

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 1, 1999

99-2700

CITY COUNCIL BRIEFING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR RON KIRK, PRESIDING

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway,
Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [0]

The meeting was called to order at 9:43 a.m.

The city secretary announced that a quorum of the city council was present.

The invocation was given by Rev. Alfred Stapleton, pastor, Shekinah Tabernacle Baptist Church.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 4:15 p.m.

Mayor

ATTEST:

City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the city secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 1, 1999

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

EXHIBIT A

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 1, 1999

EXHIBIT B

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2701

Agenda item (3): Special Presentations

At the beginning of each briefing meeting of the city council a time is set aside for the mayor to recognize special individuals or groups, to read mayoral proclamations, to confer honorary citizenships, and to make special presentations.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2702

OPEN MICROPHONE

In accordance with Subsection 6.3 of the City Council Rules of Procedure, the city council provided an opportunity for the following individuals to present concerns or address issues during an "open microphone" period.

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Teresa Johnson, 303 Fordham Rd.
REPRESENTING: Follow The Son
SUBJECT: Grant assistance for Follow The Son

SPEAKER: Fahim Minkah, 7106 Nandina Dr. **CANCELED**
REPRESENTING: United Front of Dallas Inc.
SUBJECT: City Attorney's delay in developing and securing demolition warrants

SPEAKER: Alice Rollins, 10640 Steppington Dr.
SUBJECT: Remembering

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Jimmy Lee, P.O. Box 4994 **NO SHOW**
REPRESENTING: RICT Inc.
SUBJECT: Sins against black community/URSB

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption/Chief of Police/KKK/DISD/FBI

SPEAKER: Joe Martin, 3105 Gladiolus Ln.
SUBJECT: Rules of Procedure

SPEAKER: Marvin Bigelow, 1420 Independence Dr. **NO SHOW**
SUBJECT: Reunion Arena

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

September 1, 1999

99-2703

Action Item 1: Approval of Minutes of the August 18, 1999 City Council Meeting

Councilmember Greyson moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2704

Action Item 2: Authorize (1) a public hearing to be held on September 15, 1999 to receive citizen comments on the proposed 66.82¢\$100 tax rate; and (2) a proposal to consider adoption of a 66.82¢\$100 tax rate on September 22, 1999 - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

Councilmember Greyson asked that the record reflect that she had voted "No" on the motion.

Mayor Kirk asked the city secretary to reflect in the record that Councilmember Greyson had voted against the motion.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2705

Action Item 2: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074 T.O.M.A.)

The city secretary distributed a report showing all nominations and renominations received for city board and commission appointments for the 1999-2001 board term updated through September 1, 1999.

The city secretary noted that the report indicated with the notation "OK" that a person nominated or renominated met all qualifications for service. The city secretary also noted that the term for each nominee would end August 31, 2001.

Councilmember Walne moved to appoint Charlene Howell to the Civil Service Board.

Motion seconded by Councilmember Loza and unanimously adopted.

The city secretary noted that the city manager had recommended that the city council consider the appointment of Marsha Waters to the Fire Code Advisory and Appeals Board.

Councilmember Lipscomb moved to renominate Beverly Tobian to the Housing Finance Corporation Board.

Motion seconded by Councilmember Loza and unanimously adopted.

Councilmember Lipscomb to renominate Ida K. Papert to the Reinvestment Zone Six Board (Farmers Market).

Motion seconded by Councilmember Loza and unanimously adopted.

Councilmember Lipscomb moved to nominate Theresa G. Washington to the Urban Rehabilitation Standards Board Alternates.

Motion seconded by Councilmember Loza and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL
99-2705

September 1, 1999
Page 2

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

Mayor Pro Tem Poss moved to appoint all of the nominees to “individual appointment” positions in the report who meet all qualifications for service to the boards and commission of the city for the term ending August 31, 2001.

Motion seconded by Councilmember Walne and unanimously adopted.

[Information on each newly-appointed member is located in the file shown next to the name of the board.]

99-2716	CAC	CULTURAL AFFAIRS COMMISSION
99-2717	CSB	CIVIL SERVICE BOARD
99-2718	FCB	FIRE CODE ADVISORY AND APPEALS BOARD
99-2719	HFC	HOUSING FINANCE CORPORATION BOARD
99-2720	PAR	PARK AND RECREATION BOARD
99-2721	RZ6	REINVESTMENT ZONE SIX BOARD (FARMERS MARKET)
99-2722	URX	URBAN REHABILITATION STANDARDS BOARD ALTERNATES
99-2723	BOA	BOARD OF ADJUSTMENT
99-2724	CPC	CITY PLAN AND ZONING COMMISSION
99-2725	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
99-2726	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
99-2727	DCT	DALLAS COMMUNITY TELEVISION INC.
99-2728	EHC	ENVIRONMENTAL HEALTH COMMISSION
99-2729	JNC	JUDICIAL NOMINATING COMMISSION
99-2730	LMC	LANDMARK COMMISSION
99-2731	MLB	MUNICIPAL LIBRARY BOARD
99-2732	MLK	MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD
99-2733	PLA	PERMIT AND LICENSE APPEAL BOARD
99-2734	SAC	SENIOR AFFAIRS COMMISSION
99-2735	URS	URBAN REHABILITATION STANDARDS BOARD
99-2736	YAC	YOUTH COMMISSION

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2706

Action Item 3: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The city secretary informed the city council that the individuals on the attached (nominee cleared for Council Action) sheet had been renominated or nominated to serve as members of the Dallas Area Rapid Transit Board for the term beginning July 1, 1999.

