

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 3, 1993

93-1603

Agenda item (2) Receive report of canvassing committee and adopt a resolution accepting the canvassing committee's report declaring the results of the May 1, 1993, general and special elections

Councilwoman Halstead, chair of the ad hoc canvassing committee, presented the committee's report to the city council and recommended its acceptance.

Deputy Mayor Pro Tem Luna moved to receive the report of the ad hoc canvassing committee and adopt a resolution accepting the canvassing committee's report declaring the results of the May 1, 1993, general and special elections.

Motion seconded by Councilman Hicks and unanimously adopted.

RESOLUTION AND ORDER

WHEREAS, the city council has received the report of the canvassing committee appointed to canvass the results of the election held on May 1, 1993, pursuant to Ordinance Nos. 21580, 21581, and 21583, as amended, for the purpose of electing 14 members of the city council and deciding 10 propositions, and the city council after examining the report finds it correct in all respects; Now, Therefore,

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

SECTION 1. That the city council after having duly examined the report of the canvassing committee finds that it is a true and correct tabulation of the election results; that the election held on May 1, 1993, pursuant to Ordinance Nos. 21580, 21581, and 21583, as amended, was duly ordered and notice given in accordance with law; that the election was held in the manner required by law; that only duly qualified resident voters of the city of Dallas voted in the election; and that returns of the election have been made by the proper officers.

SECTION 2. That the canvass of the returns of the election and the tabulation of the votes cast YES and NO in answer to Proposition Nos. 1 through 10 submitted on the official ballot, as stated by the report of the canvassing committee, are hereby approved and adopted.

SECTION 3. That a majority of the votes cast at the election were for Proposition Nos. 1, 3, 4, 5, 6, 7, 8, 9, and 10 as described in Ordinance Nos. 21581 and 21583, as amended, and those propositions are therefore approved and declared to be adopted.

SECTION 4. That a majority of the votes cast at the election were against Proposition No. 2 as described in Ordinance No. 21581, as amended, and that proposition is therefore defeated and declared not to be adopted.

SECTION 5. That it is hereby ordered that the charter amendments adopted by Proposition Nos. 1, 3, 4, 5, 6, 7, 8, and 9 shall become a part of the Charter of the City of Dallas.

SECTION 6. That the mayor is hereby authorized to certify to the Secretary of State an authenticated copy of the charter amendments under the city seal showing the approval by the qualified voters, in accordance with Section 9.007 of the Texas Local Government Code, as amended.

SECTION 7. That the city secretary is hereby directed to record at length the charter amendments upon the records of the city of Dallas in accordance with Section 9.008 of the Texas Local Government Code, as amended.

APPROVED _____

HEAD OF DEPARTMENT

APPROVED _____

DIRECTOR OF FINANCE

APPROVED _____

CITY MANAGER

SECTION 8. That the canvass and tabulation of votes cast at the election for 14 members of the city council, held May 1, 1993, discloses that the following candidates received a majority of the votes cast at the election in their respective places:

- Place 1 - Domingo Garcia
- Place 2 - Chris Luna
- Place 3 - Robert (Bob) Stimson
- Place 4 - Larry Duncan
- Place 5 - Don Hicks
- Place 6 - Barbara Mallory
- Place 7 - Charlotte Mayes
- Place 9 - Glenn Box
- Place 10 - Donna Halstead
- Place 11 - Paul Fielding
- Place 12 - Max Wells

SECTION 9. That it is, therefore, DECLARED and ORDERED that:

Domingo Garcia has been elected Member of Council, Place 1;
 Chris Luna has been elected Member of Council, Place 2;
 Robert (Bob) Stimson has been elected Member of Council, Place 3;
 Larry Duncan has been elected Member of Council, Place 4;
 Don Hicks has been elected Member of Council, Place 5;
 Barbara Mallory has been elected Member of Council, Place 6;
 Charlotte Mayes has been elected Member of Council, Place 7;
 Glenn Box has been elected Member of Council, Place 9;
 Donna Halstead has been elected Member of Council, Place 10;
 Paul Fielding has been elected Member of Council, Place 11; and
 Max Wells has been elected Member of Council, Place 12.

