nay: Strauss, Evans, Tandy, Bartos, Wells, Box, Miers, Buerger	- 8

The mayor declared the amendment lost.

The Mayor called the vote on Councilman Bartos' main motion:

Voting Aye: Strauss, Evans, Tandy, Bartos, Wells, Box, Miers	- 7
Voting Nay: Ragsdale, Palmer, Lipscomb, Buerger	- 4

The mayor declared the motion carried.

Councilman Lipscomb moved to include a proposition on the ballot concerning the composition of the council that would provide for:

Increasing the city council composition to 13 members, with 12 members elected from local districts and one member elected as mayor by all qualified voters of the city.

Motion seconded by Deputy Mayor Pro Tem Ragsdale.

After discussion, the mayor called the vote on the motion:

Voting Aye: Ragsdale, Palmer, Lipscomb, Buerger	- 4
Voting Nay: Strauss, Evans, Tandy, Bartos, Wells, Box, Miers	- 7

The mayor declared the motion lost.

Councilman Bartos moved to approve the recommendations of the Dallas Citizens Charter Review Committee concerning:

City council procedures;

Establishing a standing finance committee of the city council; and

Establishing other standing committees of the city council

and to place these recommendations on the election ballot as Proposition No. 2, and to approve the recommendations of the Dallas Citizens Charter Review Committee concerning:

City council compensation;

Establishing a compensation commission; and

City council staffing

and to place these recommendations on the election ballot as Proposition No. 3.

Motion seconded by Councilman Wells.

After discussion, the mayor called the vote on the motion:

Voting Aye: Strauss, Evans, Tandy, Palmer, Bartos, Wells, Box, Miers, Buerger	- 9
Voting Nay: Ragsdale, Lipscomb	- 2

The mayor declared the motion carried.

Councilman Bartos moved to approve the recommendation of the Dallas Citizens Charter Review Committee concerning:

Establishing a redistricting commission

and to place the recommendation on the election ballot as Proposition No. 4.

Motion seconded by Councilman Wells.

After discussion, the mayor called the vote on the motion:

Voting Aye: Strauss, Evans, Tandy, Bartos, Wells, Box	- 6
Voting Nay: Ragsdale, Palmer, Lipscomb, Miers, Buerger	- 5

The mayor declared the motion carried.

Councilman Bartos moved passage of an ordinance calling a special election for Saturday, August 12, 1989, for the purpose of submitting to the qualified voters of the city proposed amendments to the City Charter, including the recommendations of the Dallas Citizens Charter Review Committee previously approved by the council as Propositions 1 through 4, and additional propositions concerning technical amendments recommended by the city staff, and including the transitional provisions to the 1989 amendments as recommended by the Dallas Citizens Charter Review Committee and the city staff.

Motion seconded by Councilman Box.

After discussion, the mayor called the vote on the motion:

Voting Aye: Strauss, Evans, Tandy, Bartos, Wells, Box,
Miers, Buerger

- 8

Voting Nay: Ragsdale, Palmer, Lipscomb

- 3

The mayor declared the motion carried.

Assigned ORDINANCE NO. 20353.

06/28/89

ORDINANCE NO. 20353

An ordinance ordering a special election to be held in the city on the question of adoption of amendments to the Charter of the City of Dallas; providing for a 15-member city council, one member as mayor elected by all qualified voters of the city, 10 members elected from local districts, and four members elected from regional districts; providing for city council terms and limitations of terms; providing for local and regional city council districts; establishing a redistricting commission; providing for the filling of city council vacancies; establishing a quorum of the city council; assigning duties and responsibilities to the mayor and city council; providing for compensation and staffing for city council members; providing for the selection of the city auditor; authorizing the city controller to pay obligations of the city; providing compensation for assistant police chiefs performing duties of the police chief in the chief's absence; providing for employee appeals to an administrative law judge; allowing sworn fire and police department employees to engage in political activities allowed under state law; authorizing the park and recreation board to enter into certain leases and make emergency purchases; clarifying city council voting requirements; authorizing a city manager designee to approve certain change orders; excluding city employees' participation in

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federally-funded housing programs from financial interest prohibitions; making certain semantic, grammatical, and structural changes; designating August 12, 1989 as the date of the special election; prescribing the form of the ballot; designating polling places; providing for voting by an electronic voting system; providing for absentee voting; providing for a special canvassing board to canvass absentee voting; providing for notice of the election; and providing an effective date.

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

SECTION 1. That a special election is ordered to be held in the city on August 12, 1989, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to the qualified voters of the city, propositions on whether the Charter of the City of Dallas should be amended. The proposed amendments affect only the sections listed below and shall read as follows (the new portions being underlined and the repealed portions being crossed through) with the amendments to be effective on and as of the transition period set forth herein:

CHAPTER III. CITY COUNCIL

SEC. 1. COMPOSITION OF CITY COUNCIL.

Except as otherwise provided by the Charter of the city, all powers conferred on the city shall be exercised by a city council to be composed of 15~~11~~ members, nominated and elected in the manner hereinafter provided unless otherwise provided by law. One~~Three~~ member~~s~~ of the city council, Place 15, shall be elected by the qualified voters of the entire city, four members by the qualified voters residing in a particular regional district, Places 11 through 14, and 10 members~~eleven~~ by the qualified voters residing in a particular local district, Places 1 through 10, as provided in

Chapter IV of this Charter. Members of council, Places 1 through 14, [and they] shall each be elected for a term of two years and member of council, Place 15, shall be elected for a term of four years. The city council members so elected shall take office on the first Monday in the month next [May] succeeding the election and they shall serve until their respective successors shall have been elected and shall have qualified.

SEC. 2. MAYOR'S ELECTION AND DUTIES.

(a) The person elected as member of council, Place 15 [No/ 11], shall be the presiding officer of the city council and the mayor of the City of Dallas. The mayor [He] shall have a vote on all matters coming before the city council, other than confirmation of appointments by the mayor, unless otherwise disqualified, but no power to veto. The mayor [He] shall be the official head of the city government.

(b) In addition to the mayor's other duties, the mayor shall ensure that annual reports are made as to the state of the city, its financial condition, its accomplishments, and its plan and needs for the future.

SEC. 3A. LIMITATION OF TERMS.

(a) A person who has served as a member of the city council other than Place 15 [11] for four [years] consecutive [two-year] terms shall not again be eligible to become a candidate for, or to serve in, any p[er] place on the city council except Place 15 [11] until at least one [complete] term has elapsed.

(b) A person who has served two [years] consecutive [two-year] terms as a member of the city council, Place 15 [11], shall not again be eligible to become a candidate for, or to serve in, [any] Place 15 on the city council until at least one [complete] term for Place 15 has elapsed.

(c) For the purpose of limiting terms under Subsection (a), a term includes a period of time less than two years when the period of service by a city council member during a term is in excess of 366 days. [A term as used in subsections (a) and (b) shall include any period of service during a city council term when that period is in excess of one year, including a term from which the member resigned.]

(d) For the purpose of limiting terms under Subsection (b), a term includes a period of time less than four years when

the period of service by a mayor during a term is in excess of 731 days. [No person shall be eligible for election to this section if a person is not eligible to become a candidate for or to serve on the city council for more than six consecutive two-year terms.]

