

PUBLICATION
SUGGESTED LANGUAGE FROM COMMISSIONER JAN HART BLACK AND
COMMISSIONER MARY SUHM
April 16, 2014

CHAPTER III. CITY COUNCIL

Current Charter Language:

Sec. 19 INDEPENDENT AUDIT.

The city council shall cause an independent audit to be made of the books of account, records, and transactions of all the administrative departments of the city at least once yearly. Such audits, during such fiscal year, shall be made by one or more certified public accountants who, for the three years next preceding, have held a certificate issued by the state board of accountancy of the State of Texas, or by a state maintaining an equal standard of professional requirements, which entitled the holder of such certificate to a Texas certificate. The auditor or auditors to make the audit shall be selected by the city council, and shall be responsible to the council. The duties of the auditor or auditors so appointed shall include the certification of all statements required of the city manager in the annual budget estimate. Such statements shall include a balance sheet, exhibiting the assets and liabilities of the city, supported by departmental schedules, and schedules for each utility publicly owned or operated, summaries of income and expenditures, supported by detailed schedules; and also comparisons, in proper classification, with the previous year. The report of such auditor or auditors for the fiscal year shall be printed and a copy shall be furnished to each city council member and the city manager, and a copy shall be kept available in the office of the city secretary for inspection by any citizen upon request. A summary of such report of the auditor or auditors shall also be published once in a newspaper of general circulation in the city. The original report of the auditor or auditors shall be kept among the permanent records of the city.

Recommendation: Require additional publication by the city.

Proposed New Language:

Sec. 19 INDEPENDENT AUDIT.

The city council shall cause an independent audit to be made of the books of account, records, and transactions of all the administrative departments of the city at least once yearly. Such audits, during such fiscal year, shall be made by one or more certified public accountants who, for the three years next preceding, have held a certificate issued by the state board of accountancy of the State of Texas, or by a state maintaining an equal standard of professional requirements, which entitled the holder of such certificate to a Texas certificate. The auditor or auditors to make the audit shall be selected by the city council, and shall be responsible to the council. The duties of the auditor or auditors so appointed shall include the certification of all statements required of the city manager in the annual budget estimate. Such statements shall include a balance sheet, exhibiting the assets and liabilities of the city, supported by departmental schedules, and schedules for each utility publicly owned or operated, summaries of income and expenditures, supported by detailed schedules; and also comparisons, in proper classification, with the previous year. The report of such auditor or auditors

for the fiscal year shall be printed and a copy shall be furnished to each city council member and the city manager, and a copy shall be kept available in the office of the city secretary for inspection by any citizen upon request. A summary of such report of the auditor or auditors shall also be published once in a newspaper of general circulation in the city. The audited financial statements shall be posted on the city's website and a physical copy shall be maintained in the central and branch libraries. The original report of the auditor or auditors shall be kept among the permanent records of the city.

Charter Review Commission Action

Vote:

Date of Action:

**CHAPTER XI. THE BUDGET AND FINANCIAL
PROCEDURE RELATING THERETO**

Current Charter Language:

SEC. 3. ANNUAL APPROPRIATION ORDINANCE.

Upon receipt of the city manager's estimate, the council shall call a public hearing upon the submitted budget to be held before a committee of the council, or before the entire council sitting as a committee of the whole. Following the public hearings, the council shall pass on first reading the appropriation ordinance and shall cause it to be published in a newspaper of general circulation in the city with a separate schedule setting forth the items in the city manager's estimate that were omitted or changed by the council, if any. The council shall not pass the appropriation ordinance upon final reading until at least 10 days after its publication. Upon passage of the appropriation ordinance by the council, it shall become immediately effective, and the funds appropriated therein become available on October 1, the beginning of the next fiscal year. Following the final passage of the appropriation ordinance, the city council shall, by ordinance, levy the taxes for the current year.

Recommendation: Require additional publication by the city.

Proposed New Language:

SEC. 3. ANNUAL APPROPRIATION ORDINANCE.

