

Memorandum



CITY OF DALLAS

DATE: July 19, 2024

TO: **HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL**

SUBJECT: PETITION FOR AMENDMENTS TO THE DALLAS CITY CHARTER ON BEHALF
OF THE DALLAS HERO INITIATIVE

On June 18, 2024, pursuant to Sec. 9.004(a) of the Texas Local Government Code, our office received three separate petitions to:

- 1) AMEND THE DALLAS CITY CHARTER TO PRIORITIZE AN APPROPRIATION OF YEAR OVER YEAR CITY REVENUE INCREASES FOR SPECIFIC PUBLIC SAFETY OBJECTIVES INCLUDING FUNDING THE DALLAS POLICE AND FIRE PENSION SYSTEM, INCREASING THE NUMBER OF SWORN POLICE OFFICERS, AND ENSURING THEIR PAY IS COMPETITIVE;
- 2) AMEND THE DALLAS CITY CHARTER TO REQUIRE AN ANNUAL COMMUNITY SURVEY OF SERVICES OF THE CITY, AND BASED UPON THE RESULTS OF SUCH SURVEY, PROVIDE CONSEQUENCES FOR THE CITY MANAGER, INCLUDING AWARDED PERFORMANCE COMPENSATION OR TERMINATION;
- 3) ALLOW RESIDENTS TO FORCE THE CITY OF DALLAS TO FOLLOW ITS OWN ORDINANCES, ITS OWN CHARTER AND TEXAS STATE LAW

Petition 1 had a total of 8 boxes containing approximately 7,489 petition pages (59,730 submitted signatures);

Petition 2 had a total of 8 boxes containing approximately 6,880 petition pages (54,126 submitted signatures); and

Petition 3 had a total of 8 boxes containing approximately 7,047 petition pages (55,517 submitted signatures).

Texas Local Government Code, Sec. 9.004(a) and (b), states in part, "...The governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller." ... (b) The ordinance ordering the election shall provide for the election to be held on the first authorized uniform election date prescribed by the Election Code or on the earlier of the date of the next municipal general election or presidential general election. The election date must allow sufficient time to comply with other requirements of law and must occur on or after the 30th day after the date the ordinance is adopted.

However, I made the decision to use the statistical sample method for verifying signature on all three separate petitions as allowed by the Texas Election Code (TEC). TEC, Section 277.003 states, in part, "...If a petition contains more than 1,000 signatures, the city secretary or other authority responsible for verifying the signatures may use any reasonable statistical

July 19, 2024

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sampling method in determining whether the petition contains the required number of valid signatures, except that the sample may not be less than 25 percent of the total number of signatures appearing on the petition or 1,000, whichever is greater...”

With the consultant (Weaver) and I having examined the petition signatures, I have found the three petitions to contain sufficient signatures to qualify as valid. Therefore, I am submitting the attached petition analysis report, with certificate of sufficiency, for each petition to the City Council for appropriate action on August 14, 2024.

If you need further information, please let me know.

Sincerely,



Bilierae Johnson, City Secretary

- c: Kimberly Bizer Tolbert, City Manager
- Tammy Palomino, City Attorney
- Mark Swann, City Auditor
- Miroslava Martinez, Assistant City Secretary

STATE OF TEXAS

COUNTY OF DALLAS

CITY OF DALLAS

I, BILIERAE JOHNSON, City Secretary of the City of Dallas, Texas, have duly examined the attached petition entitled “*Amend the Dallas City Charter to prioritize an appropriation of year over year city revenue increases for specific public safety objectives including funding the Dallas police and fire pension system, increasing the number of sworn police officers, and ensuring their pay is competitive*”, filed with my office under Section 9.004 of the Texas Local Government Code. The aforementioned section of the Texas Local Government Code requires the governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.

I do hereby certify the attached petition contains the required number of registered voters in the municipality to be considered sufficient.

WITNESS MY HAND AND THE SEAL OF THE CITY OF DALLAS, TEXAS, this the **19th** day of **July 2024**.

Bilieraë Johnson
BILIERAE JOHNSON
CITY SECRETARY
CITY OF DALLAS, TEXAS





July 17, 2024

Biliera Johnson
City Secretary
City of Dallas - City Secretary's Office
1500 Marilla St., 5DS
Dallas, TX 75201

RE: Petition Signature Verification: Petition for Increased Public Safety.

