

# Memorandum

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CITY SECRETARY  
DALLAS, TEXAS



CITY OF DALLAS

DATE January 8, 2010

TO Deborah A. Watkins  
City Secretary

SUBJECT January 11, 2010 Transportation and Environment Committee/DART  
Board Meeting

The Transportation and Environment Committee meeting scheduled for January 11, 2010 has changed meeting times. The meeting will be a joint meeting and luncheon with DART Board members and is scheduled from 11:45 a.m. – 1:45 p.m. in 6ES. Topics of discussion will be as follows:

- 3 Committee/DART Board Discussion Related to Current and Future Rail/Bus Transit Projects and Operations Affecting the City of Dallas
- 4 Overview of Lobbyist Registration Ordinance

Please contact me if you need additional information.

*Linda L. Koop* (SF)

Linda L. Koop, Chair  
Transportation and Environment

- c: The Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Thomas P. Perkins, Jr., City Attorney  
Deborah Watkins, City Secretary  
Craig Kinton, City Auditor  
Judge C. Victor Lander, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
A.C. Gonzalez, Assistant City Manager  
Forest Turner, Assistant City Manager  
David Cook, Chief Financial Officer  
Jeanne Chipperfield, Director, Budget and Management Services  
Edward Scott, Director, Controller's Office  
Rick Galceran, P.E., Director, Public Works and Transportation  
Theresa O'Donnell, Director, Development Services  
Helena Stevens-Thompson, Assistant to the City Manager – Council Office

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CITY SECRETARY  
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CITY OF DALLAS

# Memorandum

DATE January 8, 2010

TO Transportation and Environment Committee Members: Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT Transportation and Environment Committee Meeting Agenda

Monday, January 11, 2010 at 11:45 a.m.-- 1:45 p.m.  
City Hall, 1500 Marilla, Room 6ES  
Dallas, TX 75201

This meeting of the Transportation and Environment Committee will be a luncheon meeting with the Dallas Area Rapid Transit (DART) Board of Directors.

1. **Approval of Minutes for December 14, 2009**  
(Action / 5 Minutes)
2. **Committee/DART Board Discussion Related to Current and Future Rail/Bus Transit Projects and Operations Affecting the City of Dallas**  
(Information / 100 Minutes)
3. **Overview of Lobbyist Registration Ordinance**  
Tom Perkins, City Attorney  
(Information / 15 Minutes)

*Linda L. Koop* (F)

Linda L. Koop, Chair  
Transportation and Environment Committee

c: The Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Thomas P. Perkins, Jr., City Attorney  
Deborah Watkins, City Secretary  
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Edward Scott, Director, Controller's Office  
Rick Galceran, P.E., Director, Public Works and Transportation  
Theresa O'Donnell, Director, Sustainable Development and Construction  
Helena Stevens-Thompson, Assistant to the City Manager – Council Office

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation is an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

**TRANSPORTATION AND ENVIRONMENT  
COMMITTEE MEETING RECORD**

The Transportation and Environment Committee (TEC) meetings are recorded. Agenda materials and audiotapes may be reviewed/copied by contacting the Public Works and Transportation TEC Staff Coordinator at 214.670.4545.

**Meeting Date:** December 14, 2009    **Start Time:** 2:03 p.m.    **Adjournment:** 4:07 p.m.

**Committee Members Present:**

Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky, and Vonciel Jones Hill

**Committee Members Absent:**

None

**Other Council Members Present:**

Dwaine Caraway, David Neumann

**City Executive Staff Present:**

A.C. Gonzalez, Assistant City Manager  
Jill A. Jordan, Assistant City Manager

**TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA**

**1. Approval of Minutes for November 16, 2009**

**Action Taken/Committee Recommendation:**

Motion was made to approve the minutes for the November 16, 2009 special called meeting subject to corrections. No corrections were suggested and the minutes were approved as submitted.

Made by: Kadane                      Seconded by: Medrano                      Passed unanimously

**2. DART Briefing on Lessons Learned Regarding Rail Service during State Fair TX-OU Weekend**

**Presenters:** Gary Thomas, Executive Director/President of DART and William Velasco, Chair of the DART Board

Mr. Thomas and Mr. Velasco presented an overview of the lessons learned regarding the rail service during the State Fair TX-OU Weekend. Mr. Thomas noted that there were multiple events at the State Fair on October 17<sup>th</sup> in addition to the football game, including a Race for Cure event, basketball tournament, and concert, which resulted in a total of 132,000 transit passenger trips that day -- the highest in State Fair history. Mr. Thomas discussed plans to increase bus and train services for the 2010 State Fair TX-OU Weekend, including the possibility of running the Trinity Railway Express service directly

to Fair Park.

**Action Taken/Committee Recommendation:**

Ms. Koop noted Dallas will be pursuing other large events, such as the World Cup, and wants to make sure DART is able to provide a pleasant transit experience for these events. Ms. Koop asked if DART has looked at how other transit agencies handle major events. She gave an example of changing the direction of I-30 HOV lanes going to and from the Dallas Cowboys games.

Mr. Thomas stated that they have looked at light rail cities such as St. Louis who have hosted the World Series, San Diego, and Denver. There are also plans to look at some of the heavy rail cities.

Ms. Koop stated that she thought it was a good idea to have ticket sales on-site, however, she suggested DART consider advance ticket sales in the future. She also mentioned that there were concerns that trains were full after one or two stops. Mr. Thomas stated they were looking at controlling the number passengers getting on the trains and noted that the large number of passengers on the trains also made it very difficult to get people on and off.

Ms. Koop liked the idea of having a quick response team for rail service, but also suggested having a quick response team for buses. Mr. Thomas stated that they did have buses available, but did not have bus operators on standby.

Ms. Koop suggested that DART work with the City's Streets Department on the possibility of closing streets. Mr. Thomas indicated that in 2008 DART had worked with the Streets Department, but in 2009 DART relied mainly on the Green Line.

Mr. Kadane asked if DART supplied the same number of buses as in previous years. Mr. Thomas stated there were a minimum number of buses provided. Mr. Kadane asked if the Green Line made the full trip at Fair Park. Mr. Thomas stated that some of the trains made a short trip just past Fair Park and that next year the plan will include more use of the Martin Luther King Station.