Upon receipt of the city manager's estimate, the council shall call a public hearing upon the submitted budget to be held before a committee of the council, or before the entire council sitting as a committee of the whole. Following the public hearings, the council shall pass on first reading the appropriation ordinance and shall cause it to be published in a newspaper of general circulation in the city, on the city's website and physical copies will be maintained in the central and branch libraries, with a separate schedule setting forth the items in the city manager's estimate that were omitted or changed by the council, if any. The council shall not pass the appropriation ordinance upon final reading until at least 10 days after its publication. Upon passage of the appropriation ordinance by the council, it shall become immediately effective, and the funds appropriated therein become available on October 1, the beginning of the next fiscal year. Following the final passage of the appropriation ordinance, the city council shall, by ordinance, levy the taxes for the current year.

Charter Review Commission Action

Vote:

Date of Action:

CHAPTER XV. PLANNING AND ZONING

Current Charter Language:

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.

Recommendation: Require additional publication by the city.

Proposed New Language:

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 and on the city's website [~~or as otherwise provided by state law or this charter~~].

Charter Review Commission Action

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Date of Action:

CHAPTER XVIII. ORDINANCES AND RESOLUTIONS.

Current Charter Language:

SEC. 7. PUBLICATION OF ORDINANCES.

The descriptive caption or title of each ordinance stating in summary the purpose of the ordinance and the penalty for violation of the ordinance, shall be published at least once in a newspaper of general circulation in the city, unless otherwise provided by state law or this Charter, in which event the specific provisions shall be followed.

Recommendation: Require additional publication by the city.

Proposed New Language:

SEC. 7. PUBLICATION OF ORDINANCES.

The descriptive caption or title of each ordinance stating in summary the purpose of the ordinance and the penalty for violation of the ordinance, shall be published at least once in a newspaper of general circulation in the city and on the city's website, unless otherwise required~~[provided]~~ by state law or this Charter, in which event the specific provisions shall be followed.

Charter Review Commission Action

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Date of Action:

CHAPTER XVIII. ORDINANCES AND RESOLUTIONS.

Current Charter Language:

SEC. 15. PROMULGATION OF ORDINANCES BEFORE ELECTION.

Whenever any ordinance or proposition is required by the Charter to be submitted to the voters of the city at any election, the city secretary shall cause the ordinance or proposition to be printed in a newspaper of general circulation in the city and published once at least 10 days prior to election.

Recommendation: Require additional publication by the city.

Proposed New Language:

SEC. 15. PROMULGATION OF ORDINANCES BEFORE ELECTION.

Whenever any ordinance or proposition is required by the Charter to be submitted to the voters of the city at any election, the city secretary shall cause the ordinance or proposition to be posted on the city's website and printed in a newspaper of general circulation in the city and published once at least 10 days prior to election. Physical copies of the ordinance or proposition shall be maintained in the central and branch libraries.

Charter Review Commission Action

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CHAPTER XXII. PUBLIC CONTRACTS

Current Charter Language:

SEC. 2. CONTRACT LETTING.

(a) All city contracts calling for or requiring the expenditure or payment of an amount required by state law to be competitively bid creating or imposing an obligation or liability of any nature or character upon the city, must first be submitted for competitive bids in accordance with this chapter. Such bids shall be based upon plans and specifications prepared for that purpose. Notice of the time and place when and where such contract shall be let shall be published in a newspaper of general circulation in the City of Dallas once a week for two consecutive weeks prior to the time set for letting such contract, the date of the first publication to be at least 14 days prior to the date set for letting said contract. Such contract shall be let to the lowest responsible bidder.

Recommendation: Require additional publication by the city.

Proposed New Language:

SEC. 2. CONTRACT LETTING.

(a) All city contracts calling for or requiring the expenditure or payment of an amount required by state law to be competitively bid creating or imposing an obligation or liability of any nature or character upon the city, must first be submitted for competitive bids in accordance with this chapter. Such bids shall be based upon plans and specifications prepared for that purpose. Notice of the time and place when and where such contract shall be let shall be posted on the city's website and published in a newspaper of general circulation in the City of Dallas once a week for two consecutive weeks prior to the time set for letting such contract, the date of the first publication to be at least 14 days prior to the date set for letting said contract. Such contract shall be let to the lowest responsible bidder.

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