(e) This section takes effect upon the issuance of a letter by the Voting Rights Section of the Civil Rights Division of the United States Justice Department in the event of objection to its implementation.

SEC. 4. COMPENSATION OF THE MEMBERS OF THE CITY COUNCIL.

(a) Each [effective May 1, 1969, each] member of the city council other than the mayor shall receive as compensation for [his] services the sum of \$1650 for each month (prorated for partial months) that the member serves or such other amount as may be established in accordance with Subsection (c) [\$50 per diem for each regular or called meeting approved by him].

(b) The mayor shall receive as compensation for services the sum of \$2500 for each month (prorated for partial months) that the mayor serves or such other amount as may be established in accordance with Subsection (c).

(c) In each fourth year commencing in the year 1994, the mayor shall appoint a compensation commission of 15 members who shall be qualified voters of the city and who shall be representative of the geographic areas of the city and reflective of the racial and ethnic makeup of the population of the city. The disqualifications applicable to the redistricting commission described in Chapter IV of this Charter are applicable to the compensation commission. The compensation commission shall prepare a recommendation to the citizens of the city as to whether the then current levels of compensation paid to the mayor and members of the city council should be changed and, if so, by what amount. The compensation commission shall file its report with the city secretary at least 120 days prior to the next succeeding general election of the city. If any change in the amount of compensation is recommended, the city secretary, with the assistance of the city attorney, shall, without further official action required, place an appropriate proposition on the ballot at the next general election permitting the qualified voters of the city to vote "for" or "against" the recommendations of the compensation commission. If a majority of the voters voting at the election favor the recommendation, the change in compensation shall be effective on the date the newly elected city council takes office.

(d) In addition to receiving compensation as provided in Subsections (a) through (c) [the above], all necessary expenses incurred by members of the city council in the performance of their duties shall be paid by the city, when authorized by the city council. [When a city councilman is out of the city on the official business of the council and at the direction of the council, he shall be paid the same as though he had attended the meetings that are missed by him while so engaged in city business.]

SEC. 5. VACANCIES IN THE CITY COUNCIL; HOW FILLED.

(a) IF [more than four vacancies occur on the city council at any one time or if] a vacancy occurs on the city council [on or before the seventh day of February of an even-numbered year], the vacancy [or vacancies] shall be filled at a special election for that purpose unless a general election that would fill the vacant place is scheduled to occur within 120 days after the vacancy occurred. At its next regular meeting after the occurrence of the vacancy [or vacancies], the city council shall call a special election to be held at the next authorized election date that is at least 60 [not less than 40] days after the date of the call.

(b) [If vacancies on the city council do not exceed four and a vacancy occurs subsequent to the seventh day of February of an even-numbered year the vacancy shall be filled by a majority vote of the remaining members of the council]

(c) A person selected to fill a vacancy on the city council shall serve only until the next general city election for that place.

(d) If a candidate duly elected to the city council at the general election fails to take the oath of office on or before 10 days after the beginning of the [his] term, then that [his] place shall be considered a vacancy and filled as herein provided for other vacancies. In the event such a candidate, elected to the city council at a special election, fails to take the oath of office on or before 10 days after the official canvass of the election, then that [his] place shall be considered a vacancy and filled as herein provided for other vacancies.

SEC. 6. REGULAR MEETINGS.

On [the eleventh day of October at 10 o'clock] the day the members of the city council take office, they shall meet at the building

designated as the official city hall and thereafter all regular meetings of the city council shall be held in the city council chamber in such building at such times as may be prescribed by ordinance or resolution; but not less than one regular meeting shall be held each week unless postponed or cancelled for valid reasons, to be recorded in the minutes.

SEC. 9. CITY COUNCIL QUORUM.

A quorum shall consist of nine~~seven~~ members, except when~~when~~ the number of city council members~~members~~, due to vacancies, is reduced to less than nine~~seven~~, in which event a quorum shall consist of all of the remaining city council members~~members~~; but a less number than a quorum may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

SEC. 13. POLICY-MAKING PROCEDURES AND OVERSIGHT RESPONSIBILITIES.

(a) In the performance of the powers of government, it is the duty of the mayor and the city council to make suitable provision for the assurance of adequate and appropriate prior review and consideration of official actions to be taken by the city council, and to assure that a high performance level of services to the citizens is maintained, responsiveness to the people is provided, and accountability in municipal government is assured. To this end, the city council shall:

(1) adopt rules of procedure governing the conduct of city council meetings and the introduction, consideration, and method of review of actions to be considered by the city council, consistent with the city manager's authority to present directly to the entire city council the city manager's operational agenda;

(2) create a standing finance committee of the city council charged with the responsibility for financial and audit oversight of the operations of city government;

(3) establish such additional standing committees and their duties as the city council determines is appropriate; and

(4) establish the process by which the committees shall conduct their business and review matters for city council consideration, consistent with the city manager's authority to present directly to the entire city council the city manager's operational agenda.

(b) The mayor shall appoint the members and chairs of all city council committees, and it shall be the duty of each member of the city council to serve and to participate on each committee to which the member is appointed. The mayor shall have the power to remove and reassign members to and from the various city council committees.

SEC. 14. PROFESSIONAL AND SECRETARIAL ASSISTANCE TO MAYOR AND CITY COUNCIL.

(a) The city manager shall provide professional and secretarial assistance to the city council as may be needed for the performance of their official duties. In addition, the city council may provide for an assistant to the city council to represent the mayor and the city council at ceremonial occasions. Personnel filling these positions shall not be subject to civil service.

(b) The city council may by ordinance provide for the hiring of an assistant for each member of the city council and the number of assistants as provided in the ordinance for the mayor. These assistants shall not be subject to civil service but shall be subject to the same restrictions and consequences for violations as city council members under Sections 15 and 16, Chapter III of this Charter.

CHAPTER IV. ELECTIONS AND REFERENDUMS

SEC. 3. GENERAL ELECTION.

No primary election shall be held ~~for~~ the selection of nominees to the city council unless specifically required by state law. General elections for the purpose of electing members of the city council shall be held on the first authorized election date after March 31 of each odd-numbered year. If state law does not restrict election dates, the city council shall by ordinance establish an election date in April of odd-numbered years. The ~~[[~~ members elected shall compose the city council of the City of Dallas~~]]~~ and shall serve for ~~the~~ terms provided in Chapter III of this Charter~~[of two years], or until their respective successors shall have been elected, qualified and taken office[/ as of the first Monday in May / as herein provided].~~

SEC. 4. ELECTION OF CITY COUNCIL MEMBERS.

All qualified voters of the city shall be entitled to vote for a[the] candidate[s] in Place 15. The qualified voters of the respective districts shall be entitled to vote [districts 9/ 10/ and 11 and] for one candidate from Place 11, 12, 13, or 14, corresponding to the regional district of which the voter is a resident, and for one candidate from Place[district] 1, 2, 3, 4, 5, 6, 7, [the] 8, 9, or 10, corresponding to the local district of which the voter is a resident.

SEC. 5. LOCAL AND REGIONAL DISTRICT LIMITS.