Mr. Kadane asked if it were dangerous moving such a large number of people on the trains. Mr. Thomas stated that it was not dangerous, but very crowded. He indicated that DART could do more to manage the crowds to make loading and unloading more efficient.

Ms. Davis thanked Mr. Thomas for the Dedication Service done in her district for the Green Line. Ms. Davis asked DART to notify her before any future street closings so that she can keep her district informed. She suggested that DART and the City could do a better job working with the community on the transportation plan.

Ms. Davis expressed concern about the large TRE trains using the tracks into Fair Park. Mr. Thomas stated that most of the areas around those tracks are not residential. However, he stated that DART would work with her before implementing any plans to bring TRE trains directly to Fair Park.

Ms. Davis asked that DART prepare a prioritized list of transit goals and strategies for the 2010 State Fair. She also asked if supervisors were on-site to help direct passengers. Mr. Thomas confirmed that DART supervisors and police were on-site to assist passengers.

Ms. Jasso suggested using volunteer groups, such as the Lion's Club and Rotary Club, to help out during the TX-OU weekend. Ms. Jasso mentioned that if the hotels are dropping people off at different stations, some thought could be given to utilizing some of the stations in Oak Cliff to bring people in to Fair Park.

Mr. Atkins requested that Ms. Koop have DART brief the Committee on their plans 30-60 days prior to the next year's event. Mr. Thomas stated they DART would be available to brief the Committee prior to next year's State Fair. Ms. Koop confirmed that DART would brief the Committee in the summer, just before the State Fair next year.

Mr. Neumann stated how pleased he was with DART efforts and response. He asked if the problem was a planning issue, or if DART just did not have enough buses and trains. Mr. Thomas stated that the problem started with not accurately anticipating the ridership, and then only providing a limited number of buses.

Mr. Neumann asked is the problems reoccurred for people going home after the game. Mr. Thomas stated that it depended on when passengers left Fair Park. Those leaving mid-afternoon did not have a problem, however, those leaving around 6:00 or 7:00 p.m. would have had about a 30 minute wait.

Mr. Neumann asked if all of DART's trains were used. Mr. Thomas stated that they used all of the trains, and that next year; they would need to use additional buses. Mr. Neumann asked if DART might take trains from other areas and use them to provide Fair Park service. Mr. Thomas indicated that DART would look at that; however, most passengers from those areas would also be traveling to the Fair Park area.

Mr. Natinsky suggested that it is DART's success that is bringing these types of problems. He stated that DART has done an exemplary job in spite of the negative press and issues.

Ms. Koop asked if DART has the capacity to move 165,000 people on trains and buses. Mr. Thomas said that they could provide that amount of capacity, however, DART would need to carefully manage bus service to supplement train capacity. Ms. Koop suggested that if DART does not have sufficient capacity, it may want to consider borrowing buses from Ft. Worth. Mr. Thomas agreed that DART could borrow buses from other cities.

Ms. Medrano asked if the game had been scheduled at a later time, would it have helped get people to Fair Park. Mr. Thomas indicated that if the game were later it would have allowed people to spread out their arrival times, but there would have been a greater challenge getting people home. Mr. Medrano asked how soon next year's game time would be known. Mr. Thomas stated that DART knew the game time by September this year. He stated that DART would prepare plans for three different game times.

Ms. Koop thanked Mr. Thomas for the briefing and congratulated Mr. Velasco on his recent appointment as Chair of the DART Board.

No action was taken on this item.

### **3. Community Gardens and Neighborhood Markets**

**Presenters:** Eric Griffin, Managing Director of the Office of Environmental Quality, Jack Ireland, City Manager's Office, and Janel Leatherman, Marketing Manager for Farmers Market

The Committee was provided a two part briefing on sustainable local food production and distribution. The first part highlighted examples of "community gardens" in Dallas, identified challenges to the development of the gardens, and highlighted other cities that have had success facilitating gardens. Staff recommended action to approve policy language regarding support for local food production and a Development Code amendment creating a Community Garden Land Use. The second part of the presentation concerned "farmers markets." It provided an overview of the vendors at the City's downtown Farmers Market including types of items sold, licenses and fees. Staff made recommendations to develop regulations for the development and operation of neighborhood farmers markets.

**Action Taken/Committee Recommendation:**

Ms. Koop stated that the development of community gardens is exciting for Dallas and provides opportunity to encourage healthy eating habits.

Ms. Davis stated that she supports community gardens; however, she felt that the farmers needed to do a better job providing educational programs in the schools and that the markets need to be tourist attractions, which would include cooking shows, classes for diabetics, healthy meals, etc. The markets should also have sections with seafood, flowers, and organic foods, making the farmers market an urban market.

Ms. Hunt stated that she had concerns about approving neighborhood markets on basis that they compliment each other and/or the downtown farmers market. She indicated that overly regulating the markets is going in the wrong direction. Mr. Ireland stated that the guidelines presented were not their final recommendations. He stated that he planned to continue research on other cities.

Ms. Jasso stated that she agreed with Ms. Hunt and that she was a strong supporter of letting them grow. She indicated that the City should provide a simple permitting process. She asked those in the audience to stand who were supporting the community gardens. Ms. Koop asked for a list to be passed around to those individuals at the meeting could sign their names.

Ms. Medrano stated that she previously worked for the Texas Department of Agriculture, and mentioned that San Antonio had a rotating farmers market. She indicated that neighborhood markets would be a great supplement to our downtown farmers market.

Mr. Allen stated that the Lake Highland Community Gardens had run into road blocks with the City and said that he supported the review and approval of new rules by the suggested March deadline.

Mr. Atkins stated that he was not against the community gardens, but suggested that we need to keep our focus on the success of the downtown Farmers Market. He said that we need to staff the vacant stalls at the Farmers Market, and suggested the possibility of selling produce from the community gardens at the Farmers Market.

Ms. Hill agreed with Mr. Atkins on keeping a focus on the City's Farmers Market.

Ms. Leatherman stated that the roster had been increased from 50 to 150 farmers at the Farmers Market, and the sheds are full most of the summer. The majority of farmers are at the market on Saturdays. Shed 2 has been remodeled, including the addition of heating.

