



May 12, 2026

Mayor and City Councilmembers
of the City of Dallas
c/o Bertram Vandenberg
Interim 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, Section 1(C) for the City's violation of the requirement in the Dallas City Code to maintain and repair a structure pending historic designation

Dear Mayor and City Councilmembers:

We represent Save Dallas City Hall Coalition ("Coalition"), which is a Texas nonprofit corporation committed to the preservation and restoration of the historic Dallas City Hall. We write on its behalf to provide the City of Dallas ("City") with a 60-day notice of claim under Chapter XXV, Section 1(C), of the Dallas City Charter for the City's violation of the requirement in Section 51A-4.501(k) of the Dallas City Code to preserve buildings pending historic designation and related violations of Sections 12A-3 and 34-36(b)(13).

As the City Council is surely aware, its Landmark Commission voted unanimously on March 3, 2025, to initiate the historic designation procedure for Dallas City Hall in accordance with Section 51A-4.501(c)(2). The nomination of City Hall submitted to the Landmark Commission stated that the building met multiple criteria in the Dallas historic preservation ordinance to be a historic landmark, including: (1) having an association with the site of historic events of national significance, (2) being an important example of a distinctive architectural style, (3) being a representation of the work of a renowned architect whose work has influenced the development of our country, (4) having an identification with a person who significantly contributed to the culture and development of our city, and (5) having a unique visual feature of the city that is a source of pride and cultural significance. Upon the initiation of the historic designation procedure, City Hall became subject to the predesignation moratorium in Section 51A-4.501(c) of the City Code.

Section 51A-4.501(k) is the City's "demolition by neglect" ordinance. It prohibits persons from allowing historic landmarks and properties pending historic designation to deteriorate and requires these persons to repair existing and proposed landmarks if they have specified defects:

No person shall allow a structure to deteriorate through demolition by neglect. All structures on properties subject to the predesignation moratorium and in historic overlay districts must be preserved against deterioration and kept free from structural defects. The property owner or the property owner's agent with control over the structure, in keeping with the city's minimum housing standards and building codes, must repair the structure if it is found to have any of the following defects:

... (H) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors . . .

(I) Defective or lack of weather protection for exterior wall coverings, including lack of paint or other protective covering.

(J) Any fault, defect, or condition in the structure which renders it . . . not properly watertight. . . .

Dallas City Code § 51A-4.501(k)(2) (emphasis added). As the City's Landmark Commission has initiated the procedure to designate City Hall as a historic landmark, Section 51A-4.501(k)(2) prohibits the City from allowing City Hall to deteriorate and requires the City to repair City Hall if it has any of these defects.

In fact, architects, engineers, and other experts have told City officials and employees that City Hall has deteriorated or ineffective waterproofing such that it is not properly watertight. Nonetheless, the City and its officials have violated Section 51A-4.501(k)(2) by failing to take any meaningful action to repair City Hall so as to make it properly watertight.

Furthermore, Section 34-36(b)(13) of the City Code prohibits city employees, including the City Manager, from "abus[ing] city property," which includes improperly maintaining city equipment. City Hall's emergency generators and associated electrical systems are core life-safety infrastructure, supplying required backup power to emergency lighting, fire-life-safety systems, elevators, and communications when normal power fails. Thus, this equipment serves critical emergency operations and its failure would directly endanger public safety.

On March 26, 2025, the City Council passed Resolution No. 25-0452, which authorized the City Manager to spend \$1,030,200 for design services to replace and modernize the emergency back-up generators at City Hall. In a memorandum dated November 7, 2025, the City Manager's Office advised the City Council that while \$7.6 million in American Rescue Plan Act (ARPA) funds had been allocated for City Hall generator replacements and associated electrical upgrades, the true rehabilitation cost was approximately \$17 million and there is "no specific major maintenance funding for City Hall projects" in FY2025 or FY2026. Instead, the City Manager's Office recommended reallocating \$7.5 million in ARPA funds for other citywide projects and the Council followed that recommendation. By recommending no repairs to the City Hall emergency generator system and by making no meaningful efforts to maintain that equipment, the City Manager is improperly maintaining city equipment in violation of Section 34-36(b)(13).

In addition, Section 12A-3 of the City Code imposes a fiduciary duty on all City Councilmembers and employees when performing their official duties. City Councilmembers and employees have violated their fiduciary duties to the City by not making timely repairs to City Hall despite having the resources available to do so. Perhaps most egregiously, as recently as last year the City Council had earmarked a total of \$22,659,742 of ARPA funds for City Hall repairs. But \$15,000,000 of these funds had been reallocated for other projects by the time Chief Financial Officer Jack Ireland sent a memorandum to the City Council's Finance Committee on March 20, 2026. According to that memorandum, the City

had a total of \$18,041,242 of ARPA funds that could be used to repair City Hall as of February 28, 2026, that must be spent by September 30 of this year or the funds must be returned to the federal government.

An example of the City Manager's failure to repair City Hall involves the public restrooms at City Hall. On October 8, 2025, the City Council passed Resolution No. 25-1626, which directed the City Manager to postpone renovating multiple public restrooms at City Hall to achieve compliance with Texas Accessibility Standards until after the City Manager briefed the Council's Finance Committee on deferred maintenance at City Hall. The City Manager briefed the Finance Committee on deferred maintenance at City Hall on October 21, 2025. However, the City Manager still has not taken any steps to renovate public restrooms at City Hall. By neglecting to timely repair City Hall and its equipment, City Councilmembers and employees are violating their fiduciary duty to the City and its taxpayers.

Chapter XXV of the City Charter provides that "Any resident of Dallas . . . may bring an action against the City of Dallas to require the city to comply with . . . any city ordinance" and may recover "declaratory and injunctive relief against the city; and costs and reasonable attorney's fees, if the court orders injunctive or declaratory relief." That chapter also provides that "resident" includes any corporation which is physically located in or otherwise conducts business in the City of Dallas. We can assure you that the Coalition is physically located in and conducts its business in the City. Furthermore, that chapter provides the city's governmental immunity to suit and from liability is waived to the extent of liability created by city ordinance.

Accordingly, this letter constitutes notice to the City under Chapter XXV of the Coalition's claim that the City and its officials are violating Sections 51A-4.501(k), 12A-3, and 34-36(b)(13) of the Dallas City Code by not repairing City Hall. The Coalition demands that the City and its officials promptly take all reasonable steps to comply with its own historic preservation ordinance---an ordinance with which the City expects and indeed requires all other owners of historic landmarks and properties pending historic designation to comply---as well as related ordinances intended to prevent neglect and abuse of public property.

Sincerely,



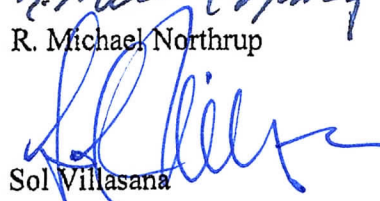
Christopher D. Bowers



Robert J. Miklos



R. Michael Northrup



Sol Villasana

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

Sent via email to citysecretary@dallas.gov