SECTION 10. That the canvass and tabulation of votes cast at the election discloses that no candidate for Place 8, 13, or 14 received sufficient votes to be elected to the city council, and that it is necessary in conformity with the city charter and the Texas Election Code, as amended, to call another election for the purpose of voting upon the candidates to fill Places 8, 13, and 14 on the city council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
SAM A. LINDSAY, City Attorney

By Lisa Christopherson
Assistant City Attorney

APPROVED BY
CITY COUNCIL

MAY 3 1993

Robert T. Horn
City Secretary

Passed _____
01925

APPROVED _____
HEAD OF DEPARTMENT

APPROVED _____
DIRECTOR OF FINANCE

APPROVED _____
CITY MANAGER

REPORT OF CANVASSING COMMITTEE AND
RESOLUTION AND ORDER APPROVING REPORT

TO THE HONORABLE MAYOR AND CITY COUNCIL:

We, the undersigned, your committee of the city council appointed on April 5, 1993 to canvass the returns of the election held in the city of Dallas on May 1, 1993, for the purpose of electing 14 members of the city council and submitting to the qualified voters of the city certain questions relating to amending the Charter of the City of Dallas and to amending Chapter 40A of the Dallas City Code concerning the employees' retirement fund, hereby report that we have carefully canvassed the returns of the election, and we submit the tabulated statement of the votes received by the respective candidates and propositions, attached hereto as Exhibit A.

In accordance with Ordinance Nos. 21581 and 21583, as amended, the following propositions were submitted to the qualified voters of the city of Dallas:

PROPOSITION NO. 1

City Council Structure

Shall Chapter III, Section 1 and Chapter IV, Sections 4, 5, and 6 of the Charter of the City of Dallas be amended to increase the city council composition to 15 members, with 14 members elected by qualified voters of particular districts and one member elected as mayor by all qualified voters of the city; to divide the city into 14 districts; to provide residency requirements for city council candidates; to require affidavits and verification of a candidate's residence; and to make certain nonsubstantive changes?

PROPOSITION NO. 2

City Council Compensation

Shall Chapter III, Section 4 of the Charter of the City of Dallas be amended to provide for the mayor to receive a monthly fee of \$2083.34 plus expenses of office, the mayor pro tem and deputy mayor pro tem to each receive a monthly fee of \$1875 plus expenses of office, and the other city council members to each receive a monthly fee of \$1583.34 plus expenses of office?

PROPOSITION NO. 3

Official City Newspaper

Shall Chapter XXIV, Section 11 of the Charter of the City of Dallas be amended to allow a newspaper other than one in daily circulation to serve as the official newspaper of the city and to provide other qualifications for the official city newspaper?

PROPOSITION NO. 4

Purchasing and Contracts

Shall Chapter X, Sections 3 and 4 and Chapter XXII, Sections 7, 8, and 9 of the Charter of the City of Dallas be amended to allow the city purchasing agent to delegate limited purchasing power to individual city departments; to delete obsolete functions of the city purchasing agent in furnishing supplies to individual city departments; to conform to state law the requirements for performance and payment bonds and other security on public contracts; and to make certain nonsubstantive changes?

PROPOSITION NO. 5

City Council Meetings and Speakers

Shall Chapter III, Sections 6 and 8 of the Charter of the City of Dallas be amended to require all regular meetings of the city council to be held in prescribed locations of the official city hall; to define "regular meetings" of the city council; and to require the city council to provide through its rules of procedure opportunities for citizens to speak?