Dear Ms. Johnson:

Weaver has been retained by the City Secretary's Office and the Office of the City Auditor of the City of Dallas in connection with the above referenced matter. As part of our work, Weaver has been asked to support the use of statistical sampling to determine the validity of citizen petitions for a voter referendum in accordance with Texas Election Code Section 277.003 and Section 141.069 by 1) recommending and designing a random sampling procedure, and 2) extrapolating the results of the sample to the entire population to quantify the number of valid signatures obtained for the aforementioned petition.

SUMMARY OF RESULTS

Based on the results of the sample selection, validation and sample extrapolation we determined the lower bound and upper bound of total valid signatures for the Increased Public Safety Petition to be 24,820 and 25,581 respectively.¹

Our results indicate, with 95% confidence, that the interval between the lower bound of valid signatures and the upper bound of signatures contains the true value of valid signatures. These results indicate that **Increased Public Safety Petition meets the minimum requirement** of 20,000 signatures.²

¹ The Increased Public Safety Petition represents a petition to amend the Dallas City charter to prioritize an appropriation of year over year city revenue increases for specific public safety objectives including funding the Dallas police and fire pension system, increasing the number of sworn police officers, and ensuring their pay is competitive.

² Section 9.004 of the Texas Local Government Code states: "The governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the **municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.**"

Our conclusions are based on information and methodologies of a type reasonably relied upon by experts in the field and in accordance with Texas Election Code. Weaver's sampling procedures is based on the data contained in the Client's signatures spreadsheet. If any additional information becomes available, we may update or supplement this report accordingly.

DATA AND STRATIFICATION

Weaver was provided with a summary excel file containing all line items for each petition and its respective contents (i.e. signature, blank lines, strikethrough, fatal error, etc.). The individual who obtained the petition signatures ("Petition Circulator") was also included.

Based upon our review of the structure of the signature data and in discussions with the City Secretary's Office and the Office of the City Auditor, we recommended that the sample frame be stratified by Petition Circulator.³ The main objective of stratification is to define the strata in a way that the sample is representative of the universe of signatures while optimizing the sample size.

Based Texas Election Code Section 277.003, we selected 25% of each stratum within the total population of signatures using Petition Circulator as the stratification criteria.⁴ In addition, to ensure sufficient sampling of each stratum, we adjusted the minimum sample sizes for each stratum to at least one claim if a calculated stratum size generated a smaller sample size and rounded up if a calculation resulted in a partial claim.

We proposed a sample of 15,099 signatures, or approximately 25.28% of the total 59,730 signatures, across the 432 strata.

Minimal variances occurred in the sample verification process, which resulted in 15,491 sampled signatures, or approximately 25.95% of the 59,698 signatures.

After designing the sample size for each stratum, the City of Dallas Auditors Office

³ Based on the concept of Population-Based probability sampling.

⁴ Texas Election Code Section 277.003 states: "If a petition contains more than 1,000 signatures, the city secretary or other authority responsible for verifying the signatures **may use any reasonable statistical sampling method** in determining whether the petition contains the required number of valid signatures, except that **the sample may not be less than 25 percent of the total number of signatures appearing on the petition or 1,000**, whichever is greater."

selected the claims to be sampled using software independently of Weaver.

EXTRAPOLATION

The final step in the sampling process is the extrapolation of the sample results to all signatures in each stratum. The Client determined the validity of each signature in the sample.

Based on a 95% confidence level, as required by Texas Election Code Section 141.069, we calculated a lower bound and upper bound of valid signatures.⁵ The unbiased estimator for the population mean is 25,200.

These results were obtained using the following unbiased estimator for the population mean:

$$\hat{t} = \sum_{j=1}^L N_j \cdot \hat{p}_j$$

And the following estimator for the 95% interval:

$$\hat{t} \pm 1.96 \sqrt{\sum_{j=1}^L \left(\left(\frac{1}{n_j - 1} \right) N_j (N_j - n_j) \hat{p}_j (1 - \hat{p}_j) \right)}$$

Where:

- \hat{t} is the unbiased point estimator for the number of valid signatures in the population
- L is the number of strata
- N_j is the number of items within strata j
- \hat{p}_j is the proportion of valid signatures within strata j
- n_j is the number of samples in strata j

⁵ Texas Election Code Section 141.069: "If signatures on a petition that is required to contain more than 1,000 signatures are to be verified by the authority with whom the candidate's application is required to be filed, the authority may use as the basis for the verification any reasonable statistical sampling method that **ensures an accuracy rate of at least 95 percent.**"

Sincerely,

A handwritten signature in black ink, appearing to be 'H. Zauner'.