Mr. Caraway agreed that we should not lose focus on the Farmers Market. We have people moving downtown and we have to create an excitement for them to support the Farmers Market. He stated that we should also find a way to control the birds at the Farmers Market.

No action was taken on this item.

**4. Love Field Modernization Program Bond Financing Update, Part 1**

**Presenter:** Dan Weber, Director, Aviation

A briefing was provided to the Committee on bond financing planned for the Love Field Modernization Program with a status report on the bond financing agreements -- special facility agreement, revenue credit agreement, trust indenture, and guaranty. The Council's Finance and Audit Committee will be briefed on January 11, 2010 on the plan of finance, feasibility study, preliminary official statement, and parameters bond ordinance. Full Council consideration will be scheduled for January 13, 2010.

**Action Taken/Committee Recommendation:**

Mr. Natinsky stated that the risk is with South West Airlines.

Mr. Montgomery, with Southwest Airlines, stated that it is critical to move forward in January 2010 to the Finance and Audit Committee.

No action was taken on this item.

Linda L. Koop, Chair  
Transportation and Environment Committee

# Memorandum



CITY OF DALLAS

DATE January 8, 2010

TO Members of the Transportation and Environment Committee:  
Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT Committee/DART Board Discussion Related to Current and Future Rail/Bus Transit Projects and Operations Affecting the City of Dallas

On Monday, January 11, 2010 the Transportation and Environment Committee and DART Board will hold a joint luncheon and meeting to discuss Current and Future Rail/Bus Transit Projects and Operations Affecting the City of Dallas. There is not a written briefing on this item.

Please contact me if you need additional information.

A handwritten signature in black ink, appearing to read 'Jill Jordan'.

Jill A. Jordan, P.E.  
Assistant City Manager

Attachment

- c: The Honorable Mayor and Members of the City Council
  - Mary K. Suhm, City Manager
  - Thomas P. Perkins, Jr., City Attorney
  - Deborah Watkins, City Secretary
  - Craig Kinton, City Auditor
  - Judge C. Victor Lander, Administrative Judge
  - Ryan S. Evans, First Assistant City Manager
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SUBJECT Overview of Lobbyist Registration Ordinance

On Monday, January 11, 2010 the City Attorney's Office will present an overview to the Committee of the Lobbyist Registration Ordinance. There is not a written briefing on this item. However, attached is a copy of the Ordinance.

Please contact me if you need additional information.

A handwritten signature in cursive script that reads "Jiff A. Jordan".

Jiff A. Jordan, P.E.  
Assistant City Manager

Attachment

- c: The Honorable Mayor and Members of the City Council
  - Mary K. Suhm, City Manager
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ORDINANCE NO. 27748

An ordinance amending Section 12A-2 of and adding Sections 12A-15.2 through 12A-15.12 to CHAPTER 12A, "CODE OF ETHICS," of the Dallas City Code, as amended; defining terms; providing registration, reporting, recordkeeping, and other requirements for lobbyists appearing before the city; establishing fees for lobbyist registration; providing non-registrant disclosure statement requirements for applicants, property owners, and property purchasers in designated zoning cases and designated public subsidy matters; providing for the city secretary to implement and administer the lobbyist registration and reporting program and the non-registrant disclosure statement procedures; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Section 12A-2, "Definitions," of Article I, "Declaration of Policy," of CHAPTER 12A, "CODE OF ETHICS," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 12A-2. DEFINITIONS.**

In this chapter, the following words and phrases have the meanings ascribed to them in this section, unless the context requires otherwise:

(1) **ACCEPT.** A person "accepts" an offer of employment or a business opportunity when the person enters into a legally binding contract or any informal understanding that the parties expect to be carried out.

(2) **AFFECT PARTICULARLY AN ECONOMIC INTEREST or AFFECT PARTICULARLY A SUBSTANTIAL ECONOMIC INTEREST.** An action is likely to "affect particularly an economic interest" or "affect particularly a substantial economic interest," whichever is applicable, if it is likely to have an effect on the particular interest that is distinguishable from its effect on members of the public in general or on a substantial segment of the public.

(3) **AFFILIATED.** Business entities are "affiliated" if one is the parent or subsidiary of the other or if they are subsidiaries of the same parent business entity.

(4) **AFFINITY.** Relationship by "affinity" (by marriage) is defined in Sections 573.024 and 573.025 of the Texas Government Code, as amended.

(5) **BEFORE THE CITY.** Representation or appearance "before the city" means before:

- (A) the city council;
- (B) a board, commission, or other city body or city entity; or
- (C) a city official or employee.

(6) **BENEFIT** means anything reasonably regarded as pecuniary gain or pecuniary advantage, including a benefit to any other person in whose welfare the beneficiary has a direct and substantial interest.

(7) **BUSINESS ENTITY** means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law, except that the term does not include a governmental entity.

(8) **CITY** means the city of Dallas, Texas.

(9) **CITY COUNCIL MEMBER** or **MEMBER OF THE CITY COUNCIL** means all members of the Dallas city council, including the mayor.

(10) **CLIENT.**

(A) The term "client" includes any specialized and highly personalized professional business relationship of an individual official or employee. The term does not include a regular or ordinary business or vendor relationship.

(B) If the official or employee does not personally represent the client but conducts business as a member of a primary partnership or professional corporation or conducts business through another entity, a client of the partnership, professional corporation, or entity is deemed to be a client of the official or employee if:

(i) the partnership, professional corporation, or entity derived two percent or more of its annual gross income within the preceding 12 months from the client; and

(ii) the city official or employee knows of the client's relationship.

(C) This definition does not apply to the term "client" when used in Article III-A (lobbyist regulations).

(11) CODE OF ETHICS or ETHICS CODE means this chapter.

(12) CONFIDENTIAL GOVERNMENT INFORMATION includes:

(A) all information held by the city that is not available to the public under the Texas Open Records Act;

(B) any information from a meeting closed to the public pursuant to the Texas Open Meetings Act; and

(C) any information protected by attorney-client, attorney work product, or other applicable legal privilege.