Councilmember Walne moved that William Richard Watkins, Jesse D. Oliver, Huelon Harrison, Evelyn Conner Hicks be reappointed, and that Roberto R. Alonzo be appointed to represent the City of Dallas on the Dallas Area Rapid Transit board for the term beginning July 1, 1999 and ending June 30, 2001 and that there be a vote on Derek B. Wirgau and Linda Koop for Place 6.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Miller moved to substitute Councilmember Walne's motion to reappoint Jesse D. Oliver, Huelon Harrison, Evelyn Conner Hicks, and that Roberto R. Alonzo be appointed to represent the City of Dallas on the Dallas Area Rapid Transit board for the term beginning July 1, 1999 and ending June 30, 2001 and that there be a vote on William Richard Watkins, Derek B. Wirgau and Linda Koop for Place 3 and Place 6.

Motion seconded by Councilmember Loza.

After discussion, Mayor Kirk called the vote on the motion.

Mayor Kirk declared the motion adopted on a divided voice vote.

Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 55.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Councilmember Lipscomb moved to reappoint William Richard Watkins to Place 3, and to appoint Linda Koop to Place 6, to represent the City of Dallas on the Dallas Area Rapid Transit board for the term beginning July 1, 1999 and ending June 30, 2001.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

September 1, 1999

99-2707

Briefing: A. Recommendations from the Design and Construction Task Force to Expedite the Design and Construction of Public Infrastructure

The city manager briefed the city council on the item.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2708

Briefing: B. Boards and Commissions

The city secretary briefed the city council on the item.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2709

Briefing: 1999-2000 Budget

C. Public Safety

The briefing of this item was postponed.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2710

Briefing: 1999-2000 Budget

D. Street Services

The briefing of this item was postponed.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2711

Briefing: 1999-2000 Budget

E. Code Compliance

The briefing of this item was postponed.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2712

Briefing: 1999-2000 Budget

F. Park and Recreation

The briefing of this item was postponed.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2713

Briefing: 1999-2000 Budget

G. Housing

The briefing of this item was postponed.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2714

Action Item 5: A resolution supporting D/FW Airport Financing (via Mayor Kirk)

Councilmember Forsythe Lill announced that she had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Forsythe Lill left the city council chamber.

Mayor Pro Tem Poss moved to approve the resolution.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Miller moved to substitute for Mayor Pro Tem Poss' motion a motion to amend Section 3 to read:

“That subject to concurrence by the City Council that the proposed financing plan and strategy is feasible and in the best interests of the Airport and the Cities, the City Manager and City Attorney shall proceed with all necessary preparations and negotiations in connection with the proposed issuance of additional joint revenue bonds and other revenue obligations relating to the Airport, so that the implementation of the Boards' proposed Capital Development Program may go forward.”

and to add a new Section 4 to read:

“That the City Council strongly encourages the City of Fort Worth, which is the City's partner in D/FW Airport, to, in the spirit of cooperation and with an eye toward ensuring the continued success of the Airport, drop its current lawsuit against the City of Dallas, filed October 10, 1997, which, in our opinion, has harmed the greatest joint asset of these two cities.”

renumbering the old Section 4 to Section 5.

Mayor Kirk being the author of the resolution, accepted the substitute motion by Councilmember Miller.

Motion seconded by Councilmember Lipscomb.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL
99-2714

September 1, 1999
Page 2

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

After discussion, Mayor Kirk called the vote on Councilmember Miller's substitute motion:

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory
Caraway, Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer,

Abstain: [1] Forsythe Lill

Voting No: [0]

Mayor Kirk declared the motion adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2715

