

# Cultural Affairs Commission Rules of Procedure

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# Rules of Procedure: recap of process to update

- Previously: discussed plan to update, key issues for discussion, and codification of current practice at May 17<sup>th</sup> CAC meeting
- Today: discussion of key issues to come up with recommendations for Rules
- Next steps:
  - Draft Rules will be discussed one month prior to vote for adoption by Commission
  - Vote for adoption in September/October, concurrent with Cultural Plan

# Reminder: CAC practices

- CAC has 10 regular meetings per year – monthly except July & December
- CAC established in Chapter 2 of City Code:
  - 18 members: 15 district/Councilmember representatives and 3 at-large representatives
  - Is an advisory body, and is not a judicial or a quasi-judicial body like Park Board or Zoning, for which all members are expected to dedicate more than 20 hours/month
- Chair is appointed by the mayor, vice-chair by full City Council
  - Chair's duties and privileges include serving as the presiding officer at meetings, preserving decorum and order, liaison assignments, committee assignments, and calling additional meetings
- Seating is in order of seniority with Chair and Vice Chair at the center
- Commissioner roles, rights, privileges and obligations are set out in Chapters 8 and 12A of City Code (Boards and Commissions & Code of Ethics)

# Progress to date: codifying new practices

The following newly instituted procedures to improve transparency and communication will be adopted by the Commission and codified:

- Regular monthly meeting location and recordings
  - In Park Board Room at City Hall and recorded/broadcast live with audio and video
  - Meeting time is 4:30 to 6PM (to be discussed)
  - Briefing materials will be posted to OCA website within 1 business day after the meeting
    - Video is controlled by the Public Information Office, however OCA will endeavor to cause the Public Information Office to post video within 1 business day after the meeting.
  - Discuss Commissioners allotted speaking time (3 minutes + default to Robert's Rules)
- Sharing draft agenda and voting items
  - At least 96 hours (4 days) before Commission meeting to allow for review
  - Final agenda and voting item materials will be posted 72 hours before the meeting

# Progress to date: codifying new practices

- Annual calendar-setting for regular meetings
  - To be briefed in November and adopted by Commission vote
- Annual report
  - At the regular CAC meeting for November, staff will submit a draft of the proposed annual report to the Commission for review. The report will include the mission, summary of the prior year's activities, a list of the current year's objectives or programs, and Commission recommendations. The proposed report will be submitted to the Commission for vote at the regular CAC meeting for the following January, and upon approval, will be sent to the city manager for distribution to the City Council by February 1. Any dissenters may submit a written dissent, as provided in Chapter 8, that is distributed with all copies of the final annual report, without editing.
- Committees: all Commissioners can attend and participate in discussion
  - Notice of upcoming committee meetings as part of CAC regular meeting agenda (this is current practice)
  - Commission task forces are not covered by the City Code and are not subject to the Open Meetings Act (discuss whether they should be or if they could be at the discretion of the Chair or by vote of a majority of the Commission).

# Public speakers

*Red = Task Force recommendation*

Topic	Current practice	Key questions	Example options
Public speakers: speaking time allotted	3 min (subject to change in Chair's sole discretion)	<ul style="list-style-type: none"> <li>How much time should be dedicated to speakers vs. rest of Commission business?</li> <li>How can we allow speakers to plan for allotted time?</li> <li>How can we appropriately plan to hear all public speakers?</li> </ul>	<ul style="list-style-type: none"> <li>Current practice (3 min subject to change in Chair's sole discretion)</li> <li><i>Sliding scale published (e.g., 3 min if &lt;10 speakers, 2 min if 10-19 speakers, 1 min if 20+ speakers)</i></li> <li>3 min each for first 5 speakers at beginning of meeting; 3 min each for rest of speakers at end of meeting</li> </ul>
Public speakers: registration deadlines	By 5pm on business day before Commission meeting	<ul style="list-style-type: none"> <li>How can we balance public accessibility and planning needs (for chair, for speakers to know time allotted, for OCA director to reach out to staff with relevant info, etc.)?</li> </ul>	<ul style="list-style-type: none"> <li>Current practice (by 5pm on business day before)</li> <li>By 9am on day of meeting</li> <li>By noon on day of meeting</li> <li><i>By official start time of meeting (e.g. Park Board)</i></li> </ul>



# Adding new agenda items

*Red = Task Force recommendation*

Topic	Current practice	Key questions	Example options
Adding agenda items: Voting and briefing items	<p><u>Voting items:</u> Informal process - items added at the request of Chair or by OCA director or if already voted on by Public Art or Allocations committees</p> <p><u>Briefing items:</u> Informal process - work with OCA director or director-designated staff to request, prepare briefing items</p>	<ul style="list-style-type: none"> <li>• What is the timing/process to add items?</li> <li>• How many Commissioners are needed to add an item?</li> <li>• How can we ensure sufficient time for background work (e.g., referencing previous Commission actions, comparing to relevant benchmarks, review by City Attorney for statutory validity, OCA staff research) to enable all Commissioners to make informed vote or have informed discussion?</li> <li>• How does Chair prioritize items and conserve time if agenda is too long?</li> </ul>	<ul style="list-style-type: none"> <li>• Current practice (Informal process)</li> </ul> <p><u>Requestor example options:</u></p> <ul style="list-style-type: none"> <li>• <i>At least 6 Commissioners; or</i></li> <li>• <i>Majority committee or Commission vote; or</i></li> <li>• <i>Chair discretion</i> <ul style="list-style-type: none"> <li>• <i>Task Force recommends all 3</i></li> </ul> </li> </ul> <p><u>Request timing example options:</u></p> <ul style="list-style-type: none"> <li>• Previous CAC meeting</li> <li>• 2 weeks in advance (if City Attorney and OCA staff has capacity to adequately research and prepare items)</li> <li>• <i>If agenda item is not added due to time constraints, it must be addressed at the next meeting</i></li> </ul>