(a) The city shall be divided into 10 local [city] districts, known as Local Districts 1, 2, 3, 4, 5, 6, 7, [and] 8, 9, and 10, and the city [council] shall be divided into four regional districts, known as Regional Districts 11, 12, 13, and 14 [to not less often than every two years] determine as nearly as practicable the population of the respective districts and shall, by ordinance, revise the boundaries of any of all of said districts to maintain a substantial equality of population in each. Within 60 days after the passage of this amendment, the city council shall by ordinance designate the original district limits].

(b) Redistricting commission.

(1) By not later than January 1, 1991, and not later than the date of receipt of any federal census, each member of the city council shall appoint one member, and for the year 1991 the mayor shall appoint four additional members, of a redistricting commission. The mayor shall designate the chair of the redistricting commission, subject to confirmation by a majority of the city council. In making such appointments, the city council and the mayor shall, as nearly as may be practicable, provide fair and balanced representation of all geographical areas of the city in the redistricting process and provide a total membership that reflects the racial and ethnic makeup of the city's population.

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

(3) The redistricting commission shall promptly convene in such sessions as are necessary, including public hearings, to develop, prepare, and recommend a districting plan that proposes the respective boundaries of the various districts comprising the city council under this Charter. Upon completion of its work, the redistricting commission shall file its recommended districting plan with the mayor. The mayor shall present the recommended plan to the city council at its next meeting. The city council shall adopt the plan as submitted or shall modify and adopt the plan, in either case within 45 days of receipt by the mayor. If neither of such actions is taken within 45 days, then the recommended plan of the redistricting commission shall become the final districting plan for the city.

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

SEC. 6. CANDIDATE'S RESIDENCE.

(a) No person shall be eligible as a candidate for member of council, Place [~~Numbers~~] 1, 2, 3, 4, 5, 6, 7, [~~0~~] 8, 9, or 10, unless the person [~~is~~] is at the time a bona fide resident of Local District 1, 2, 3, 4, 5, 6, 7, [~~0~~] 8, 9, or 10 and has resided therein for a period of at least six months prior to the date of the election. Any person elected to a place representing a local district [~~is~~] must continuously reside in the local [~~is~~] district during that person's [~~is~~] term of office. No person shall be eligible as a candidate for member of council, Place 11, 12, 13, or 14, unless that person is at the time a bona fide resident of Regional District 11, 12, 13, or 14 and has resided therein for a period of at least six months prior to the date of the election. Any person elected to a place representing a regional district must continuously reside in the regional district during that person's term of office. A candidate for member of council, Place 15 [~~Number 9~~], [~~10~~] [~~0~~] 11 may be a resident of any portion of the city, must have resided in the city for a period of six months prior to the date of the election, and must continuously reside within the city during the person's [~~is~~] term of office.

(b) If the local or regional district in which a person will have resided for at least six months prior to the date of an election will change because of the relocation of a local or regional district boundary, the person is eligible to become a candidate:

(1) for the new local or regional district assigned to the person's ~~his~~ residence; or

(2) for the previous local or regional district of the person's ~~his~~ residence if the person ~~he~~ moves to a ~~his~~ residence within the revised boundaries of that local or regional district prior to becoming a candidate for election.

SEC. 7. NOMINATION BY PETITION.

The name of a ~~the~~ person desiring to become a candidate for a place on the city council ~~shall~~ be ~~inserted to~~ ~~have his name~~ placed on the official ballot, if the person ~~he~~ files with the city secretary, not less than 45~~40~~ days nor more than 75~~90~~ days prior to the election, a petition or petitions properly signed by not less than 300 qualified voters of the city eligible to vote for the candidate, ~~accompanied by cash/ a cashiers check of certified check in the amount of \$50 payable to the city of Dallas/~~ designating the place sought by such candidate. Each petition must comply in form, content, and procedure with the provisions of Section 12, Chapter IV of this Charter. Each petition shall contain an acceptance clause which shall serve as acceptance of the nomination when one such acceptance clause is signed by the candidate upon the filing of the petition with the city secretary.

SEC. 8. DESIGNATION ON OFFICIAL BALLOT.

The places on the official ballot shall be designated as "Member of Council, Place No. _____," designating the place numbers~~place numbers~~ for which the voters in each local or regional district are eligible to vote, with Place 15 designated as mayor and ~~1~~ being the first in order and the others being in numerical order, and the candidate's name shall appear in the place for which the candidate's~~the~~ ~~filed his~~ petition and acceptance were filed. The city secretary shall make up the official ballot from the names presented to the city secretary~~him~~ in the manner hereinabove set out. The order in which the names of the candidates for each place shall appear on the ballot shall be determined by lot, in a drawing held under the supervision of the city secretary.

SEC. 9. CANVASS OF ELECTION.

On the next regular business day that is at least two days following either a general or special election, [exclusive of Sundays and holidays] the city council shall convene in a special meeting in the council chambers and canvass and certify the results of such election.

SEC. 10. CANDIDATES ELECTED.

The candidate in the[said] election receiving a majority of all of the votes cast for the position of city council member[man] for the place for which the[he is a] candidate ran, shall be declared elected.

SEC. 11. RUNOFF ELECTIONS.

If no candidate for a particular office receives a majority of the votes cast for all candidates for that office in the first election, a runoff election for that office is required. Candidates in the runoff election will be listed on the ballot in the order of their standing in the first election. If two candidates tie in the number of votes received in the first election, they shall cast lots to determine the order in which their names will be listed on the runoff ballot. The runoff election will be conducted in accordance with the Texas Election Code; except, that if the main election is a special election, the runoff will be held two weeks from the date of the first election.

[In the event any candidate for any of said offices fails to receive a majority of all votes cast for all the candidates for such office at such election, the mayor shall on the first day following the completion of the official counting of the ballots cast at said first election, issue a call for a second election to be held in the city two weeks from the date of the first election, at which said second election the two candidates receiving the highest number of votes for any such office in the first election at which no one was elected at said first election by receiving a majority of all votes cast for all candidates for such office, shall again be voted for. The official ballot to be used at said second election shall be prepared by the city secretary and the name of no person shall appear thereon unless he was a candidate for the office designated at said first election, and the two persons receiving at said first election the first and second highest number of votes cast

for candidates for such office at such first election shall be entitled to have their names printed on said official ballot in the order of their standing in the computation of the votes cast for such candidates at said first election as candidates at said second election for such office, provided, however, that in the event any person who was a candidate at said first election and who shall be entitled to become a candidate at such second election shall fail to request that his name shall appear on the official ballot therefor at such second election as herein provided, the candidate for such office standing next highest in the computation of votes shall succeed to the rights of such candidate who failed to request that his name appear upon the ballot at said second election, provided further, that two candidates for such office at said first election shall be entitled to become candidates therefor at said second election, which two candidates shall be those two among such candidates as shall stand highest respectively in the computation of all votes cast for all the candidates for such office at said first election as shall file written request to be placed on the official ballot as candidates for such office at said second election. In the event of a tie in the vote for the two leading candidates for any office at said first election, said office shall be filled at a second election as herein provided for, at which such candidates so tied in said first election may again become candidates. In the event such candidates who tie in said first election, or either of them, shall fail so to do, the two candidates for such office who are next highest in the computation of votes therefor and who desire to become candidates therefor at said second election shall be entitled so to do in order of the number of votes they respectively received at said first election. In the event of a tie between the two candidates for any office at said second election, they shall cast lots to determine who shall be elected to such office.