Helga Zauner

A handwritten signature in black ink, reading 'Logan Woods'.

Logan Woods

PROPOSED DALLAS CITY CHARTER AMENDMENT

That the Dallas City Charter is hereby amended by adding Sec. 15 to Chapter XI. "Priority of Excess Revenue" as follows:

- A. If at any time the total actual, accruing or estimated annual revenue of the City exceeds the total actual annual revenue of the prior fiscal year, the City Council shall appropriate no less than 50% of such excess amount, in compliance with Section 1 of Chapter XI of this Charter, to fund the Dallas Police and Fire Pension System – Combined Plan, in the amount directed by the State Pension Review Board and/or the City Council, whichever is higher. Any monies remaining shall be appropriated to the Public Safety Objectives described below in Section B.
- B. Public Safety Objectives:
 - 1. The starting combined salary and non-pension benefits, excluding sign-on bonuses, of the police officers of the Dallas Police Department are within the top five of all city police departments (as compared to the starting combined salary and non-pension benefits) in Dallas, Collin, Tarrant, Denton, and Rockwall counties with a population over 50,000, on a per officer basis; and
 - 2. The total number of full-time sworn police officers of the police department of the City of Dallas is increased to at least 4,000 and the ratio established of 4,000 officers to Dallas city residents as of the date of the passage of this Charter Amendment is maintained or increased going forward.
 - a. Any monies appropriated to this Public Safety Objective but not spent within the fiscal year shall be transferred to a sinking fund to fund this Public Safety Objective in the subsequent fiscal year.
- C. Any monies remaining after all Public Safety Objectives defined in this Section have been met may be reapportioned by the City Council.
- D. The City, on an annual basis, shall hire a third-party firm to conduct a survey to calculate the starting combined salary and non-pension benefits, excluding sign-on bonuses, of the full-time police officers of all cities in Dallas, Collin, Tarrant, Denton, and Rockwall counties with a population over 50,000, on a per officer basis, and report the findings to the City Council. The third-party firm will be required to certify in writing to the City that it used its best efforts to include responses from each city in Dallas, Collin, Tarrant, Denton, and Rockwall counties in the annual survey, and the failure or unwillingness of any city to participate in the survey shall have no impact on either (1) the City's and the third-party firm's obligations to complete and deliver the survey required by this Section on an annual basis or (2) the City's obligations under this Chapter.
- E. As used in this Section, "revenue" shall mean all revenue collected by the City that's use is not restricted to a limited purpose under State or Federal law, including, but not limited to ad valorem property tax, sales tax, beverage taxes, asset forfeiture funds, bingo fees, cemetery taxes, impact fees, interlocal agreements, internet payment and access fees, investments, court fees, open records fees, municipal development corporation sales taxes, municipal development district taxes, pro rata fees, public improvement district assessments, right-of-way fees, special improvement district fund taxes, street assessments, time warrants, user fees, venue taxes, donations, coin-operated machine taxes, drainage fees, hotel taxes, parking fees, franchise fees, enterprise funds, charges for services, admission fees, fines and forfeitures, operating transfers from municipally controlled entities, municipal enterprises, municipally owned utilities, municipally controlled districts, licenses and permits, and interest, but shall not include any debt proceeds taken on by the City, or any grants, appropriations or other revenue received from other governmental or non-profit entities (that weren't directly or indirectly initially provided to such other governmental or non-profit entities by the City).
- F. If any section, paragraph, clause, or provision of this Section is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Section, and to this end, the provisions of this Section are declared to be severable. This Section shall supersede the Dallas City Code to the extent there are any conflicts.

PROPOSED BALLOT LANGUAGE

FOR } SHALL THE CITY CHARTER BE AMENDED TO PRIORITIZE AN APPROPRIATION
 } OF YEAR OVER YEAR CITY REVENUE INCREASES FOR SPECIFIC PUBLIC SAFETY
AGAINST } OBJECTIVES INCLUDING FUNDING THE DALLAS POLICE AND FIRE PENSION
 } SYSTEM, INCREASING THE NUMBER OF SWORN POLICE OFFICERS, AND
 } ENSURING THEIR PAY IS COMPETITIVE?