(13) CONSANGUINITY. Relationship by "consanguinity" (by blood) is defined in Sections 573.022 and 573.023 of the Texas Government Code, as amended.

(14) DEPARTMENT DIRECTOR means the head of any department or office, including an office under the city manager, that is created by the city charter or by ordinance of the city council.

(15) DISCRETIONARY CONTRACT means any contract other than one that by law must be awarded on a competitive bid basis.

(16) DOMESTIC PARTNER means an individual who, on a continuous basis, lives in the same household and shares the common resources of life in a close, personal, intimate, committed relationship with a city official or employee. A domestic partner may be of the same or opposite gender as the official or employee and is not married to or related by blood to the official or employee.

(17) ECONOMIC INTEREST includes, but is not limited to, legal or equitable property interests in land, chattels, and intangibles, and contractual rights, having more than de minimis value. Exceptions are as follows:

(A) Service by a city official or employee as an officer, director, advisor, or otherwise active participant in an educational, religious, charitable, fraternal, or civic organization does not create for that city official or employee an economic interest in the property of the organization.

(B) If a city official's primary source of employment is with a governmental entity other than the city, such employment by the governmental entity does not create for that city official an economic interest in the property or contracts of the governmental entity.

(C) Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an economic interest in such securities or other assets unless the person in question participates in the management of the fund.

(18) EMPLOYEE or CITY EMPLOYEE means any person listed on the city of Dallas payroll as an employee, whether part-time, full-time, permanent, or temporary.

(19) *EX PARTE* COMMUNICATION means any communication not made in a written document filed with the ethics advisory commission and not made orally during a hearing, but does not include a communication made pursuant to an inquiry duly authorized by the commission.

(20) FORMER CITY OFFICIAL OR EMPLOYEE means a person whose official duties as a city official or employee are terminated on or after January 1, 2001.

(21) GIFT means a voluntary transfer of property (including the payment of money) or the conferral of a benefit having pecuniary value (such as the rendition of services or the forbearance of collection on a debt), unless consideration of equal or greater value is received by the donor.

(22) INDIRECT OWNERSHIP. A person has "indirect ownership" of an equity interest in a business entity where the interest is held through a series of business entities, some of which own interests in others.

(23) KNOWINGLY or WITH KNOWLEDGE. A person acts "knowingly" or "with knowledge" with respect to the nature of his or her conduct or to circumstances surrounding his or her conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts "knowingly" or "with knowledge" with respect to a result of his or her conduct when the person is aware that the conduct is reasonably certain to cause the result.

(24) OFFICIAL or CITY OFFICIAL includes the following persons, except when used in Article III-A (lobbyist regulations):

- (A) City council members.
- (B) Municipal judges.
- (C) The city manager, the first assistant city manager, and all assistant city managers.
- (D) The city auditor and the first assistant city auditor.
- (E) The city attorney and the first assistant city attorney.
- (F) The city secretary and the first assistant city secretary.

(G) All department directors.

(H) Members of all boards, commissions (except the youth commission whose members are minors), committees, and other bodies created by the city council pursuant to city ordinance or federal or state law, including bodies that are only advisory in nature.

(I) City council appointed members of boards of entities that were not created by the city council.

(25) OFFICIAL ACTION includes:

(A) any affirmative act (including the making of a formal or informal recommendation), that is within the scope of an official's or employee's duties; and

(B) any failure to act, if the official or employee is under a duty to act.

(26) OFFICIAL INFORMATION includes information gathered pursuant to the power or authority of city government.

(27) PARTNER includes any partner in a general partnership, limited partnership, or joint venture.

(28) PERSONALLY PARTICIPATED. The requirement of having "personally participated" in a matter is met only if the individual in fact exercised discretion relating to the matter. The fact that the person had responsibility for a matter does not by itself establish that the person "personally participated" in the matter.

(29) REPRESENTATION encompasses every form of communication or personal appearance in which a person, not acting in performance of official duties, formally or informally serves as an advocate for private interests. Lobbying and service as an expert witness, even on an informal basis, are forms of representation. "Representation" does not include appearance as a fact witness in litigation or other official proceedings.

(30) SOLICITATION. "Solicitation" of subsequent employment or a subsequent business opportunity includes any form of proposal or negotiation relating to employment or a business opportunity.

(31) SUBSTANTIAL ECONOMIC INTEREST.

(A) A person has a "substantial economic interest" in a business entity if:

(i) the person owns 10 percent or more of the voting stock, shares, or other ownership interest in the business entity or owns either 10 percent or more or \$15,000 or more of the fair market value of the business entity; or

(ii) funds received by the person from the business entity exceed 10 percent of the person's gross income for the previous year.

(B) A person has a "substantial economic interest" in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more.

(C) For purposes of determining a "substantial economic interest," ownership of an interest in a mutual or common investment fund that holds securities or other assets does not constitute direct or indirect ownership of such securities or other assets unless the person in question participates in the management of the fund."

SECTION 2. That CHAPTER 12A, "CODE OF ETHICS," of the Dallas City Code, as amended, is amended by adding Article III-A, entitled "Lobbyists," to read as follows:

**"ARTICLE III-A.**

**LOBBYISTS.**

**SEC. 12A-15.2. DEFINITIONS.**

In this article, unless specifically provided otherwise:

(1) CITY OFFICIAL means:

(A) The mayor and city council members.

(B) The city manager and assistant city managers.

(C) The city attorney and first assistant city attorney.

(D) The city secretary and first assistant city secretary.

(E) The city auditor and first assistant city auditor.

(F) Municipal judges.

(G) All department directors.

(H) City of Dallas appointed members to the following boards and

commissions:

(i) Board of adjustment and board of adjustment alternate members.

board.

(ii) Building inspection advisory, examining, and appeals

(iii) City plan and zoning commission.

members.

(iv) Civil service board and civil service board adjunct

(v) Community development commission.

(vi) Dallas area rapid transit board.

(vii) Dallas-Fort Worth international airport board.

(viii) Ethics advisory commission.

(ix) Fire code advisory and appeals board.

(x) Housing finance corporation board.

members.

(xi) Landmark commission and landmark commission alternate

(xii) All local government corporation boards.