CHAPTER IX. CITY AUDITOR

SEC. 1. SELECTION OF CITY AUDITOR.

There is hereby created the office of city auditor, which official shall hold office for a period of two years and until a [his] successor shall be chosen and shall qualify. The city auditor must be a person knowledgeable in public administration, public financial and fiscal theory, municipal accounting, and auditing, and must be licensed as a Certified Public Accountant. The city auditor shall be appointed by the city council after being nominated in accordance with a nomination procedure established by ordinance. [The president's

of the several banks in the City of Dallas which are members of the Clearing House Association, now in existence, or that hereafter may be incorporated, and their successors in said offices who shall qualify by taking oath of office prescribed by the Constitution of the State of Texas, shall be and are hereby constituted a nominating board, which, by a majority vote of its active members, shall nominate an auditor to fill the office herein created. Said board shall meet biennially within 15 days after each general city election or when a vacancy occurs in the office of city auditor, and shall organize by electing a president and secretary from its own membership. A majority of the Dallas members of the Clearing House Association shall constitute a quorum. The board shall proceed to select by ballot a nominee for auditor and shall certify such nomination to the city council at the first council meeting after May 1 next following said board meeting, and biennially thereafter or when a vacancy occurs in the office of city auditor. It shall be the duty of the city council, on receipt of such certification, to confirm or reject such nomination. A majority of the council shall be sufficient for confirmation or rejection. In the event the nomination is rejected the council shall immediately notify the nominating board of such rejection and request the nomination of a different person for said office, and the nominating board shall continue to make such nominations until confirmation has been made by the council.

SEC. 2. DUTIES OF THE CITY AUDITOR.

The city auditor shall have the following duties and responsibilities:

(1) monitoring and surveillance of the city's accounting and property records, funds, general accounting system, and records of city officers authorized to receive money or other property belonging to the city;

(2) examination of the books, accounts, reports, vouchers, and records of city officers, of funds of the city, and of funds for which the city is responsible as trustee;

(3) appraisal and verification of the accounting accuracy of financial records, statements, and reports, and determination that generally accepted accounting procedures and principles are followed;

(4) evaluation of the adequacy of the city's accounting system and controls;

(5) reporting to the city council, the city council finance committee, and the city manager any irregularities or failures to maintain adequate and accurate records;

(6) making~~ing~~ ~~make~~ such studies and reports as the city council shall request or approve as to the efficiency, economy and effectiveness of the programs, projects or departments, reporting such data to the city council, the city council finance committee, and the city manager.

CHAPTER XI. THE BUDGET AND FINANCIAL PROCEDURE RELATING THERETO

SEC. 8. PAYMENT OF OBLIGATIONS.

The city controller~~director of finance~~ shall examine payrolls, bills, and other claims and demands against the city and shall issue no warrant for payment unless the city controller~~he~~ finds that the claim is in proper form, and duly approved; that it is justly and legally due and payable; that an appropriation has been made therefor which has not been exhausted or that the payment has been otherwise legally authorized; and that there is money in the city treasury to make payment. The city controller~~he~~ may investigate any claim and for that purpose may summon ~~before him~~ any officer, agent or person to be~~and~~ examined by the city controller~~him~~ upon oath or affirmation relative thereto, which oath or affirmation the city controller~~he~~ may administer. If the city controller~~director of finance~~ knowingly or negligently issues a warrant on the treasury authorizing payment of any item for which no appropriation has been made, or for the payment of which there is not a sufficient balance in the proper appropriation, or which is otherwise contrary to law or ordinance, the city controller~~he~~ and the city controller's~~his~~ sureties shall be individually liable to the city for the amount thereof.

CHAPTER XII. POLICE DEPARTMENT

SEC. 1. CREATION OF POLICE DEPARTMENT; PERSONNEL.

There is hereby created a police department of the City of Dallas at the head of which shall be the chief of police. The police department shall be composed of the chief, whose office is hereby created and established, and other unclassified positions of assistants, limited to the three~~two~~ grades or

ranks immediately below the grade or rank of chief, and classified employees as the council may provide by ordinance upon recommendation of the city manager. The chief of police shall designate the order of succession of the assistant chiefs, who shall perform the duties of the chief in the event of the chief's [N/S] disability, absence from the city or inability to perform [N/S] duties from any other cause. [The designated person shall receive no additional compensation for performing the duties of chief of police.]

CHAPTER XV. PLANNING AND ZONING

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 [Article 974a of the Revised Civil Statutes of the State of Texas, as it now exists or as it may hereafter be amended] 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~~May make~~ recommendations to the city manager and the city council on matters affecting the physical development of the city.

(6) Advise~~shall 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~~shall exercise~~ all other responsibilities as may be provided by law.

CHAPTER XVI. CIVIL SERVICE AND PERSONNEL

SEC. 1. ORGANIZATION OF CIVIL SERVICE.

There is hereby created and established a civil service board to be composed of five members who shall be qualified taxpaying citizens of the City of Dallas and a number of~~11~~ adjunct members equal to twice the number of members on the city council who shall have qualifications established by the city council. Biennially in August of each odd-numbered year, the city council shall appoint the members and adjunct members to serve for two years and until their successors have been appointed and qualified, and the mayor shall designate one member as chair~~man~~ subject to confirmation by a majority of the city council. The adjunct members shall not have voting privileges on matters to be determined by the civil service board but shall perform such duties as prescribed for them by this Charter. The members and adjunct members of the civil service board shall not hold any other position under the city, county, or state government. The city council may remove any member or adjunct member of the board upon stating in writing the reasons for removal and allowing the member or adjunct member~~him~~ an opportunity to present a~~he heard in his own~~ defense. Any vacancies on the board shall be filled by the city council for the unexpired term.

SEC. 12.1. ADMINISTRATIVE LAW JUDGE.

(a) Instead of appealing to a trial board as provided in Section 12 of this chapter, an officer or employee of the city, classified or unclassified, who has been discharged or reduced in grade may appeal to an administrative law judge in accordance with procedures established by ordinance.

(b) A person who appeals to an administrative law judge shall pay one-half of the costs attributed to having the administrative law judge conduct the appeal hearing.

SEC. 16. NO DISCRIMINATION BASED ON RACE, SEX, RELIGIOUS OR POLITICAL OPINIONS; PROHIBITING CERTAIN POLITICAL ACTIVITY ON THE PART OF EMPLOYEES.*

(a) No person shall be appointed, reduced, removed, or in any way favored or discriminated against because of race, sex, political or religious opinions or affiliations. No officer or employee of the city shall directly or indirectly, in any way be required to contribute to any political campaign, political party, organization which supports candidates for public office, or for any partisan political purpose whatsoever.