PROPOSITION NO. 6

Elections and Petitions

Shall Chapter III, Sections 5; Chapter IV, Sections 2, 7, 8, 9, 11, and 12; Chapter V, Sections 1 and 2; and Chapter XVIII, Sections 11 and 12 of the Charter of the City of Dallas be amended to conform to state law the requirements and procedures for canvassing elections, filing as a city council candidate, filing petitions, and holding runoff elections; to require five registered voters of the city to file an intent to circulate a petition for initiative and referendum of ordinances or a recall petition; to provide requirements for a petition circulator; to delete requirements for returning insufficient petitions to the filer; to authorize the city council to allow the city secretary additional help and time in verifying signatures on a recall petition; to provide for the conduct of a recall election in the manner in which an election to fill a city council vacancy is conducted; to provide for the automatic placement of a challenged city council member on a recall election ballot; to require an election to fill a city council vacancy to be ordered as soon as practicable; and to make certain nonsubstantive changes?

PROPOSITION NO. 7

Finance and Budget

Shall Chapter XI, Sections 4 and 14 and Chapter XXI, Sections 3 and 8 of the Charter of the City of Dallas be amended to limit city issuance of certain long-term debt without voter approval; to authorize the use of water utilities department receipts and revenues to pay an amount equal to ad valorem taxes and other charges that would be due the city if the department were not a city-owned public utility; to correct the title of the person charged with countersigning city bonds; and to make certain nonsubstantive changes?

PROPOSITION NO. 8

Civil Service and Personnel

Shall Chapter XII, Section 4, Chapter XIII, Section 9; and Chapter XVI, Sections 1, 6, 11, and 12 of the Charter of the City of Dallas be amended to reduce the number of adjunct members of the civil service board to one appointee for each city council member; to allow either the city, with approval of the city manager and the city attorney, or an aggrieved officer or employee to appeal a trial

board decision to state district court and to provide for attorney's fees to the prevailing party; to provide for execution of a trial board order pending appeal to state district court; to make disciplinary actions consistent throughout city departments by authorizing the city manager to increase disciplinary actions against city employees, including police officers and firefighters; to clarify that employees reassigned during overall reductions in force are not protected from reductions in pay; and to make certain nonsubstantive changes?

PROPOSITION NO. 9

City Secretary and Filing of Claims

Shall Chapter IIIA, Section 3 of the Charter of the City of Dallas be amended to delegate to the city secretary duties involving management of city records; to provide that claims against the city be filed at a location to be designated by ordinance instead of with the city secretary; and to make certain nonsubstantive changes?

PROPOSITION NO. 10

Shall Chapter 40A of the Dallas City Code, known as the employees' retirement fund of the City of Dallas, be amended in accordance with Ordinance No. 21582, without increasing funding from current contribution percentages, to define terms; to conform to federal and state standards governing fiduciary responsibility over the fund; to simplify and clarify procedures and requirements for paying death benefits from the fund; to allow retirement after age 50 when a person's age and length of credited city service total 78; to allow the retirement plan to be amended without voter approval when required to comply with federal law; and to make certain nonsubstantive changes?

It appears that the following number of votes were cast respectively YES and NO on Proposition Nos. 1 through 10:

PROPOSITION NO. 1	
YES	63,395
NO	44,689

PROPOSITION NO. 2	
YES	39,410
NO	68,940

PROPOSITION NO. 3	
YES	58,232
NO	47,309

PROPOSITION NO. 4	
YES	69,970
NO	30,758

PROPOSITION NO. 5	
YES	89,587
NO	16,166

PROPOSITION NO. 6	
YES	68,101
NO	25,070

PROPOSITION NO. 7	
YES	52,924
NO	46,490

PROPOSITION NO. 8	
YES	52,212
NO	43,097

PROPOSITION NO. 9	
YES	70,747
NO	25,891

PROPOSITION NO. 10	
YES	61,595
NO	31,989

From this tabulation it appears that Proposition Nos. 1, 3, 4, 5, 6, 7, 8, 9, and 10 were approved, and that Proposition No. 2 was defeated by the qualified voters of the city of Dallas participating in the election.