(xiii) All municipal management district boards.

(xiv) Park and recreation board.

(xv) Permit and license appeal board.

(xvi) All reinvestment zone boards.

(2) CLIENT.

(A) "Client" means any person on whose behalf lobbying is conducted. If a person engages in lobbying on that person's own behalf, whether directly or through the acts of others, the person is both a client and a lobbyist.

(B) In the case of a coalition or association that employs or retains other persons to conduct lobbying activities, the client is the coalition or association and not its individual members.

(C) In the case of a limited liability company, limited partnership company, or similar entity, the client includes the managers and general partners, but does not include the non-managing members or limited partners.

(D) In the case of affiliated business entities, the client includes the parent entity and each subsidiary with a direct economic interest in a municipal question and on whose behalf the municipal question is being lobbied, but does not include any other subsidiaries or entities whose only involvement in the municipal question or lobbying activities is being under the common control or ownership structure of the parent entity.

(3) COMPENSATION.

(A) "Compensation" means any money, service, facility, or other thing of value that is received, or is to be received, in return for or in connection with lobbying services rendered, or to be rendered, including reimbursement of expenses incurred in lobbying.

(B) "Compensation" does not include:

(i) a payment made to any individual regularly employed by a person if:

(aa) the payment ordinarily would be made regardless of whether the individual engaged in lobbying activities; and

(bb) lobbying activities are not part of the individual's regular responsibilities to the person making the payment; or

(ii) any amounts previously reported under Section 12A-15.6 of this article.

(C) If a lobbyist engages in both lobbying activities and other activities on behalf of a person, compensation for lobbying includes all amounts received from that person, if, for the purpose of evading the obligations imposed under this article, the lobbyist has structured the receipt of compensation in a way that unreasonably minimizes the value of the lobbying activities.

(D) Compensation that has not yet been received is considered to be received on the date that it is earned, if that date is ascertainable; otherwise, it is received on the date on which the contract or agreement for compensation is made, or on the date lobbying commences, whichever is first.

(4) DESIGNATED PUBLIC SUBSIDY MATTER means any of the following:

(A) A tax abatement.

(B) A housing tax credit.

(C) An historic development tax abatement.

(D) Federal grant money administered by the city.

(E) Tax increment financing.

(F) An economic development grant or loan.

(5) DESIGNATED ZONING CASE means a change of zoning on a specific property where:

(A) the property is 25 acres or more;

(B) the proposed floor area for retail or personal service uses is 200,000 square feet or more;

(C) the proposed floor area for industrial uses is one million square feet or more;

(D) the proposed zoning change is to a multifamily district of 10 acres or more;

(E) the proposed zoning change allows 60 dwelling units or more per acre; or

(F) the city staff recommendation and the city plan commission recommendation regarding the proposed change of zoning do not agree.

(6) EXPENDITURE.

(A) "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or gift of money or anything of value, including a contract, promise, or agreement to make an expenditure, regardless of whether such contract, promise, or agreement is legally enforceable.

(B) "Expenditure" does not include:

(i) an amount paid to any individual regularly employed by a person if:

(aa) the amount paid to the individual is ordinarily paid regardless of whether the individual engages in lobbying activities; and

(bb) lobbying activities are not part of the individual's regular responsibilities to the person making the payment; or

(ii) the cost of photocopying city documents, if those costs are the only expenditures made by the person in question on lobbying activities.

(C) The date on which an expenditure is incurred is determined according to generally accepted accounting principles.

(7) GIFT has the same meaning as in Section 12A-2.

(8) IMMEDIATE FAMILY means a spouse, a domestic partner, and dependent children.

(9) LOBBYIST means a person who engages in lobbying, whether directly or through the acts of another. If an agent or employee engages in lobbying for a principal or employer, both the agent and the principal, or the employee and the employer, are lobbyists.

(10) LOBBY or LOBBYING.

(A) "Lobby or lobbying" means any oral or written communication (including an electronic communication) to a city official, made directly or indirectly by any person in an effort to influence or persuade an official to favor or oppose, recommend or not recommend, vote for or against, or take or refrain from taking action on any municipal question.

(B) "Lobby or lobbying" does not include a communication:

(i) merely requesting information or inquiring about the facts or status of any municipal question, matter, or procedure, and not attempting to influence a city official;

(ii) made by a public official or employee (including, but not limited to, an official or employee of the city of Dallas) acting in his or her official capacity;

(iii) made by a representative of a media organization if the purpose of the communication is gathering and disseminating news and information to the public;

(iv) made in a speech, article, publication, or other material that is distributed and made available to the public, or through radio, television, cable television, or any other medium of mass communication;

(v) made at a meeting open to the public under the Texas Open Meetings Act;

(vi) made in the form of a written comment filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;

(vii) made in writing as a petition for official action and required to be a public record pursuant to established city procedures;

(viii) made in writing to provide information in response to an oral or written request by a city official for specific information;

(ix) the content of which is compelled by law;

(x) made in response to a public notice soliciting communications from the public and directed to the official specifically designated in the notice to receive such communications;

(xi) made on behalf of an individual with regard to that individual's employment or benefits;

(xii) made by a fact witness or expert witness at an official proceeding; or

(xiii) made by a person solely on behalf of that individual, his or her spouse or domestic partner, or his or her minor children.

(11) LOBBYING FIRM means:

(A) a self-employed lobbyist; or

(B) a person who has one or more employees that are lobbyists on behalf of a client or clients other than that person.

(12) MUNICIPAL QUESTION means a public policy issue of a discretionary nature that is pending before, or that may be the subject of action by, the city council or any city board or commission. The term includes, but is not limited to, proposed actions or proposals for action in the form of ordinances, resolutions, motions, recommendations, reports, regulations, policies, nominations, appointments, sanctions, and bids, including the adoption of specifications, awards, grants, or contracts. The term does not include the day-to-day application, administration, and execution of city programs and policies such as permitting, platting, and design approval matters related to or in connection with a specific project or development.

(13) PERSON means an individual, corporation, association, firm, partnership, committee, club, organization, or a group of persons voluntarily acting in concert.

(14) REGISTRANT means a person required to register under this article.