(b) To avoid undue influence of city employees on the outcome of city council elections and to avoid undue influence of city council members~~[the]~~ or candidates for city council on city employees, the following restrictions are imposed:

(1) No employee of the city or association of such employees may publicly endorse or actively support candidates for the city council or any political organization or association organized to support candidates for the city council.

(2) No employee of the city may circulate petitions for city council candidates, although an employee~~[he]~~ may sign such a petition.

(3) No employee of the city may contribute, directly or indirectly or through an organization or association to such a campaign nor solicit or receive contributions for a city council candidate.

(4) No employee of the city may wear city council campaign buttons nor distribute campaign literature at work or in a city uniform or in the offices or buildings of the City of Dallas.

(c) In elections other than for city council of the City of Dallas, an employee of the city may not:

* See Wachsman v. City of Dallas, 704 F.2d 160 (5th Cir. 1983) for judicial interpretation of this section.

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(1) use the prestige of the employee's position with the city for any partisan candidate;

(2) manage a partisan political campaign;

(3) solicit or receive contributions for such a campaign;

(4) actively support a candidate except on the employee's own time while not in a city uniform nor in an office or building of the City of Dallas.

(d) Notwithstanding any conflict with Subsections (b) and (c) of this section, a sworn employee of the fire department or the police department may engage in political activities to the extent permitted by state law.

CHAPTER XVII. PARK AND RECREATION DEPARTMENT

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

(a) The city council shall appoint a number of qualified voters of the city equal to the number of members on the city council who shall constitute the park and recreation board of the city. The members shall possess the same qualifications and be subject to the same disqualifications as provided by the Charter for members of the city council, or by general laws of the State of Texas, and shall serve without compensation.

(b) All members of the board shall be appointed by the city council, in accordance with Chapter XXIV, Section 13 of this Charter, as are other boards and shall serve for like terms, as provided by this Charter. The mayor shall appoint the president of the board from among the members appointed by the city council, subject to confirmation by a majority of the city council. ~~[At its first meeting after officially taking office, the board shall elect one of its members as president of the park and recreation board.]~~

SEC. 4. JURISDICTION OF THE PARK AND RECREATION BOARD; SCOPE OF ACTIVITY.

(a) The park and recreation board shall have jurisdiction over the control, management and maintenance of the public parks of the city, with power to acquire, in the name of the city, land for park purposes, except as herein otherwise provided. The city council must approve:

(1) any purchase of land;

(2) any contract requiring council approval under rules established by ordinance; and

(3) any lease or agreement with a term exceeding one year [of that nature involves a fee in excess of \$21000 to be received in any one year].

(b) Any purchase of supplies or contracts, including emergency purchases, shall be made in accordance with the rules and regulations adopted by the city council[which shall at all times reserve unto the park and recreation board the right to make emergency purchases not in excess of \$150].

(c) The park and recreation board shall have the following general powers, duties and authority which shall be exercised and performed as herein provided and in accordance with the Charter and general ordinances of the city, as follows:

(1) to the extent required by rules and regulations adopted by the city council, to control and manage all property owned, or that may hereafter be acquired by the city for park purposes; all public properties, on which there is a joint use agreement with other public or private entities for recreational purposes; all public properties used jointly with other departments of the city for recreational purposes; and all other grounds and properties that may be assigned to them by the city council for control, maintenance or management;

(2) to manage, maintain and repair all buildings and equipment in the park system;

(3) to establish all rules and regulations for the protection of rights and property under the control of the said board for use, care, maintenance and management of all parks and the activities conducted therein;

(4) to conduct playgrounds and recreational facilities on the grounds and in the buildings in charge of the board; to supervise and equip playgrounds and play fields and manage and direct the same; and provide such other means and methods of recreation as it may deem advisable;

(5) to have authority to make such charges for such facilities of amusement, entertainment, refreshment or transportation of the public upon the park properties, and to grant or lease concession rights within the parks on such terms and conditions as it shall deem proper;

(6) to plant, set out, place, protect and care for flowers, vines, shrubs and trees to adorn and improve the

public squares, grounds, boulevards, streets, avenues, parkways or other spaces within the city;

(7) to provide for an animal zoo and to exercise supervision and control thereof;

(8) to enforce all ordinances, rules and regulations governing parks and boulevards and such recreation centers, grounds and areas as have been or may hereafter be established, and to provide for the policing of same;

(9) to take and hold by purchase, gift, devise, bequest or otherwise, such real and personal property as may be useful or needful in connection with park purposes and to administer the same according to the provisions of the instrument of conveyance;

(10) in acquiring lands for the use of the park system, to exercise the rights of condemnation available to the city and in the name of the city;

(11) with the approval of the city council, when required by law, to sell and convey or lease lands whenever required in the interest of the city;

(12) to make all contracts necessary to carry out the objects and purposes of the park system as herein provided, the same to be approved by the city council as herein set out;

(13) when deemed advisable, to provide for park and recreation facilities on all public lands adjacent and recreational activities conducted on, the municipal water reservoirs of the city, and to provide for the maintenance, control and policing of same where not otherwise provided for, whether located within or without the city limits of the city;

(14) to enter into agreements with other park and recreation departments of other municipalities, school districts, the county or other governmental bodies, for joint administration and control and supervision of facilities jointly administered;

(15) to the extent required by rules and regulations adopted by the city council, to contract for the use of Fair Park, acquired and now owned by the city, heretofore known as State Fair Grounds, or any portion of or addition thereto, for public affairs, public recreation, sports events, or other public events when conducted thereon [~~under the supervision of a regularly chartered Fair Association or its successors or other approved public/ nonprofit organization~~], and also to provide for public entertainments of all kinds that may be

lawfully conducted upon the premises, and to charge admission fees therefor. All contracts and agreements heretofore made with the city in relation to said grounds shall be binding upon and shall be observed by, said park and recreation board to provide for the direction and control by the board of the improvement and maintenance of said grounds and appurtenances subject to existing and future contract rights;

(16) to provide for, or to conduct public affairs, public recreation, sports events or other public events on any of the lands under the control and management of the park and recreation board;

(17) to maintain and manage any and all abandoned cemeteries as park properties when requested to do so by resolution of the city council, and after funds are appropriated by the council; and

(18) to contract with civic, historical, educational, improvement or other nonprofit organizations whose main objective is the aesthetic, cultural, educational or scenic improvement of the community.

CHAPTER XVIII. ORDINANCES AND RESOLUTIONS

SEC. 4. VOTING.

The vote upon the passage of any ordinance, resolution or motion shall be taken by voice vote unless otherwise requested by a member of the city council, in which case a roll call vote shall be taken. The results of all voting shall be entered upon the minutes of the proceedings of the council. Every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of the members present unless more is required by state law, [Ø] this Charter, or ordinance.

CHAPTER XXII. PUBLIC CONTRACTS

SEC. 1. SIGNATURES AND APPROPRIATIONS.

No contract, other than purchase orders for supplies and equipment and change orders authorized in accordance with Section 6, Chapter XXII of this Charter, shall be binding upon the city unless it has first been signed by the city manager and approved by the city attorney. The expense thereof shall

be charged to the proper appropriation. Whenever the contract charged to any appropriation equals the amount of said appropriation, no further contracts shall be signed.