# Consent agenda

*Red = Task Force recommendation*

Topic	Current practice	Key questions	Example options
Consent agenda: voting items to include on consent agenda (i.e., not for individual consideration)	None; would need to be established by rules of procedure in order to use	<ul style="list-style-type: none"> <li>• Is current process sufficient (i.e., following Robert's Rules with a motion, a second motion, discussion if any, and then a vote)?</li> <li>• If current process is not sufficient:               <ul style="list-style-type: none"> <li>• How can we make Commission meetings more efficient for routine items?</li> <li>• What types of voting items should go onto consent agenda?</li> <li>• How do we allow for appropriate checks and balances with voting items?</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <i>Current practice (no consent agenda)</i></li> <li>• Default rule is no consent agenda unless adopted by each new Commission for that year only</li> <li>• Voting items with committee approval</li> <li>• Voting items with unanimous committee approval</li> <li>• Chair decision</li> </ul>
Consent agenda: when a Commissioner can pull items off consent agenda	Not applicable (no consent agenda)	<ul style="list-style-type: none"> <li>• How do we allow other Commissioners sufficient notice for understanding, researching, or discussing these voting items with their Council member?</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Not applicable</i></li> <li>• By 5pm day before meeting</li> <li>• By 9am on day of meeting</li> <li>• By noon on day of meeting</li> <li>• By official start time of meeting</li> </ul>



# Conflict of interest

Topic	Current practice	Key questions	Example options
Conflict of interest: time limitation for past board membership or contractual relationship	Conflict of interest related to own economic interest, employment within the past 12 months, or substantial economic interest of immediate family or domestic partner (City Code Chapter 12A)	<ul style="list-style-type: none"><li>• What, if any, further definitions of conflict of interest are useful?</li><li>• What other types of relationships should be considered a conflict of interest for Commission votes?</li><li>• How much time should have passed since a previous relationship (e.g., board membership) for there to no longer be a conflict?</li></ul>	<ul style="list-style-type: none"><li>• Current practice (as defined in City Code)</li><li>• Current affiliate, economic, or adversarial interest (current definitions for funding panels)</li><li>• Affiliate, economic, or adversarial interest within the past 12 months</li></ul>

# Partial meeting attendance

*Red = Task Force recommendation*

Topic	Current practice	Key questions	Example options
Attendance policy: percent of meeting present	If present for at least 50% of the meeting time, Commissioner recorded as present (by City Code but can be changed by these rules)	<ul style="list-style-type: none"> <li>• What is the "opportunity cost" to each Commissioner's district/ Council member of additional absences beyond the ~2 allowed today?</li> <li>• How can we balance flexibility with the need for quorum and conducting Commission business?</li> <li>• How long should a Commissioner stay to be counted as present?</li> <li>• How many times should a early exit/late arrival be allowed?</li> <li>• Are there any non-emergency circumstances for which the Chair may count a Commissioner as present?</li> </ul>	<ul style="list-style-type: none"> <li>• Current practice (at least 50% of time)</li> <li>• <i>If in attendance (any amount of time), with notice to the Chair, Chair has discretion to count as present [open: must it be an emergency].</i></li> <li>• 50% of target meeting duration (e.g., if unofficial target is 2 hours, then present for at least 1 hour)</li> <li>• 1 time to be counted as present if missed more than 50% of meeting with Chair consent or if present at voting items with Chair consent</li> <li>• [Open: if a regular meeting is moved]</li> </ul>



# Other items for discussion

- Committee attendance - RSVPs
- Communications/media policy
- Code of conduct (Chapter 8)
- Electronic device usage during meetings
- Any other items?



# Reference: Code of Conduct from City Code

## SEC. 8-22. BOARD MEMBERS

- (a) During board meetings, board members shall preserve order and decorum and shall neither, by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the orders of the chair or the rules of the board.
- (b) Every board member desiring to speak shall address the chair and, upon recognition by the chair, shall limit remarks to the question under debate and shall avoid discussion of personalities and indecorous language.
- (c) A board member, once recognized, shall not be interrupted while speaking unless called to order by the chair, except when a point of order is raised by another member or the speaker chooses to yield to questions from another member. If a board member is called to order while speaking, the member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or otherwise comply with rules of the board.
- (d) All members of the board shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the board and shall refrain at all times from rude and derogatory remarks, reflection as to integrity, abusive comments, and statements as to motives and personalities.
- (e) Board members shall confine their questions as to the particular matters before the assembly and, in debate, shall confine their remarks to the issues before the board.
- (f) Members shall be removed from the meeting for failure to comply with decisions of the chair or continued violations of the rules of the board. If the chair fails to act, any member may move to require the chair to enforce the rules, and the affirmative vote of a majority of the board shall require the chair to act.