### SEC. 12A-15.3. PERSONS REQUIRED TO REGISTER AS LOBBYISTS.

Except as provided by Section 12A-15.4, a person must register with the city secretary if the person:

(1) receives compensation of \$200 or more in a calendar quarter for lobbying;

(2) receives reimbursement of \$200 or more in a calendar quarter for lobbying; or

(3) lobbies as the agent or employee of a person who:

(A) receives compensation of \$200 or more in a calendar quarter for lobbying;

(B) receives reimbursement of \$200 or more in a calendar quarter for lobbying.

#### SEC. 12A-15.4. EXCEPTIONS.

The following persons are not required to register or file an activity report under this article:

(1) A person who owns, publishes, or is employed by a newspaper, any other regularly published periodical, a radio station, a television station, a wire service, or any other bona fide news medium that in the ordinary course of business disseminates news, opinions, or paid advertisements that directly or indirectly oppose or promote municipal questions or seek to influence official action relating to municipal questions, provided that the person does not engage in other activities that require registration under this article. This exception does not apply if a person's relation to the news media is only incidental to a lobbying effort or if a position taken or advocated by a media outlet directly impacts, affects, or seeks to influence a municipal question in which the media outlet has a direct or indirect economic interest.

(2) A person whose only lobbying activity is to encourage or solicit the members, employees, or owners (including shareholders) of an entity by whom the person is compensated to communicate directly with one or more city officials to influence municipal questions.

(3) A governmental entity and its officials and employees, provided the communications relate solely to subjects of governmental interest concerning the governmental entity and the city.

(4) A person who neither knows nor has reason to know that a municipal question is pending at the time of contact with a city official. This exception does not apply if the existence of a municipal question is discovered during on-going contacts with a city official and the person then engages in additional lobbying of the same official or other city officials with respect to that municipal question.

(5) An attorney or other person whose contact with a city official is made solely as part of resolving a dispute with the city, provided that the contact is solely with city officials who do not vote on or have final authority over any municipal question involved.

(6) An agent or employee of a lobbying firm or other registrant, provided that the lobbying firm or other registrant files a registration statement or activity report for the period in question fully disclosing all relevant information known to the agent or employee.

(7) An individual who engages in lobbying, but who does not receive compensation or reimbursement for lobbying with respect to any client.

(8) A neighborhood association, crime watch group, or homeowners association or its members when lobbying on a municipal question that affects the group or association as a whole.

#### SEC. 12A-15.5. REGISTRATION.

(a) Initial registration. A person required to register as a lobbyist under this article shall file a separate registration for each client. A registrant who makes more than one lobbying contact for the same client shall file a single registration form covering all lobbying contacts for that client. If the registrant is not an individual, an authorized officer or agent of the registrant must file the form. An initial registration form relating to a client must be filed by a person required to register under this article within five days after the start of lobbying activity for that client, except that initial registration of a client in a zoning case must be filed within five days after the zoning application is filed with the city. In no event shall a registrant knowingly fail to register, or knowingly fail to disclose such registration to relevant city officials, prior to official city action relating to the subject matter of the lobbying activity.

(b) Subsequent annual registration. Subsequent registration forms must be filed annually by January 15 for each client for whom a registrant previously filed or was required to file an initial registration form in the prior registration year, if lobbying activities are still being conducted or will foreseeably be conducted for the client during the new registration year.

(c) Required disclosures. An initial or subsequent registration must be filed on the form and in the manner prescribed by the city secretary and must include, to the extent applicable, the following information:

(1) The full name, telephone number, permanent address, and nature of the business of:

(A) the registrant;

(B) the client;

(C) any person, other than the client, on whose behalf the registrant has been engaged by the client to lobby;

(D) any person, other than the client, who is known by the registrant to contribute financially to the compensation of the registrant, or who, in whole or in major part, plans, supervises, or controls the registrant's lobbying activities on behalf of the client;

(E) any lobbying firm for which the registrant is an agent or employee with respect to the client; and

(F) each employee or agent of the registrant who has acted or whom the registrant expects to act as a lobbyist on behalf of the client.

(2) A statement of all municipal questions on which the registrant:

(A) has lobbied for the client in the calendar quarter in which the registration is filed and in the three months preceding the filing of the registration, including the name of each city official contacted by the registrant on behalf of the client with regard to each municipal question and the type of contact made with the city official (in person, telephone call, letter, or electronic mail); or

(B) will foreseeably lobby for the client in the calendar quarter in which the registration is filed and in the three months following the filing of the registration.

(3) If the municipal question relates to a zoning case, the name of each city official contacted and the type of contact made (in person, telephone call, letter, or electronic mail) by the registrant on behalf of the client from the time the registrant began lobbying activities relating to the zoning case until the time the registrant filed a registration for the client in compliance with this section.

(4) Disclosure of any employment or arrangement to lobby for the client on a contingent fee basis.

(5) A list of any positions held by the registrant as a city official or city employee, as those terms are defined in Section 12A-2, during the 24 months preceding the filing of the registration.

(6) A statement that, by filing the registration, the registrant swears or affirms under penalty of perjury that, to the best of the registrant's knowledge, all information contained in the registration is true and correct and that the registration is complete and includes all information required to be disclosed under this article.

(7) If the registrant is a former city official or employee, a statement that, by filing the registration, the registrant swears or affirms that, to the best of the registrant's knowledge, the registrant's lobbying activities have not violated and will not foreseeably violate Article III of this chapter, which governs former city officials and employees.

(d) Fee. At the time of filing an initial or subsequent annual registration, a registrant shall pay to the city an annual registration fee of \$300. A separate registration fee is not required for each additional client registered during a registration year. All lobbyist registration fees must be deposited into a separate account within the general fund, which account must be used to offset the costs of administering the city's lobbyist registration program and the costs of handling disclosure filings.

SEC. 12A-15.6. ACTIVITY REPORTS.