SEC. 6. CHANGE ORDERS.

In the event that it becomes necessary to make changes in the plans or specifications after performance of the contract has been commenced, or it becomes necessary to decrease or increase the quantity of work to be performed, or materials, equipment or supplies to be furnished, the city council is authorized to approve change orders effecting such changes, but the total contract price shall not be increased thereby unless due provision has been made to provide for the payment of such added cost by appropriating available funds for that purpose. This authority may be delegated to the city manager or the city manager's designee when authorized by state law.

SEC. 11. FINANCIAL INTEREST OF EMPLOYEE OR OFFICER PROHIBITED.

(a) No officer or employee shall have any financial interest, direct or indirect, in any contract with the city, or be financially interested, directly or indirectly, in the sale to the city of any land, materials, supplies or services, except on behalf of the city as an officer or employee. Any violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit the officer's or employee's office or position with the city. Any violation of this section, with knowledge, express or implied, of the person or corporation contracting with the city shall render the contract involved voidable by the city manager or the city council.

(b) The alleged violations of this section shall be matters to be determined either by the trial board in the case of employees who have the right to appeal to the trial board, and by the city council in the case of other employees.

(c) The prohibitions of this section shall not apply to the participation by city employees in federally-funded housing programs, to the extent permitted by applicable federal or state law.

CHAPTER XXIV. MISCELLANEOUS PROVISIONS

SEC. 13. APPOINTMENT AND TENURE OF COMMISSIONS AND BOARDS.

(a) During August of each odd-numbered year, the city council shall appoint all members of the commissions and boards provided for in this Charter or which the city council may provide for by ordinance. Such members shall serve for a term as provided by ordinance by the city council not to exceed two years from September 1 or until their successors are appointed and qualified.

(b) The city council shall provide by ordinance for each commission and board to have a number of members equalling or exceeding the number of members of the city council, unless otherwise required by law. The appointments to commissions and boards having a number of members equalling or exceeding the number of members of the city council shall be made with each member of the city council having at least one appointment. This subsection does not apply to boards of employee retirement funds or boards to which the city manager is required by ordinance to make nominations. The city council may waive the application of this subsection to a particular board by a vote of three-fourths of the members of the city council.

(c) The mayor shall appoint the chair of each commission and board from among the members appointed in accordance with Subsection (b), subject to confirmation by a majority of the city council.

(d) It is the policy of the city to include persons of all races and ethnicity in the affairs of city government. Accordingly, the city council shall, as nearly as may be practicable, cause the membership of commissions and boards to reflect the racial and ethnic makeup of the city's population.

SEC. 21. TRANSITIONAL PROVISIONS TO THE 1989 AMENDMENTS.

Amendments to this Charter that are approved at an election on August 12, 1989 create a new system of government that requires an orderly transition. Accordingly, the following transitional provisions shall apply:

(1) The next regular general election for members of the city council scheduled under the present Charter for May, 1991 is deferred to and shall be held on the official election date in November, 1991. If, however, the Voting Rights Section of the Civil Rights Division of the United States Department of Justice has not issued a letter interposing no objection to a

redistricting plan by August 1, 1991, the general election shall be held on the official election date in January, 1992. Any runoff elections shall be held two weeks after the general election. All general elections thereafter shall be held on the first Saturday in May of odd-numbered years or on such other date as shall be fixed by law.

(2) The candidate filing dates that are prescribed in the present Charter are, for the year 1991 only, reestablished at later dates in 1991 that contain the same number of elapsed days prior to the general election date as are provided in the Charter for the May, 1991 election.

(3) The terms of office of the persons holding office as members of the city council on the first Saturday in May, 1991 are extended to the date that their successors are elected and qualified after the general election in either November, 1991 or January, 1992. Persons elected to the city council at the November, 1991 or January, 1992 general election shall serve until their successors take office after the May, 1993 general election (except for the holder of the office of mayor who shall serve until the May, 1995 general election). Thereafter, the terms of office shall be as prescribed in this Charter, as amended.

(4) In applying the limitations on the terms of office of members of the city council who first took office prior to November, 1991 or January, 1992, the limitations shall be measured from the date the member first took office on the city council, and the period from November, 1991, or January, 1992, to May, 1993 shall be counted as one term. If, upon adoption and implementation of these amendments, a person will have served as mayor for two consecutive terms, those two terms shall be considered as equivalent to one four-year term in calculating eligibility for an additional term in the general election held in November, 1991 or January, 1992.

(5) Sections 1, 2, 3A, 4, 5, 9, and 14 of Chapter III; Sections 3, 4, 5(a), 6, 7, and 8 of Chapter IV; Section 1 of Chapter XVI; Section 2 of Chapter XVII; and Section 13 of Chapter XXIV shall take effect on the date council members take office after the general election in November, 1991 or January, 1992, as the case may be, except that for the purposes of preparing city council district lines and for filing for candidacy in that election, they shall take effect immediately.

(6) Section 13 of Chapter III, Policy-making Procedures and Oversight Responsibilities, shall take effect January 1, 1990.

(7) Section 5(b) of Chapter IV, Redistricting Commission, shall take effect January 1, 1991.

(8) All city charter amendments not referred to in Subsections (5), (6), and (7), adopted at the August 12, 1989 election, shall take effect immediately.

(9) Notwithstanding any other provision of this section, no amendment that is approved at the election on August 12, 1989 shall be effective unless and until the Voting Rights Section of the Civil Rights Division of the United States Department of Justice issues a letter interposing no objection to the implementation of the amendment, if voting rights review is required for the amendment.

SECTION 2. That an electronic voting system shall be used for the special election in compliance with the provisions of the Texas Election Code, and the vote shall be upon an official ballot prepared in such a manner as will permit the voters to vote "Yes" or "No" upon the propositions submitted, with the propositions to be expressed on the official ballot in a form substantially as follows:

PROPOSITION NO. 1.

City Council Structure and Role of Mayor

Shall Chapter III, Sections 1, 2, 3A, 5, and 9; Chapter IV, Sections 3, 4, 5(a), 6, 7, and 8; Chapter XVI, Section 1; Chapter XVII, Section 2; and Chapter XXIV, Section 13 and 21 of the Charter of the City of Dallas be amended to provide for: increasing the city council composition to 15 members, 10 members elected by qualified voters of local districts, four members elected by qualified voters of regional districts, and one member elected as mayor by all qualified voters of the city; city council members from local districts and regional districts to be elected to a term of two years; the mayor to be elected for a term of four years; the date city council members take office to conform with state law; the city council members elected from local and regional districts to serve no more than four consecutive two-year terms; the mayor to serve no more than two consecutive four-year terms; redefining "term" as any period in excess of 366 days; duties and responsibilities of the mayor; the filling of city council vacancies; a quorum of the city council; local and regional city council districts;

residency requirements for city council candidates; deleting requirement for \$50 city council candidate filing fee; appointment of city board chairs by the mayor; the number of members on city boards; and transitional provisions for the 1989 charter amendments?

PROPOSICION NUM. 1 .

