



June 16, 2026

Mayor and City Councilmembers
of the City of Dallas
c/o Bertram Vandenberg
City Attorney
City Attorney's Office
1500 Marilla Street – Suite 7CN
Dallas, TX 75201

Sent via email to bert.vandenberg@dallas.gov

Re: Notification of claim under Dallas City Charter Chapter XXV for the City's violation of the Texas Open Meetings Act and Dallas City Charter through its public-comment registration rules and unreasonable restrictions on length of speaking time

Dear Mayor and City Councilmembers:

We represent Save Dallas City Hall Coalition, which is a Texas nonprofit corporation committed to the preservation and restoration of the historic Dallas City Hall. To date, we have sent you multiple letters concerning the City's obligations under the Dallas City Charter, the Dallas City Code, and state law in connection with matters affecting Dallas City Hall and related public business:

- The first letter states that the City of Dallas ("City") and its officials are violating three sections of the Dallas City Code by not taking actions to repair City Hall.
- The second letter states that the City and its officials would violate the Texas Parks and Wildlife Code and the Texas Local Government Code if they attempt to sell City Hall Plaza without first complying with laws governing the sale and use of parks and public squares.
- The third letter states that the City would violate Financial Management Performance Criteria No. 20 if the City Manager did not provide the Council with specified information before the Council made a decision on the future of City Hall or if the Council did not approve relocating City Hall by a supermajority vote.
- The fourth letter states that Councilmembers are required to recuse themselves from taking any official action on a measure that may personally benefit the councilmember or a relative.
- The fifth letter states that the City would violate the prohibitions of gifts of public funds and property in the Texas Constitution and wrongfully use the power of eminent domain if the City were to take property and thereafter transfer it to the Mavericks or some other sports franchise.

Today we write to provide notice of the Coalition's claim that the City and the Dallas City Council are violating, and threatening to continue violating, the Texas Open Meetings Act ("TOMA") and the Dallas City Charter by denying members of the public a meaningful opportunity to address the Council on posted briefing agenda items. These violations arise when the City: (1) treats non-voting briefing agenda items as eligible only for "open microphone" comment, then applies Council Rule 6.3(f)(4)'s 30-day open-microphone bar to prevent residents from speaking on later posted agenda items; and (2) imposes unreasonable limitations on speaker time. Additionally, we give notice of the Coalition's claim that the City and Dallas City Council violated TOMA, or alternatively violated a restraining order on June 10, 2026, at its special called meeting when it voted to "direct the city manager to continue following Resolution No. 260499 Subparagraph No. 3 to explore options for the disposition of the City Hall site and bring those options back to city council no later than August 26, 2026."

Texas Government Code Section 551.007(b) requires the City to allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting to address the body regarding that item at the meeting before or during the body's consideration of the item. Section 551.007(c) permits the adoption of reasonable rules regarding the public's right to address the body, including reasonable time limits. But a rule is not reasonable as applied if it operates to bar a member of the public entirely from addressing the City Council on a posted agenda item for a briefing meeting.

The challenged restriction arises from the interaction of the City Council's Rules of Procedure governing briefing meetings and open microphone registration. Rule 6.1(b)(1) provides that the City Council holds regular briefing meetings on the first and third Wednesdays of each month at 9:00 a.m., unless amended by the City calendar. Rule 6.1(b)(2) further provides that voting items generally will not be scheduled on briefing days except for limited categories. As a result, persons wishing to address non-voting briefing agenda items are directed into the open microphone process rather than a direct agenda-item registration channel. Rule 6.3(f)(4), however, provides that "[n]o person may register to speak during an open microphone period more than once within any 30-day period."

As applied, these rules unlawfully deny persons the ability to address the City Council on posted briefing agenda items. Because regular briefing meetings may occur twice within a month, the City's use of Rule 6.3(f)(4) can prevent a person who spoke during the open microphone period at one meeting from addressing a different, later-posted briefing agenda at the next meeting. In that circumstance, the person is barred not because of disorderly conduct, untimeliness, or failure to comply with a neutral registration deadline, but solely because the City has chosen to force briefing-agenda comment into the open microphone period and then prohibit repeated use of that channel for 30 days.

The circumstance is not hypothetical. The City Secretary barred speakers from speaking to items as recently as the Council's meeting on June 10, 2026. And again, the City Secretary has barred speakers from speaking to agenda items for the Council's June 17, 2026 City Council meeting. The City Council's rule and its application violates Texas Government Code Section 551.007(b).