PETITION TO AMEND THE DALLAS CITY CHARTER TO PRIORITIZE AN APPROPRIATION OF YEAR OVER YEAR CITY REVENUE INCREASES FOR SPECIFIC PUBLIC SAFETY OBJECTIVES INCLUDING FUNDING THE DALLAS POLICE AND FIRE PENSION SYSTEM, INCREASING THE NUMBER OF SWORN POLICE OFFICERS, AND ENSURING THEIR PAY IS COMPETITIVE.

To the Mayor and City Council of the City of Dallas, Texas ("City"): We, the undersigned qualified voters of the City of Dallas, Texas, under Dallas City Charter Ch. II, Sec. 3 and Texas Local Government Code §9.004 hereby petition for an election to amend the City Charter of the City of Dallas, Texas, by adding to Chapter XI, Sec. 15, as fully printed on the back page of this petition.

ONLY REGISTERED VOTERS IN THE CITY OF DALLAS, TEXAS, MAY SIGN THIS PETITION. Please fill in ALL blanks that are NOT optional.

Date Signed	Signature	Printed Name	Residence Address	City/State/Zip	Voter Registration Number or Date of Birth	Email (optional)
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
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				DALLAS, TX		
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				DALLAS, TX		
				DALLAS, TX		

AFFIDAVIT OF CIRCULATOR

STATE OF TEXAS, COUNTY OF DALLAS, BEFORE ME, the undersigned, on this ___ / ___ / ___ (date) personally appeared _____, (name of person who circulated petition,) who being duly sworn, deposes and says: "I circulated this petition. I called each signer's attention to the full text of the proposed city charter amendment printed on the back of this petition before the signer affixed their signature to the petition. I witnessed the affixing of each signature. Each signer freely provided all information required on this petition. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is true and correct." SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE

(SEAL)

X _____

X _____

Signature of circulator

Signature of officer administering oath

 Title of officer administering oath

STATE OF TEXAS

COUNTY OF DALLAS

CITY OF DALLAS

I, BILIERAE JOHNSON, City Secretary of the City of Dallas, Texas, have duly examined the attached petition entitled “*Amend the Dallas City Charter to require an annual community survey of services of the city, and based upon the results of such survey, provide consequences for the city manager, including awarding performance compensation or termination*”, filed with my office under Section 9.004 of the Texas Local Government Code. The aforementioned section of the Texas Local Government Code requires the governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.

I do hereby certify the attached petition contains the required number of registered voters in the municipality to be considered sufficient.

WITNESS MY HAND AND THE SEAL OF THE CITY OF DALLAS, TEXAS, this the **19th** day of **July 2024**.

Biliera Johnson

BILIERAE JOHNSON
CITY SECRETARY
CITY OF DALLAS, TEXAS





July 17, 2024

Biliera Johnson
City Secretary
City of Dallas - City Secretary's Office
1500 Marilla St., 5DS
Dallas, TX 75201

RE: Petition Signature Verification: Petition for City Leader Accountability.

Dear Ms. Johnson:

Weaver has been retained by the City Secretary's Office of the City of Dallas in connection with the above referenced matter. As part of our work, Weaver has been asked to support the use of statistical sampling to determine the validity of citizen petitions for a voter referendum in accordance with Texas Election Code Section 277.003 and Section 141.069 by 1) recommending and designing a random sampling procedure, and 2) extrapolating the results of the sample to the entire population to quantify the number of valid signatures obtained for the aforementioned petition.

SUMMARY OF RESULTS

Based on the results of the sample selection, validation and sample extrapolation we determined the lower bound and upper bound of total valid signatures for the City Leader Accountability Petition to be 23,392 and 24,137 respectively.¹

Our results indicate, with 95% confidence, that the interval between the lower bound of valid signatures and the upper bound of signatures contains the true value of valid signatures. These results indicate that **City Leader Accountability Petition meets the minimum requirement** of 20,000 signatures.²

¹ The City Leader Accountability Petition represents a petition to amend the Dallas city charter to require an annual community survey of services of the city, and based upon the results of such survey, provide consequences for the city manager, including awarding performance compensation or termination.

² Section 9.004 of the Texas Local Government Code states: "The governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the **municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.**"

Our conclusions are based on information and methodologies of a type reasonably relied upon by experts in the field and in accordance with Texas Election Code. Weaver's sampling procedures is based on the data contained in the Client's signatures spreadsheet. If any additional information becomes available, we may update or supplement this report accordingly.

DATA AND STRATIFICATION

Weaver was provided with a summary excel file containing all line items for each petition and its respective contents (i.e. signature, blank lines, strikethrough, fatal error, etc.). The individual who obtained the petition signatures ("Petition Circulator") was also included.