Estructura del Concilio de la Ciudad y Rol del Alcalde(sa)

¿Deberá enmendarse el Capítulo III, Secciones 1, 2, 3A, 5 y 9; Capítulo IV, Secciones 3, 4, 5(a), 6, 7, y 8; Capítulo XVI, Sección 1; Capítulo XVII, Sección 2; y Capítulo XXIV, Sección 13 y 21 de la Carta Constitucional de la Ciudad de Dallas para permitir: el aumento de la composición del concilio de la ciudad a 15 miembros, 10 miembros elegidos por los votantes calificados de los distritos locales, cuatro miembros elegidos por los votantes calificados de los distritos regionales, y un miembro elegido como alcalde(sa) por todos los votantes calificados de la ciudad; a los miembros del concilio de la ciudad de los distritos locales y los distritos regionales para ser elegidos por un término de dos años; al alcalde(sa) para ser elegido(a) por un término de cuatro años; fijar la fecha en que los miembros del concilio de la ciudad asuman sus cargos para concordar con las leyes estatales; a los miembros del concilio de la ciudad elegidos por los distritos locales y regionales para servir por no más de cuatro términos consecutivos de dos años cada uno; al alcalde(sa) para servir por no más de dos términos consecutivos de cuatro años cada uno; redefiniendo la palabra "término" como cualquier período que exceda de 366 días; fijar los deberes y responsabilidades del alcalde(sa); llenar las vacantes del concilio de la ciudad; fijar un quorum del concilio de la ciudad; establecer los distritos locales y regionales del concilio de la ciudad; fijar los requisitos de residencia para los candidatos al concilio de la ciudad; la eliminación del requisito de pago de \$50 de los candidatos al concilio de la ciudad; la designación de presidentes de la junta de la ciudad hecha por el(la) alcalde(sa); fijar el número de miembros de las juntas de la ciudad; y establecer las disposiciones transitorias para las enmiendas de la carta constitucional de 1989?

PROPOSITION NO. 2 .City Council Procedures

Shall Chapter III, Section 13; Chapter IX, Section 2; and Chapter XXIV, Section 21 of the Charter of the City of Dallas be amended to require procedures for the conduct of city council meetings; to create city council standing committees; and to establish a city council finance committee; and to provide transitional provisions for the 1989 charter amendments?

PROPOSICION NUM. 2 .Procedimientos del Concilio de la Ciudad

¿Deberá enmendarse el Capítulo III, Sección 13; Capítulo IX, Sección 2; y Capítulo XXIV, Sección 21 de la Carta Constitucional de la Ciudad de Dallas para requerir procedimientos para la conducción de las reuniones del concilio de la ciudad; para crear comités permanentes de la ciudad; y para establecer un comité de finanzas del concilio de la ciudad; y para establecer disposiciones transitorias para las enmiendas de la Carta Constitucional de 1989?

PROPOSITION NO. 3 .City Council Compensation and Staffing

Shall Chapter III, Sections 4 and 14 and Chapter XXIV, Section 21 of the Charter of the City of Dallas be amended to provide for: city council members to receive a monthly fee of \$1,650 plus expenses of office; the mayor to receive a monthly fee of \$2,500 plus expenses of office; a compensation commission, composed of qualified voters of the city, to review the compensation of the city council and the mayor and submit recommendations for voter approval; the hiring of an assistant for each member of the city council; and transitional provisions for the 1989 charter amendments?

PROPOSICION NUM. 3 .Remuneracion y Contratacion de Personal del Concilio de la Ciudad.

¿Deberá enmendarse el Capítulo III, Secciones 4 y 14 y el Capítulo XXIV, Sección 21 de la Carta Constitucional de la Ciudad de Dallas para permitir que: los miembros del concilio de la ciudad reciban un honorario mensual de \$1,650 más gastos de oficina; el(la) alcalde(sa) reciba un honorario mensual de \$2,500 más gastos de oficina; una comisión de remuneración, compuesta de votantes calificados de la ciudad, revise la remuneración del concilio de la ciudad y del alcalde(sa) y someta las recomendaciones para aprobación de los votantes; se contrate a un ayudante para cada miembro del concilio de la ciudad; y se establezcan disposiciones transitorias a las enmiendas de la carta constitucional de 1989?

PROPOSITION NO. 4 .Redistricting Commission

Shall Chapter IV, Section 5(b) and Chapter XXIV, Section 21 of the Charter of the City of Dallas be amended to establish a redistricting commission to prepare a districting plan that proposes the boundaries of the various city council districts; and to provide transitional provisions for the 1989 charter amendments?

PROPOSICION NUM. 4 .Comisión de Redistribución

¿Deberá enmendarse el Capítulo IV, Sección 5(b) y Capítulo XXIV, Sección 21 de la Carta Constitucional de la Ciudad de Dallas para establecer una comisión de redistribución para preparar un plan de distribución que proponga los límites de

los diversos distritos del concilio de la ciudad; y para establecer las disposiciones transitorias a las enmiendas de la carta constitucional de 1989?

PROPOSITION NO. 5 .

Meetings and Elections

Shall Chapter III, Section 6 and Chapter IV, Section 9, 10, and 11 of the Charter of the City of Dallas be amended to conform with the requirements of state law concerning meetings and elections; and to make certain semantic, grammatical, and structural changes?

PROPOSICION NUM. 5 .

Reuniones y Elecciones

¿Deberá enmendarse el Capítulo III, Sección 6 y el Capítulo IV, Secciones 9, 10 y 11 de la Carta Constitucional de la Ciudad de Dallas para que concuerde con los requisitos de la ley estatal referente a reuniones y elecciones; y para hacer ciertos cambios semánticos, gramaticales y estructurales?

PROPOSITION NO. 6 .

City Auditor

Shall Chapter IX, Section 1 of the Charter of the City of Dallas be amended to establish a nominating procedure for the selection of the city auditor?

PROPOSICION NUM. 6 .Auditor de la Ciudad

¿Deberá enmendarse el Capítulo IX, Sección 1 de la Carta Constitucional de la Ciudad de Dallas para establecer un procedimiento de nombramiento para la selección del auditor de la ciudad?

PROPOSITION NO. 7 .City Controller

Shall Chapter XI, Section 8 of the Charter of the City of Dallas be amended to authorize the city controller to issue checks and pay bills and other obligations of the city?

PROPOSICION NUM. 7 .Controlador de la Ciudad

¿Deberá enmendarse el Capítulo XI, Sección 8 de la Carta Constitucional de la Ciudad de Dallas para autorizar al contralador de la ciudad a emitir cheques y pagar las cuentas y otras obligaciones de la ciudad?

PROPOSITION NO. 8 .Police Department

Shall Chapter XII, Section 1 of the Charter of the City of Dallas be amended to establish unclassified police assistants limited to three ranks immediately below the rank of chief; and to provide compensation for assistant chiefs performing duties of the chief in the chief's absence in conformance with state law?

PROPOSICION NUM. 8 .

Departamento de Policia

¿Deberá enmendarse el Capítulo XII, Sección 1 de la Carta Constitucional de la Ciudad de Dallas para establecer asistentes de policía no clasificados limitados a los tres rangos inmediatamente debajo del rango de jefe; y para proporcionar compensación a los asistentes de jefes que desempeñen los deberes de jefe durante su ausencia de acuerdo con las leyes estatales?

