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Via email

Dallas City Council
1500 Marilla St.
Dallas, Texas 75201

Re: Enforcement of term limits for Board and Commission Appointees

Dear Dallas City Councilmembers:

Last month, voters in this City passed a charter amendment (Proposition S) that gives standing to Dallas citizens to bring suit to enforce state laws, the city charter, and city ordinances where those laws are not being followed by the City. Subsequently, in something of an understatement, Councilmember Paula Blackmon recognized in an editorial appearing in the Dallas Morning News, "it's evident that residents are dissatisfied with local services and policies."

I write to you on behalf of the list of organizations and individuals appended to this letter to insist that the City of Dallas comply with Dallas City Code Section 8-1.5 regarding limitation of terms and Dallas City Charter, Chapter XXIV, Section 13(a) and Dallas City Charter, Chapter III, Section 3A(c). The organizations and individuals listed are aware that there are persons serving on City boards and commissions beyond the limits established in the City's Charter and City ordinances. The current chair of the City Plan Commission is one example.

For your convenience, the relevant provisions of the City Charter and the City Code are set out below, with the more pertinent passages highlighted:

From the Dallas City Code:

SEC. 8-1.5. LIMITATION OF TERMS.

(a) A person who has served as a member of a particular board for four consecutive two-year terms will not again be eligible to serve on that same board until at least one term has elapsed, regardless of whether service was as a member or chair.

(a-1) A person who has served on the board of the employees' retirement fund pursuant to Section 40A-3(a)(1) of this code, as amended, for three consecutive terms, of whatever length of time, will not again be eligible to serve on that same board until at least one term has elapsed, whether service was as a member, chair, or other position on the board.

(b) Notwithstanding Subsection (a), a person may serve as a member of a particular board for the maximum number of terms that may be fixed for the particular board by the city charter or federal law and will not again be eligible to serve on that same board until at least one term has elapsed.

(c) In determining whether a full term has been served by a board member, the same definition of "term" that applies to a city council member, as set forth in Chapter III, Section 3A(c) of the city charter, will also apply to a board member. (Ord. Nos. 22259; 22570; 24141; 30555)¹

From the Dallas City Charter, Chapter XXIV:

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

(a) During August of each odd-numbered year, the city council shall begin the nomination process for 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 October 1 or until their successors are appointed and qualified, except that a member of a board or commission that is only advisory in nature may not hold over in his or her position longer than nine months after the expiration of his or her term or after the creation of a vacancy in his or her position.

(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

¹ See generally *City of Dallas v. Employees Ret. Fund*, 687 S.W.3d 55, 58-59 (Tex. 2024) (discussing history of Section 8-1.5 and City's general board member term limit provision).

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. (Amend. of 4-3-76, Prop. No. 2; Amend. of 8-12-89, Prop. No. 1; Amend. of 11-8-05, Prop. No. 7; Amend. of 11-4-14, Prop. No. 9)

From the City Charter Chapter III:

SEC. 3A. LIMITATION OF TERMS.

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

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

(c) A "term" as used in Subsection (a) 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. (Amend. of 1-17-81, Prop. No. 2; Amend. of 8-12-89, Prop. No. 1)

On behalf of those listed in the attachment, I insist that all holdovers serving in excess of the time allowed by the City's Charter and ordinances, be asked to resign immediately, or barring such resignation, be removed immediately. Every day that these individuals serve without authority to do so undermines the public confidence in the work product of the boards and commissions in question, and it puts that same work product at risk for invalidation.

This call for compliance is not a result of the performance of any of the volunteers serving the City or about their motives. Rather, this is about the City and City leaders

following the law. If ordinary citizens are to have faith in their elected officials and trust in their City government, our elected and appointed officials must recognize that their failure to abide by the City's own Charter and ordinances is a fundamental breach of the public trust. Our City, including its elected and appointed leaders, must not be above the law.

Sincerely,

/s/Michael Northrup

Michael Northrup
Belmont Addition Neighborhood
Council District 14

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Attch.

Persons and Organizations supporting the letter

Judy Adams, Valley View Neighborhood Association, Council District 11

CJ and Julia Arnold, Northwood Hills, Council District 11

Ellen Auer, Glen Meadow Estates, Council District 13

Woodrow Austin, Owenwood Neighborhood, Council District 2

Matthew Bach, Holiday Park, Pepper Square Neighborhood Coalition, Council District 11