Based upon our review of the structure of the signature data and in discussions with the City Secretary's Office and the Office of the City Auditor, we recommended that the sample frame be stratified by Petition Circulator.³ The main objective of stratification is to define the strata in a way that the sample is representative of the universe of signatures while optimizing the sample size.

Based Texas Election Code Section 277.003, we selected 25% of each stratum within the total population of signatures using Petition Circulator as the stratification criteria.⁴ In addition, to ensure sufficient sampling of each stratum, we adjusted the minimum sample sizes for each stratum to at least one claim if a calculated stratum size generated a smaller sample size and rounded up if a calculation resulted in a partial claim.

We proposed a sample of 13,669 signatures, or approximately 25.25% of the total 54,126 signatures, across the 371 strata.

Minimal variances occurred in the sample verification process, which resulted in 13,566 sampled signatures, or approximately 25.07% of the 54,106 signatures.

After designing the sample size for each stratum, the City of Dallas Auditors Office

³ Based on the concept of Population-Based probability sampling.

⁴ Texas Election Code Section 277.003 states: "If a petition contains more than 1,000 signatures, the city secretary or other authority responsible for verifying the signatures **may use any reasonable statistical sampling method** in determining whether the petition contains the required number of valid signatures, except that **the sample may not be less than 25 percent of the total number of signatures appearing on the petition or 1,000**, whichever is greater."

selected the claims to be sampled using software independently of Weaver.

EXTRAPOLATION

The final step in the sampling process is the extrapolation of the sample results to all signatures in each stratum. The Client determined the validity of each signature in the sample.

Based on a 95% confidence level, as required by Texas Election Code Section 141.069, we calculated a lower bound and upper bound of valid signatures.⁵ The unbiased estimator for the population mean is 23,764.

These results were obtained using the following unbiased estimator for the population mean:

$$\hat{t} = \sum_{j=1}^L N_j \cdot \hat{p}_j$$

And the following estimator for the 95% interval:

$$\hat{t} \pm 1.96 \sqrt{\sum_{j=1}^L \left(\left(\frac{1}{n_j - 1} \right) N_j (N_j - n_j) \hat{p}_j (1 - \hat{p}_j) \right)}$$

Where:

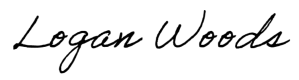
- \hat{t} is the unbiased point estimator for the number of valid signatures in the population
- L is the number of strata
- N_j is the number of items within strata j
- \hat{p}_j is the proportion of valid signatures within strata j
- n_j is the number of samples in strata j

⁵ Texas Election Code Section 141.069: "If signatures on a petition that is required to contain more than 1,000 signatures are to be verified by the authority with whom the candidate's application is required to be filed, the authority may use as the basis for the verification any reasonable statistical sampling method that **ensures an accuracy rate of at least 95 percent.**"

Sincerely,



Helga Zauner



Logan Woods

PROPOSED DALLAS CITY CHARTER AMENDMENT

That the Dallas City Charter is hereby amended by adding Sec. 3 of Chapter VI, "Annual Community Survey and City Manager Performance Compensation" as follows:

SEC. 3. Annual Community Survey and City Manager Performance Compensation.