PROPOSITION NO. 9 .

Zoning Commission

Shall Chapter XV, Section 4 of the Charter of the City of Dallas be amended to correct references to obsolete state law?

PROPOSICION NUM. 9 .

Comision de Zonificacion

¿Deberá enmendarse el Capítulo XV, Sección 4 de la Carta Constitucional de la Ciudad de Dallas para corregir las referencias a leyes estatales obsoletas?

PROPOSITION NO. 10 .

Personnel Appeals

Shall Section 12.1 be added to Chapter XVI of the Charter of the City of Dallas to provide for an administrative law judge as an alternative final appeal for discharged or demoted employees?

PROPOSICION NUM. 10 .Apelaciones del Personal

¿Deberá agregarse la Sección 12.1 al Capítulo XVI de la Carta Constitucional de la Ciudad de Dallas para permitir a los empleados despedidos o rebajados de grado la apelación final alternativa a un juez de derecho administrativo?

PROPOSITION NO. 11 .Police and Fire Department Personnel

Shall Chapter XVI, Section 16 of the Charter of the City of Dallas be amended to allow sworn fire and police department employees to engage in political activity to the extent allowed by state law?

PROPOSICION NUM. 11 .Personal del Departamento de Policía y Bomberos

¿Deberá enmendarse el Capítulo XVI, Sección 16 de la Carta Constitucional de la Ciudad de Dallas para permitir a los empleados bajo juramento del departamento de policía y bomberos participar en actividades políticas en la extensión permitida por las leyes estatales?

PROPOSITION NO. 12 .Park and Recreation Department

Shall Chapter XVII, Section 4 of the Charter of the City of Dallas be amended to authorize the park and recreation board to enter into leases or agreements with terms not exceeding one

year; and to authorize the park and recreation board to make emergency purchases to the extent allowed by city council rules?

PROPOSICION NUM. 12 .

Departamento de Parque y Recreación

¿Deberá enmendarse el Capítulo XVII, Sección 4 de la Carta Constitucional de la Ciudad de Dallas para autorizar a la Junta de Parque y Recreación a participar en arriendos o convenios con plazos que no excedan de un año; y para autorizar a la junta de parque y recreación a hacer compras de emergencia en la extensión permitida por los reglamentos del concilio de la ciudad?

PROPOSITION NO. 13 .

Ordinances and Resolutions

Shall Chapter XVIII, Section 4 of the Charter of the City of Dallas be amended to clarify the city council voting requirements?

PROPOSICION NUM. 13 .

Ordenanzas y Resoluciones

¿Deberá enmendarse el Capítulo XVIII, Sección 4 de la Carta Constitucional de la Ciudad de Dallas para aclarar los requisitos de votación del concilio de la ciudad?

PROPOSITION NO. 14 .

Public Contracts

Shall Chapter XXII, Sections 1 and 6 of the Charter of the City of Dallas be amended to authorize a designee of the city manager to approve certain change orders?

PROPOSICION NUM. 14 .

Contratos Públicos

¿Deberá enmendarse el Capítulo XXII, Secciones 1 y 6 de la Carta Constitucional de la Ciudad de Dallas para autorizar a una persona designada por el administrador de la ciudad para aprobar ciertas órdenes de cambio?

PROPOSITION NO. 15 .

Financial Interest Prohibition

Shall Chapter XXII, Section 11 of the Charter of the City of Dallas be amended to exclude city employees participating in federally-funded housing programs from the city financial interest prohibitions to the extent allowed by law?

PROPOSICION NUM. 15 .

Prohibición de Intereses Financieros

¿Deberá enmendarse el Capítulo XXII, Sección 11 de la Carta Constitucional de la Ciudad de Dallas para excluir a los empleados de la ciudad que participan en programas de casas financiados federalmente de las prohibiciones de intereses financieros de la ciudad en la extensión permitida por la ley?

SECTION 3. That the election shall be held and conducted in the manner provided by law governing the holding of city charter elections by home rule cities of the State of Texas; and the official ballots, together with such other election

materials as are required by the Texas Election Code, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as may be required by law.

SECTION 4. That the boundaries of the election precincts in which the election is to be held are defined by Ordinance No. 20231. Locations of the polling places in the respective voting precincts are as designated in Exhibit "A," attached to and made a part of this ordinance by reference.

SECTION 5. That absentee voting, both by personal appearance and by mail, will be by the use of an electronic voting system in accordance with the Texas Election Code. Absentee voting shall be conducted weekdays, beginning on Monday, July 24, 1989, and continuing through Tuesday, August 8, 1989 at the following times and locations:

MAIN ABSENTEE VOTING LOCATION

Elections Department, Dallas County Records Building, 500 Main Street	8:00 a.m. to 4:30 p.m.
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BRANCH ABSENTEE VOTING LOCATIONS

Beckley-Saner Recreation Center, 114 W. Hobson Avenue	9:00 a.m. to 5:00 p.m.
City Secretary's Office, Dallas City Hall, 1500 Marilla Street, Room 5FS	8:15 a.m. to 5:15 p.m.

Cummings Recreation Center, 2900 Cummings Street	9:00 a.m. to 5:00 p.m.
Fretz Recreation Center, 6950 Belt Line Road	9:00 a.m. to 5:00 p.m.
George B. Dealey Recreation Center, 6501 Royal Lane	9:00 a.m. to 5:00 p.m.
Harry Stone Recreation Center, 2403 Millmar Drive	9:00 a.m. to 5:00 p.m.
Highland Hills Recreation Center, 7071 Bonnie View Road	9:00 a.m. to 5:00 p.m.
Kiest Recreation Center, 3400 Rugged Drive	9:00 a.m. to 5:00 p.m.
Lake Highlands North Recreation Center, 9940 White Rock Trail	9:00 a.m. to 5:00 p.m.
Martin Luther King, Jr. Community Center, 2922 Martin Luther King, Jr. Boulevard	9:00 a.m. to 5:00 p.m.
Martin Weiss Recreation Center, 1111 Martindell Avenue	9:00 a.m. to 5:00 p.m.
Samuell-Grand Recreation Center, 6200 East Grand Avenue	9:00 a.m. to 5:00 p.m.
Walnut Hill Recreation Center, 10011 Midway Road	9:00 a.m. to 5:00 p.m.
West Dallas Multi-Purpose Center, 2828 Fish Trap Road	9:00 a.m. to 5:00 p.m.

SECTION 6. That applications for absentee ballots to be voted by mail shall be mailed to Absentee Voting Clerk, Elections Department, Dallas County Records Building, 500 Main Street, Dallas, Texas 75202. Applications for ballots by mail

must be received no later than close of business on Friday, August 4, 1989.

SECTION 7. That the absentee ballots shall be canvassed by a special canvassing board to be appointed in accordance with the Texas Election Code.

SECTION 8. That notice of the election shall be given by the mayor, or, in her absence or inability to act, by the mayor pro tem, by publication as required by state law in a newspaper of general circulation published in the city.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

ANALESIE MUNCY, City Attorney

BY *Chise Davidson*
Assistant City Attorney

Passed JUN 28 1989.

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