On the basis of the statement of the returns of the election, it appears that candidates received the following number of votes:

For Member of Council, Place 1:

Domingo Garcia	1,467
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For Member of Council, Place 2:

Chris Luna	1,189
Jack F. Borden	453

For Member of Council, Place 3:

Mike Hutchison	2,318
Robert (Bob) Stimson	3,769
Lloyd J. Hill	88
Edna B. Pemberton	616
Bud Harp	159

For Member of Council, Place 4:

Lorenzo D. Cole	168
Elijah McGrew, Jr.	138
Larry Duncan	4,355
Fred Blair	2,014

For Member of Council, Place 5:

Don Hicks	3,734
George R. Fuller	1,076
Jurline Hollins (Write in)	1

For Member of Council, Place 6:

Barbara Mallory	3,514
Taylor Brannon	117
Artie Faye Giles	115
Mattie Lee Nash	2,370
Carolyn Jean Thompson	124
William Lee Cowley (Write in)	11

For Member of Council, Place 7:

Marvin E. Crenshaw	1,384
Charlotte Mayes	5,132
Cedric L. Andrews (Write in)	3

For Member of Council, Place 8:

James (J.L.) Fantroy	861
Darren Reagan	1,181
Cedric W. Davis	86
Sandra Crenshaw	1,647
Paul Sias	79

For Member of Council, Place 9:

Glenn Box	9,834
Roger Kallenberg	3,621

For Member of Council, Place 10:

Donna Halstead	10,209
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For Member of Council, Place 11:

Paul Fielding	6,207
Penina (Penny) Weiner	1,954

For Member of Council, Place 12:

Max Wells	8,692
Jim Ball	2,015

For Member of Council, Place 13:

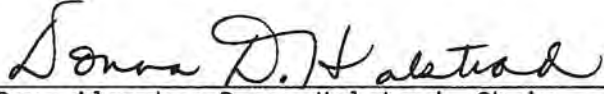
Frank Bodzin	579
Joe Moody	3,605
Donna Blumer	6,121
Beverly Kennedy	2,035
David Zareie	2,241

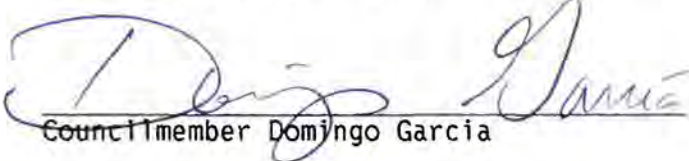
For Member of Council, Place 14:

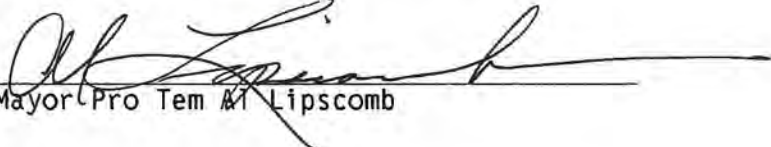
Johnathan Van Voorhees	338
Craig McDaniel	4,758
Sharon Boyd	2,693
Ed Oakley	1,863
Jennifer Gale	292

It appears that Domingo Garcia, candidate for Place 1; Chris Luna, candidate for Place 2; Robert (Bob) Stimson, candidate for Place 3; Larry Duncan, candidate for Place 4; Don Hicks, candidate for Place 5; Barbara Mallory, candidate for Place 6; Charlotte Mayes, candidate for Place 7; Glenn Box, candidate for Place 9; Donna Halstead, candidate for Place 10; Paul Fielding, candidate for Place 11; and Max Wells, candidate for Place 12 received a majority of the votes cast at the election in their respective places.

It appears that no candidate for Place 8, 13, or 14 received sufficient votes to be elected to the city council.


Councilmember Donna Halstead, Chair


Councilmember Domingo Garcia


Mayor Pro Tem Al Lipscomb

Canvassing Committee of the City
Council of the City of Dallas

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