- A. The City Council shall provide the City Manager an opportunity to receive potential "performance compensation" of up to 100% of the City Manager's annual base salary for the preceding fiscal year, and which shall be paid based upon the results of an annual survey of residents described in this Section. Such "performance compensation" shall be included in the City Budget and funded each fiscal year as part of the City Manager's overall compensation, but performance compensation funds will be separate and distinct from the City Manager's salary and any other compensation included in the City Manager's employment agreement.
- B. The City Council shall annually conduct a community survey to be completed and published between January 1 and March 15.
1. The annual community survey shall minimally contain the same questions asked and utilize the same methodology used in the "City of Dallas 2023 Community Survey" performed by the ETC Institute.
 2. A minimum of 1,400 completed surveys should be returned with at least 100 from every City Council district.
 3. The following question shall be included in the annual community survey, "Please indicate the extent to which you think each of the following are an issue in the City of Dallas by circling the corresponding number below, where a rating of 4 is "Not a Problem," a rating of 3 is "a Minor Problem," a rating of 2 is "a Moderate Problem," a rating of 1 is "a Major Problem" and a rating of "Don't Know."
 - a. The issues surveyed shall be:
 - i. Crime
 - ii. Homelessness
 - iii. Litter
 - iv. Aggressive Solicitation / Panhandling
 - v. Infrastructure / Streets
 - b. after each of the above issues there will be the opportunity to mark "4 - Not a Problem," "3 - Minor Problem," "2 - Moderate Problem," "1 - Major Problem," or "Don't Know."
 4. Additional questions may be included in the annual community survey, as long as the entity conducting the survey, in its reasonable belief, indicates that the additional questions will not affect the answers to the questions required by this Section and provides written certification of such reasonable belief to the City Council.
 5. The entity conducting the survey shall conduct itself with complete impartiality to the outcome and shall provide written certification thereof to the City Council.
 6. Upon conclusion of the annual survey, the entity conducting the survey shall provide written certification to the City Council that, to their knowledge, no one has attempted to influence the conduct or outcome of the survey, or if such knowledge exists shall disclose the name and nature of the influence.
 7. The use of "push polling" language or techniques, or any other method that attempts to steer or influence responses, may not be employed. The entity conducting the survey shall provide written certification to the City Council that no such "push pulling" language or techniques were employed in the annual survey.
- C. If the City Manager has been on the job for at least 18 months as of January 1 of the current year, then based upon the published results of the survey in B(3) above:
1. If on all five issues no more than 30% of all responses are "Moderate Problem" or "Major Problem," then the City Manager will be paid 100% of the performance compensation.
 2. If on four of the five issues no more than 30% of all responses are "Moderate Problem" or "Major Problem," then the City Manager will be paid 50% of the performance compensation.
 3. If on three of the five issues no more than 30% of all responses are "Moderate Problem" or "Major Problem," then the City Manager will not be paid the performance compensation.
 4. If on two or fewer issues no more than 30% of all responses are "Moderate Problem" or "Major Problem," then the City Manager will be terminated within 30 days by the City Council and shall be ineligible for reappointment as City Manager for a period of ten years.
- D. If any section, paragraph, clause, or provision of this Section is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Section, and to this end, the provisions of this Section are declared to be severable. This Section shall supersede the Dallas City Code to the extent there are any conflicts.

PROPOSED BALLOT LANGUAGE

FOR } SHALL THE CITY CHARTER BE AMENDED TO REQUIRE AN ANNUAL COMMUNITY SURVEY OF SERVICES OF THE CITY, AND BASED UPON THE RESULTS OF SUCH SURVEY, PROVIDE CONSEQUENCES FOR THE CITY MANAGER, INCLUDING AWARDED PERFORMANCE COMPENSATION OR TERMINATION?

AGAINST }

PETITION TO AMEND THE DALLAS CITY CHARTER TO REQUIRE AN ANNUAL COMMUNITY SURVEY OF SERVICES OF THE CITY, AND BASED UPON THE RESULTS OF SUCH SURVEY, PROVIDE CONSEQUENCES FOR THE CITY MANAGER, INCLUDING AWARDED PERFORMANCE COMPENSATION OR TERMINATION

To the Mayor and City Council of the City of Dallas, Texas ("City"): We, the undersigned qualified voters of the City of Dallas, Texas, under Dallas City Charter Ch. II, Sec. 3 and Texas Local Government Code §9.004 hereby petition for an election to amend the City Charter of the City of Dallas, Texas, by adding Sec. 3 to Chapter VI. The City Manager, fully printed on the back page of this petition.

ONLY REGISTERED VOTERS IN THE CITY OF DALLAS, TEXAS, MAY SIGN THIS PETITION. Please fill in ALL blanks that are NOT optional.

Date Signed	Signature	Printed Name	Residence Address	City/State/Zip	Voter Registration Number or Date of Birth	Email (optional)
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		

AFFIDAVIT OF CIRCULATOR

STATE OF TEXAS, COUNTY OF DALLAS, BEFORE ME, the undersigned, on this ___/___/___ (date) personally appeared _____, (name of person who circulated petition,) who being duly sworn, deposes and says: "I circulated this petition. I called each signer's attention to the full text of the proposed city charter amendment printed on the back of this petition before the signer affixed their signature to the petition. I witnessed the affixing of each signature. Each signer freely provided all information required on this petition. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is true and correct." SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE: _____.