(a) Required disclosures. Except as provided in Section 12A-15.4 of this article, each registrant shall file with the city secretary a report concerning the registrant's lobbying activities for each client from whom, or with respect to whom, the registrant received compensation of, or expended, monies for lobbying during the prior calendar quarter. The report for the preceding calendar quarter must be filed not earlier than the first day or later than the 15th day of April, July, October, or January, or on the date registration on behalf of the client is required, whichever comes later. If the registrant is not an individual, an authorized officer or agent of the registrant shall file the form. The report must be filed on the form and in the manner prescribed by the city secretary and must include, with respect to the previous calendar quarter, to the extent applicable, the following information:

(1) The name of the registrant, the name of the client, and any changes or updates in the information provided in the most recent registration statement filed pursuant to Section 12A-15.5.

(2) A list of the specific issues upon which the registrant engaged in lobbying activities, including, to the maximum extent practicable, a list of specific legislative proposals and other proposed, pending, or completed official actions.

(3) Disclosure of any employment or arrangement to lobby for the client on a contingent fee basis.

(4) The name of each city official contacted by the registrant on behalf of the client with regard to a municipal question and the type of contact made with the city official (in person, telephone call, letter, or electronic mail).

(5) A list of the employees or agents of the registrant who acted as lobbyists on behalf of the client.

(6) Cumulative lobbying expenditures of over \$5,000 in a calendar quarter, separated into the following categories:

(A) Advertising and publications.

(B) Compensation to other than full-time employees.

(C) Reimbursement to others.

(D) Personal sustenance, lodging and travel, if reimbursed.

(E) Other expenses.

(7) Gifts, benefits, and expenditures that have a cumulative value of more than \$25 that are made to, conferred upon, or incurred on behalf of a city official or his or her immediate family by the registrant, or by anyone acting on behalf of the registrant, in any calendar quarter must be itemized by item, date, city official, actual cost, and circumstances of the transaction.

(8) Each exchange (itemized by date, business entity and address, city official, amount, and nature of transaction) of money, goods, services, or anything of value by the registrant, or by anyone acting on behalf of the registrant, with any business entity in which the registrant knows or should know that a city official has a substantial economic interest, or for which the city official serves as a director or an officer, or in any other policy making position, if:

(A) the total of such exchanges is \$250 or more in a calendar quarter;

and

(B) the city official:

(i) has been lobbied by the registrant during the calendar quarter; or

(ii) serves on a board, commission, or other city body that has appellate jurisdiction over the subject matter of the lobbying.

For purposes of this paragraph, "exchange" does not include a routine purchase from a commercial business establishment, if the city official in question is neither aware, nor likely to become aware, of the transaction.

(9) The name and position of each city official or member of a city official's immediate family who is employed by the registrant.

(10) A statement that, by filing the report, the registrant swears or affirms under penalty of perjury that, to the best of the registrant's knowledge, all information contained in the report is true and correct and that the report is complete and includes all information required to be reported under this article.

(b) Information required to be provided to registrant. Each person about whose activities a registrant is required to report by Subsection (a) of this section shall provide a full account of such activities to the registrant at least five days before the registrant's report is due to be filed.

(c) Preservation of records. Each registrant shall obtain and preserve all accounts, bills, receipts, books, papers, and documents necessary to substantiate the activity reports required under this section for two years after the date the report containing such items is filed.

(d) No activity or changes. No quarterly activity report is required if there is no activity during the preceding calendar quarter and there are no other changes to items required to be reported.

SEC. 12A-15.7. NON-REGISTRANT DISCLOSURE STATEMENTS.(a) Non-registrant disclosure statement required for designated persons.

(1) Designated zoning cases. Any applicant, property owner, or purchaser with a property under contract who lobbies a city council member or a member of the city plan commission on a municipal question relating to a designated zoning case that will affect the property shall file a non-registrant disclosure statement in accordance with this section. An initial non-registrant disclosure statement must be filed within five days after the applicant, property owner, or purchaser contacts a city council member or member of the city plan commission for lobbying purposes. This paragraph only applies to lobbying contacts made after the application for the designated zoning case is filed with the city.

(2) Designated public subsidy matters. Any applicant, property owner, or purchaser with a property under contract who lobbies a city council member on a municipal question relating to a designated public subsidy matter that will affect the property shall file a non-registrant disclosure statement in accordance with this section. An initial non-registrant disclosure statement must be filed within five days after the applicant, property owner, or purchaser contacts a city council member for lobbying purposes. This paragraph only applies to lobbying contacts made after the designated public subsidy matter is posted on a city council committee agenda or a council agenda, whichever occurs first.

(b) Required information. A non-registrant disclosure statement must be filed with the city secretary on the form and in the manner prescribed by the city secretary. If the applicant, property owner, or purchaser with a property under contract is not an individual, an authorized officer or agent of that person shall file the non-registrant disclosure statement. The non-registrant disclosure statement must include, to the extent applicable, the following information:

(1) The full name, telephone number, permanent address, and nature of the business of:

(A) the applicant;

(B) the property owner; and

(C) the purchaser with a property under contract.

(2) The full name, telephone number, permanent address, and nature of the business of the person filing the non-registrant disclosure statement, if different from the applicant, property owner, or purchaser.

(3) The address of the property that is the subject of the designated zoning case or designated public subsidy matter, whichever applies.

(4) A description of the designated zoning case or designated public subsidy matter.

(5) The name of each city council member or city plan commission member contacted by the applicant, property owner, or purchaser relating to a designated zoning case or the name of each city council member contacted by the applicant, property owner, or purchaser relating to a designated public subsidy matter, and the type of contact made (in person, telephone call, letter, or electronic mail).

(6) A statement that, by filing the non-registrant disclosure statement, the filer swears or affirms under penalty of perjury that, to the best of the filer's knowledge, all information contained in the non-registrant disclosure statement is true, correct, and complete and includes all information required to be disclosed under this section.

(c) Quarterly disclosure statements. Lobbying contacts on a designated zoning case or designated public subsidy matter made after an initial non-registrant disclosure statement is filed must be reported by the applicant, property owner, or purchaser with a property under contract in quarterly non-registrant disclosure statements. A quarterly non-registrant disclosure statement must be filed on the form and in the manner prescribed by the city secretary and must include, with respect to the previous calendar quarter, to the extent applicable, the same information required in Subsection (b) of this section. The non-registrant disclosure statement for the preceding calendar quarter must be filed not earlier than the first day or later than the 15th day of April, July, October, or January.