The Dallas City Charter independently requires the City Council to adopt rules of procedure that provide a reasonable opportunity for people to be heard. Dallas City Charter ch. III, § 8(b). The City's current registration regime fails to provide that reasonable opportunity (or *any* opportunity) when it channels comment on non-voting briefing agenda items into open microphone periods and then applies a 30-day prohibition that prevents members of the public from speaking at all to any posted agenda item during the next 30 days.

In addition, the Council has violated Section 551.007(b) by imposing unreasonable time limitations on speakers' allotted speaking time. At its June 10, 2026 special-called meeting, the Council imposed one-minute time limits on each speaker. This limitation is not reasonable and as such, it violates both Section 551.007(b) and the City Charter.

Third, the City Council's vote at its special called meeting on June 10, 2026 violated the Texas Open Meeting Act ("TOMA"). TOMA requires that meeting of governmental bodies be open to the public and that adequate notice of such meetings be provided. Tex. Gov't Code §§ 551.002, 551.041. TOMA also requires that written notice of a meeting include "the subject of each meeting held by the governmental body." Tex. Gov't Code § 551.041. When the Council voted on June 10, 2026, the entire agenda for the special-called meeting was the subject of a temporary restraining order ("TRO") issued by the 14th Judicial District Court in Cause No. DC-26-10208. The TRO operated to the benefit of the parties to that lawsuit as well as the public. The parties could not lawfully agree to allow deliberation or a vote on any item without thereafter giving new notice to the public in accordance with TOMA. Further, even though the parties to that lawsuit reached agreement to have the City Council discuss (but not vote on) Agenda Item 3, the Council took a vote on Item 3 while the TRO was in effect. This vote violated the public's right to notice of the subject and right to speak on the subject, which TOMA protects. And furthermore, even though the parties to that lawsuit apparently agreed to permit a vote on Agenda Item 3, the City Council denied Agenda Item 3, and then proceeded to vote on a different subject that was either restrained by the TRO issued by the 14th Judicial District Court, or it was a subject that had not been posted for deliberation and vote as required by TOMA. In either case, the vote is not valid. The Coalition hereby gives its notice of this violation of state law and demands that the City not take any action in furtherance of that vote. If the City declines to disavow the vote, the Coalition reserves its right to bring suit to obtain a declaration that the vote is invalid and an injunction to reverse any action in furtherance of that unlawful vote.

Finally, as if the prior TOMA violations were not enough, the City has posted the wrong sign-up deadline for the City Council's June 17, 2026 regular and special-called meeting. The City website states that the deadline for signing up is "TUE., JUNE 18, 2026 @ 5:00 P.M." This is wrong and affirmatively misleading. State of Texas, Office of Attorney General, *The Texas Open Meetings Act Made Easy* p.9 (2002) ("a city must be sure that its postings are not misleading."). Under this circumstance any actions or votes taken on either agenda would violate TOMA and be voidable by a district court. This letter constitutes notice to the City of this additional violation of TOMA.

Actions taken by the Council while violating Section 551.007(b) are voidable. Texas Government Code Section 551.142 authorizes an interested person to seek mandamus and injunctive relief to stop, prevent, or reverse a violation or threatened violation of TOMA. Chapter XXV of the Dallas City Charter likewise authorizes an action against the City to require compliance with the Charter and the laws of the State of Texas, and permits declaratory and injunctive relief, together with costs and reasonable attorney's fees where such relief is ordered.

Accordingly, this letter constitutes notice to the City under Chapter XXV of the Dallas City Charter of the Coalition's claim that the City's application of Dallas City Council Rule 6.3(f)(4) to deny members of the public the right to address the City Council on a posted briefing agenda item violates Texas Government Code Section 551.007 and Chapter III, Section 8(b) of the Dallas City Charter. The Coalition demands that the City immediately cease applying Rule 6.3(f)(4) to bar members of the public from addressing the City Council on posted agenda items, including non-voting briefing agenda items; establish and publish a lawful registration mechanism for speakers who wish to address posted briefing agenda items; and provide a lawful and reasonable opportunity for persons to be heard regarding such items before or during the Council's consideration of them. The Coalition further demands that the City cancel any vote on the items posted for the special City Council meeting on June 17, 2026, due to the affirmatively misleading information to the public about the deadline for speakers to sign up.

Sincerely,



Christopher D. Bowers



Sol Villasana



Robert J. Miklos



R. Michael Northrup



Vonciel Jones Hill



Scott Griggs

c: Bilierae Johnson
City Secretary
City of Dallas
1500 Marilla Street, Suite 5DS
Dallas, TX 75201

Sent via email to citysecretary@dallas.gov