Darryl Baker, Elderwood Town House Association, Council District 3

Barbara Batson, Schreiber Manor, Council District 13

Ellen Beadling, Caruth Hills and Homeplace, Council District 13

Erin Bell, Northwood Hills, Council District 11

Rick and Beth Bentley, Vickery Place Neighborhood, Council District 14

Jack & Mary Bush, Williamsburg at Preston, Council District 11

Stephanie Casey, Mt. Auburn, Council District 2

Auston Cherry, Moss Meadows, Council District 10

Jill and Mark Chris, Northwood Hills, Council District 11

Valerie Christensen, Northwood Hills, Council District 11

Christine Conley, Chapel Forest, Council District 11

Sharon Deathrage, Woodbriar Neighborhood, Council District 11

Amanda Tribo Dowling and Jason Dowling, Mt. Auburn, Council District 2

Greg Estell, Old Lake Highlands, Council District 9

M. Cassie Evans, Esq., Prestonwood, Council District 11

Wendy Fahle, Prestonwood East, Council District 10

Kenneth Fleegeer, Valley View Neighborhood Association, Council District 11

JA Gewel, Valley View Neighborhood Association, Council District 11

Phillip Gorman, Bettywood Lane, Council District 10

Shane Hartman, Forest Meadow, Council District 10

Cindy Hellstern, Royal Northaven, Council District 13

Wyonella Henderson-Greene, Oak Park North, Council District 3

Fran Hilger, Valley View Neighborhood Association, Council District 11

Bob Ikel, Windsor Park, Council District 13

Shawayla Y. Johnson, Carter Square, Council District 8

Pat Jordan, Prestonwood, Council District 11

Carol Joyce, Northwood Hills Estates, Council District 11

John Joyce, Northwood Hills Estates, Council District 11

Rudy Karimi, Lakewood Heights, Council District 14

Neil Kieran, Lakewood, Council District 9

Jim Hayden, Crooked Creek, Council District 13

Mari Hidalgo King, Kidd Springs, Council District 1

Jack D. Kocks, Estates West, Council District 11

Martin Kralik, Prestonwood, Council District 11

Rayna Lee, Valley View Neighborhood Association, Council District 11

Marc Lombardi, Farmers Market/Northwood Hills, Council Districts 2/11

Janet Marcum, Northwood Hills, Council District 11

John Jeffrey McCafferty, Williamsburg, Council District 11

Drew McCarney, Williamsburg at Preston, Council District 11

Lesley and Jeff McGinnis, Northwood Homes, Council District 11

Sarah Mendoza, Owenwood, Council District 2

Ramon F. Miguez, Preston Trails Neighborhood, Council District 11

John Morrow Jr., Moss Farm, Council District 10

Elyce Mouskondis, Waterford on the Park, Council District 11

Judy Mow, Valley View Neighborhood Association, Council District 11

Gloria and Henry Munoz, Valley View Neighborhood Association, Council District 11

Neighborhood Coalition of Dallas

Myra Newfield, Northwood Hills Estates, Council District 11

Judy Nordseth, Williamsburg HOA, Council District 11

Kim Page, Prestonwood, Council District 11

Laura Palmer, Kidd Springs, Council District 1

Gabriel Parra, University Meadows, Council District 9

Joyce Parrish, Valley View Neighborhood Association, Council District 11

Dana Pendergraft, Casa View Haven, Council District 2

Amy Penner, Woodbriar, Council District 11

Amelia S. Perez, Elm Thicket/Northpark Neighborhood, Council District 6

Jon Popa, Briarwood, Council District 14

Logan Ragsdale & John Whittemore, Wynnewood, Council District 1

Natalie Rambo, White Rock Valley, Council District 10

Ally Raskin, Melshire Estates, Council District 13

Bruce Richardson, Lowest Greenville West, Council District 14

Karen Roberts, Mt. Auburn, Council District 14

David and Kristal Roberts, Williamsburg, Council District 11

Samatha, Danielle, & Jessica Roberts, Williamsburg, Council District 11

Eugene J. Robinson, Northaven Park Neighborhood, Council District 13

Barry Rosen, Prestonwood Meadows, Council District 11

Anga Sanders, Kiest Forest Estates, Council District 3

Dolores Levy Serroka, Peaks Suburban Addition Historic District, Council District 2

Chris Smith, Valley View Neighborhood Association, Council District 11

Mary Ellen Smith, Valley View Neighborhood Association, Council District 11

Patti Smith, Valley View Neighborhood Association, Council District 11

James & Amy St. Peter, Lochwood, Council District 9

Ellen J. Taft, Mt. Creek Area, Council District 3

Olive Talley, Edgemont Park Conservation District, Council District 14

Phillip Terry, Highland Meadows, Council District 10

Rob Thomas, Casa Linda Estates, Council District 9

Russ Toates, Lakewood, Council District 9

Melanie Vanlandingham, Lakewood Heights, Council District 14

Charles Venable, Stonehaven, Council District 11

P. Scott and Nancy Wenning, Royal Northaven, Council District 13

Stanley Whitehead, Mt. Auburn, Council District 2

Colleen Wirt, Glen Meadows, Council District 13

Ed Zahra – Hollywood/Santa Monica, Council District 14