(d) No fee. No fee will be charged for filing a non-registrant disclosure statement under this section.

(e) Exceptions. This section does not apply to:

(A) an applicant, property owner, or purchaser with a property under contract who is currently registered with the city as a lobbyist and filing activity reports in accordance with this article; or

(B) a neighborhood association, crime watch group, or homeowners association or its members when lobbying on a municipal question that affects the group or association as a whole.

#### SEC. 12A-15.8. RESTRICTED ACTIVITIES.

(a) False statements. A person who lobbies or engages another person to lobby, or any other person acting on behalf of such person, shall not intentionally or knowingly:

(1) make any false or misleading statement of fact to any city official; or

(2) knowing a document to contain a false statement, cause a copy of such document to be received by a city official without notifying such official in writing of the truth.

(b) Failure to correct erroneous statement. A registrant who learns that a statement contained in a registration form or activity report filed by the registrant during the past three years is false shall correct that statement by written notification to the city secretary within 30 days of learning of the falsehood.

(c) Personal obligation of city officials. A person who lobbies or engages another person to lobby, or any other person acting on behalf of such person, shall not do any act, or refrain from doing any act, with the express purpose and intent of placing any city official under personal obligation to such lobbyist or person.

(d) Improper influence. A registrant shall not cause or influence the introduction of any ordinance, resolution, appeal, application, petition, nomination, or amendment for the purpose of thereafter being employed as a lobbyist to secure its granting, denial, confirmation, rejection, passage, or defeat.

(e) False appearances. A person who lobbies or engages another person to lobby, or any other person acting on behalf of such person, shall not cause any communication to be sent to a city official in the name of any fictitious person, or in the name of any real person except with the consent of such real person.

(f) Prohibited representations. A person who lobbies or engages another person to lobby, or any other person acting on behalf of such person, shall not represent, either directly or indirectly, orally or in writing, that the person can control or obtain the vote or action of any city official.

(g) Lobbying by bidders and proposers on city contracts. A person responding to a request for bids or request for proposals on a city contract shall not (either personally or through a representative, employee, or agent) lobby a city council member from the time the advertisement or public notification of the request for bids or request for proposals is made until the time the contract is awarded by the city council. This subsection does not prohibit a bidder or proposer from speaking at the city council meeting where the award of the contract is considered.

#### SEC. 12A-15.9. IDENTIFICATION OF CLIENTS.

(a) Appearances. Each person who lobbies or engages another person to lobby before the city council or before a city board or commission identified in Section 12A-15.2(1)(H) shall orally identify himself or herself and any client he or she represents upon beginning an address. Each person who lobbies or engages another person to lobby shall also disclose on appropriate sign-in sheets his or her identity, the identity of the client he or she represents, and whether he or she is registered as a lobbyist under this article.

(b) Oral lobbying contacts. Any person who makes an oral lobbying contact with a city official shall, on the request of the official at the time of the lobbying contact, state whether the person is registered under this article and identify each client on whose behalf the lobbying contact is made.

(c) Written lobbying contacts. Any registrant who makes a written lobbying contact (including an electronic communication) with a city official shall identify each client on whose behalf the lobbying contact is made and identify himself or herself as a registered lobbyist.

**SEC. 12A-15.10. TIMELINESS OF FILING REGISTRATIONS, ACTIVITY REPORTS, AND NON-REGISTRANT DISCLOSURE STATEMENTS.**

(a) A registration, an activity report, or a non-registrant disclosure statement filed by first-class United States mail or by common or contract carrier is timely if:

(1) it is properly addressed with postage and handling charges prepaid;

(2) it bears a post office cancellation mark or a receipt mark from a common or contract carrier indicating a time within the applicable filing period or before the applicable filing deadline, or the person required to file furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier within that filing period or before that filing deadline; and

(3) it was in fact received by the city secretary.

(b) A registration, an activity report, or a non-registrant disclosure statement filed electronically is timely if it is time and date stamped as having been received by the city's server by 5 p.m. on the last day permitted for filing the particular registration, report, or statement under this article.

**SEC. 12A-15.11. ADMINISTRATION.**

The city secretary shall:

(1) provide guidance and assistance on requirements for lobbyist registration, activity reports, and non-registrant disclosure statements and develop common standards, rules, and procedures for compliance with this article;

(2) review registrations, activity reports, and non-registrant disclosure statements for completeness and timeliness;

(3) maintain filing, coding, and cross-indexing systems to carry out the purposes of this article, including:

(A) a publicly available list identifying all lobbyists and lobbying firms registered with the city and their clients; and

(B) computerized systems designed to minimize the burden of filing and maximize public access to materials filed under this article;

(4) on a quarterly basis, provide an updated list of all registered lobbyists and lobbying firms, and their clients, to the city council, the city manager, the city attorney, the city auditor, the administrative municipal judge, all department heads, and all chairs of boards and commissions identified in Section 12A-15.2(1)(H) of this article;

(5) make available for public inspection and copying at reasonable times the registrations, activity reports, and non-registrant disclosure statements filed under this article; and

(6) retain registrations, activity reports, and non-registrant disclosure statements in accordance with the Local Government Records Act (Title 6, Subtitle C, Texas Local Government Code, as amended).

**SEC. 12A-15.12. VIOLATIONS; PENALTY.**

(a) A person who violates a provision of this article, or who fails to perform an act required of the person by this article, commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.

(b) An offense under this article is punishable by a criminal fine not to exceed \$500."

SECTION 3. That, by September 1, 2010, the city manager and the city secretary shall review and assess the costs of the lobbyist registration and reporting program established by this ordinance and report their findings and recommendations to the city council.

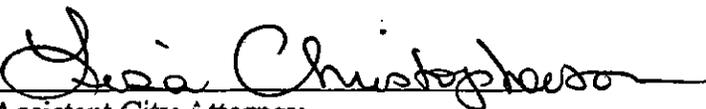
SECTION 4. That CHAPTER 12A of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance will take effect April 1, 2010, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By   
Assistant City Attorney

Passed NOV 09 2009

LC/DCC/00467A