(SEAL)

X _____

X _____

Signature of circulator

Signature of officer administering oath

 Title of officer administering oath

STATE OF TEXAS

COUNTY OF DALLAS

CITY OF DALLAS

I, BILIERAE JOHNSON, City Secretary of the City of Dallas, Texas, have duly examined the attached petition entitled “*Allow residents to force the City of Dallas to follow its own ordinances, its own charter and Texas state law*”, filed with my office under Section 9.004 of the Texas Local Government Code. The aforementioned section of the Texas Local Government Code requires the governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.

I do hereby certify the attached petition contains the required number of registered voters in the municipality to be considered sufficient.

WITNESS MY HAND AND THE SEAL OF THE CITY OF DALLAS, TEXAS, this the 19th day of **July 2024**.

Biliera Johnson
BILIERAE JOHNSON
CITY SECRETARY
CITY OF DALLAS, TEXAS





July 18, 2024

Bilieraë Johnson
City Secretary
City of Dallas - City Secretary's Office
1500 Marilla St., 5DS
Dallas, TX 75201

RE: Petition Signature Verification: Petition for Citizen Enforcement.

Dear Ms. Johnson:

Weaver has been retained by the City Secretary's Office and the Office of the City Auditor of the City of Dallas in connection with the above referenced matter. As part of our work, Weaver has been asked to support the use of statistical sampling to determine the validity of citizen petitions for a voter referendum in accordance with Texas Election Code Section 277.003 and Section 141.069 by 1) recommending and designing a random sampling procedure, and 2) extrapolating the results of the sample to the entire population to quantify the number of valid signatures obtained for the aforementioned petition.

SUMMARY OF RESULTS

Based on the results of the sample selection, validation and sample extrapolation we determined the lower bound and upper bound of total valid signatures for the Citizen Enforcement Petition to be 22,997 and 23,731 respectively.¹

Our results indicate, with 95% confidence, that the interval between the lower bound of valid signatures and the upper bound of signatures contains the true value of valid signatures. These results indicate that **Citizen Enforcement Petition meets the minimum requirement** of 20,000 signatures.²

¹ The Citizen Enforcement Petition represents a petition to allow residents to force the city of Dallas to follow its own ordinances, its own charter and Texas state law.

² Section 9.004 of the Texas Local Government Code states: "The governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the **municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.**"

Our conclusions are based on information and methodologies of a type reasonably relied upon by experts in the field and in accordance with Texas Election Code. Weaver's sampling procedures is based on the data contained in the Client's signatures spreadsheet. If any additional information becomes available, we may update or supplement this report accordingly.

DATA AND STRATIFICATION

Weaver was provided with a summary excel file containing all line items for each petition and its respective contents (i.e. signature, blank lines, strikethrough, fatal error, etc.). The individual who obtained the petition signatures ("Petition Circulator") was also included.

Based upon our review of the structure of the signature data and in discussions with the City Secretary's Office and the Office of the City Auditor, we recommended that the sample frame be stratified by Petition Circulator.³ The main objective of stratification is to define the strata in a way that the sample is representative of the universe of signatures while optimizing the sample size.

Based Texas Election Code Section 277.003, we selected 25% of each stratum within the total population of signatures using Petition Circulator as the stratification criteria.⁴ In addition, to ensure sufficient sampling of each stratum, we adjusted the minimum sample sizes for each stratum to at least one claim if a calculated stratum size generated a smaller sample size and rounded up if a calculation resulted in a partial claim.

We proposed a sample of 14,037 signatures, or approximately 25.28% of the total 55,517 signatures, across the 417 strata.

Minimal variances occurred in the sample verification process, which resulted in 14,409 sampled signatures, or approximately 25.97% of the 55,490 signatures.

After designing the sample size for each stratum, the City of Dallas Auditors Office selected the claims to be sampled using software independently of Weaver.

³ Based on the concept of Population-Based probability sampling.

⁴ Texas Election Code Section 277.003 states: "If a petition contains more than 1,000 signatures, the city secretary or other authority responsible for verifying the signatures **may use any reasonable statistical sampling method** in determining whether the petition contains the required number of valid signatures, except that **the sample may not be less than 25 percent of the total number of signatures appearing on the petition or 1,000**, whichever is greater."

EXTRAPOLATION

The final step in the sampling process is the extrapolation of the sample results to all signatures in each stratum. The Client determined the validity of each signature in the sample.

Based on a 95% confidence level, as required by Texas Election Code Section 141.069, we calculated a lower bound and upper bound of valid signatures.⁵ The unbiased estimator for the population mean is 23,364.