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Debra Walker, et al. v. HUD, et al
- City of Fort Worth, Texas and American Airlines, Inc. v. City of Dallas, Texas et al., Cause No. 48-171109-97
- Continental Airlines, Inc. and Continental Express, Inc. v. City of Dallas, Texas and City of Fort Worth, Texas, et al., Cause No. 3:98-CV-1187-R (consolidated with City of Dallas, Texas v. Department of Transportation, et al., Cause No. 3:97-CV-2734-R)
- U.S. Department of Transportation Love Field Service Interpretation Proceeding, Docket No. OST-98-4363
- DFW Airport Bond Financing
- AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No.3-98-CV-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R
- Karen Gooding and Ron Gooding, Individually and as Next Friends of Caroline Gooding and Charlotte Gooding, Minors v. City of Dallas, Cause No. DV99-03982-E
- Michael N. Phillips and wife, Johnnie F. Phillips v. City of Dallas, and Darrell C. Fuller, Cause No. DV99-02054-L
- Wes Toolco, Inc. v. Carl N. Breidenich, Steve Nelson, Dan Tripple, Joseph Cannibano, Roland Sanchez, Jack Bragg and Floyd Simpson, Cause No. 92-8516-G
- Lindy Jones, Kathy Jones, Susan Findley and Dwight Findley v. City of Dallas, Cause No. 96-01843-F
- Albert, et al. v. City of Dallas, Cause No. 199-697-94
- Hill, et al. v. City of Dallas, Cause No. 95-00975-F
- Willis, et al. v. City of Dallas, Cause No. 199-200-95
- Barber, et al. v. City of Dallas, Cause No. 199-624-95
- Parker, et al. v. City of Dallas, Cause No. 1-95-107
- Martin, et al. v. City of Dallas, Cause No. 1-95-506
- Ferris Container Services, Claim No.95-101006840-001
- Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley, and Leo Easter v. City of Dallas, Jeffrey A. Saitas, in his capacity as Executive Director of the Texas Natural Resource Conservation Commission, Herman Nethery and Terry Van Sickle; Civil Action No. 3:98-CV-0291-H

BRIEFING MEETING OF THE DALLAS CITY COUNCIL
99-2715

September 1, 1999
Page 2

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

- Kevin Scahill v. City of Dallas, Dallas Police Department, City Manager Ted Benavides, Human Resources Manager, Jacqueline Lee, and Chief Ben Click, Civil Action Number 3-99-CV-1638-D
- Sean Lonergan & Auzar Teherzabed vs. AJ's Wrecker Service vs. City of Dallas, Cause No. 3:98-CV-3020-D

Councilmember Forsythe Lill announced that she had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Forsythe Lill left the city council chamber.

A closed session was held as authorized by Chapter 551, "OPEN MEETINGS," of the Texas Government Code (Texas Open Meeting Act) to discuss the following matters.

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No.3-98-CV-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R
- Karen Gooding and Ron Gooding, Individually and as Next Friends of Caroline Gooding and Charlotte Gooding, Minors v. City of Dallas, Cause No. DV99-03982-E
- Michael N. Phillips and wife, Johnnie F. Phillips v. City of Dallas, and Darrell C. Fuller, Cause No. DV99-02054-L
- Wes Toolco, Inc. v. Carl N. Breidenich, Steve Nelson, Dan Tripple, Joseph Cannibano, Roland Sanchez, Jack Bragg and Floyd Simpson, Cause No. 92-8516-G
- Lindy Jones, Kathy Jones, Susan Findley and Dwight Findley v. City of Dallas, Cause No. 96-01843-F
- Ferris Container Services, Claim No.95-101006840-001
- Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley, and Leo Easter v. City of Dallas, Jeffrey A. Saitas, in his capacity as Executive Director of the Texas Natural Resource Conservation Commission, Herman Nethery and Terry Van Sickle; Civil Action No. 3:98-CV-0291-H

No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 1, 1999

EXHIBIT C

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 1, 1999

99-2700

CITY COUNCIL BRIEFING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR RON KIRK, PRESIDING

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway,
Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

ABSENT: [0]

CORRECTION

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 1999

99-2706

Action Item 3: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The city secretary informed the city council that the individuals on the attached (nominee cleared for Council Action) sheet had been renominated or nominated to serve as members of the Dallas Area Rapid Transit Board for the term beginning July 1, 1999.

Councilmember Walne moved that William Richard Watkins, Jesse D. Oliver, Huelon Harrison, Evelyn Conner Hicks be reappointed, and that Roberto R. Alonzo be appointed to represent the City of Dallas on the Dallas Area Rapid Transit board for the term beginning July 1, 1999 and ending June 30, 2001 and that there be a vote on Derek B. Wirgau and Linda Koop for Place 6.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Miller moved to substitute Councilmember Walne's motion to reappoint Jesse D. Oliver, Huelon Harrison, Evelyn Conner Hicks, and that Roberto R. Alonzo be appointed to represent the City of Dallas on the Dallas Area Rapid Transit board for the term beginning July 1, 1999 and ending June 30, 2001 and that there be a vote on William Richard Watkins, Derek B. Wirgau and Linda Koop for Place 3 and Place 6.

~~Motion seconded by Councilmember Loza and unanimously adopted.~~

Motion seconded by Councilmember Loza.

After discussion, Mayor Kirk called the vote on the motion.

Mayor Kirk declared the motion adopted on a divided voice vote.

Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 55.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Councilmember Lipscomb moved to reappoint William Richard Watkins to Place 3, and to appoint Linda Koop to Place 6, to represent the City of Dallas on the Dallas Area Rapid Transit board for the term beginning July 1, 1999 and ending June 30, 2001.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

September 2, 1999 (10:20 am)
F:\99MIN\CC090199.WPD