These results were obtained using the following unbiased estimator for the population mean:

$$\hat{t} = \sum_{j=1}^L N_j \cdot \hat{p}_j$$

And the following estimator for the 95% interval:

$$\hat{t} \pm 1.96 \sqrt{\sum_{j=1}^L \left(\left(\frac{1}{n_j - 1} \right) N_j (N_j - n_j) \hat{p}_j (1 - \hat{p}_j) \right)}$$

Where:

- \hat{t} is the unbiased point estimator for the number of valid signatures in the population
- L is the number of strata
- N_j is the number of items within strata j
- \hat{p}_j is the proportion of valid signatures within strata j
- n_j is the number of samples in strata j

Sincerely,

⁵ Texas Election Code Section 141.069: "If signatures on a petition that is required to contain more than 1,000 signatures are to be verified by the authority with whom the candidate's application is required to be filed, the authority may use as the basis for the verification any reasonable statistical sampling method that **ensures an accuracy rate of at least 95 percent.**"



Helga Zauner

Logan Woods

PROPOSED DALLAS CITY CHARTER AMENDMENT

That the Dallas City Charter is hereby amended by adding Chapter XXV. "CITIZEN ENFORCEMENT" as follows:

SEC 1. RESIDENT ENFORCEMENT.

Any resident of Dallas has standing and may bring an action against the City of Dallas to require the City to comply with any of the provisions of this City Charter, any City ordinance or any law of the State of Texas.

- A. A claimant is entitled to recover in an action brought under this Chapter::
 - 1. declaratory and injunctive relief against the City; and
 - 2. costs and reasonable attorney's fees, if the court orders injunctive or declaratory relief [See Texas Citizens Participation Act and Uniform Declaratory Judgements Act].
 - B. The City's governmental immunity to suit and from liability is waived to the extent of liability created by the Charter, City Ordinance and/or Texas state law.
 - C. Claimants shall notify the City of their claim not later than sixty days before the date such claimant files an action under this Chapter. The notice must reasonably describe the charter provision, ordinance, or state law that the Claimant believes has been or may be violated.
 - D. "resident" shall mean any person who resides in the City of Dallas, and any firm, corporation, limited liability company, joint venture, trust, estate, nonprofit, or association which is physically located in or otherwise conducts business in the City of Dallas.
 - E. If any section, paragraph, clause, or provision of this Section is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Section, and to this end, the provisions of this Section are declared to be severable. This Section shall supersede the Dallas City Code to the extent there are any conflicts.
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PROPOSED BALLOT LANGUAGE

FOR } SHALL THE CITY CHARTER BE AMENDED TO ALLOW CITIZENS TO FORCE THE
 } CITY OF DALLAS TO FOLLOW ITS OWN ORDINANCES, ITS OWN CHARTER AND
AGAINST } TEXAS STATE LAW?

PETITION TO ALLOW RESIDENTS TO FORCE THE CITY OF DALLAS TO FOLLOW ITS OWN ORDINANCES, ITS OWN CHARTER AND TEXAS STATE LAW

To the Mayor and City Council of the City of Dallas, Texas (“City”): We, the undersigned qualified voters of the City of Dallas, Texas, under Dallas City Charter Ch. II, Sec. 3 and Texas Local Government Code §9.004 hereby petition for an election to amend the City Charter of the City of Dallas, Texas, by adding Ch. XXV. Citizen Enforcement, fully printed on the back page of this petition.

ONLY REGISTERED VOTERS IN THE CITY OF DALLAS, TEXAS, MAY SIGN THIS PETITION. Please fill in ALL blanks that are NOT optional.

Date Signed	Signature	Printed Name	Residence Address	City/State/Zip	Voter Registration Number or Date of Birth	Email (optional)
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		
				DALLAS, TX		

AFFIDAVIT OF CIRCULATOR

STATE OF TEXAS, COUNTY OF DALLAS, BEFORE ME, the undersigned, on this ___ / ___ / ___ (date) personally appeared _____, (name of person who circulated petition,) who being duly sworn, deposes and says: “I circulated this petition. I called each signer’s attention to the full text of the proposed city charter amendment printed on the back of this petition before the signer affixed their signature to the petition. I witnessed the affixing of each signature. Each signer freely provided all information required on this petition. The correct date of signing is shown on the petition. I verified each signer’s registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is true and correct.” SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE

(SEAL)

X _____

X _____

Signature of circulator

Signature of officer administering oath

 Title of officer administering oath