

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 20, 2002

02-0970

CITY COUNCIL BRIEFING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR LAURA MILLER, PRESIDING

PRESENT: [14] Miller, Hill, Loza, Garcia, Housewright, Thornton Reese, Oakley,
Fantroy, Poss, Walne, Finkelman, Greyson, Rasansky, Lill
ABSENT: [1] Chaney

The meeting was called to order at 9:19 a.m.

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

Mayor Miller asked all members of the city council and the audience to stand and pray in silence.

The pledge of allegiance was led by Councilmember James Fantroy.

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 4:50 p.m.

Mayor

ATTEST:

Assistant 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.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 20, 2002

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MARCH 20, 2002

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0971

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.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0972

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Robert Hirsch, 7215 Rustic Valley Dr.
REPRESENTING: Oak Cliff Lions Club
SUBJECT: Honoring: Mayor Miller, Councilmembers Housewright and Oakley

SPEAKER: Chuck Hole, 5820 Penrose Ave. **CANCELED**
SUBJECT: Variance

SPEAKER: Thelma Youngblood, 2406 E. Illinois Ave.
SUBJECT: Mayoral form of government

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Lenward Freeman, 816 Newport Wy., DeSoto, TX **NO SHOW**
SUBJECT: Property, city and school taxes

OPEN MICROPHONE – END OF MEETING - SPOKE IN LAST 30 DAYS

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**
SUBJECT: Corruption: Mayor of Dallas/City Council/KKK/Walker Decree

SPEAKER: Linda Bates, 7272 Marvin D. Love Frwy. **CANCELED**
SUBJECT: Walker Decree

SPEAKER: Albert Parker, 9647 Oak Gate Ln.
REPRESENTING: John Q. Public
SUBJECT: Dallas City law enforcement defended

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Plantation Politics

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0973

Item 1: Approval of Minutes of the February 20, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted. (Chaney absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0974

Item 2: Consideration of appointments to boards and commissions, and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The assistant city secretary distributed a report showing all nominations and renominations received for city board and commission appointments for the 2001-2003 board term updated through March 20, 2002.

The assistant city secretary noted that the report indicated nominees and renominees for individual appointments cleared for council action that met all qualifications for service. The assistant city secretary also noted that the term for each nominee would end August 31, 2003.

Councilmember Oakley moved to appoint "individual appointment" positions in the report that meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 2003.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent)

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

02-0988 MLK MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0975

Item 3: Authorize an amendment to the 2002 City Calendar to change the time the March 27, 2002 meeting adjourns from 3:00 p.m. to 2:00 p.m. in observance of Passover - Financing: No cost consideration to the City

The city council took no action on this item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0976

Item 4: Authorize a professional services contract with Diversified Utility Consultants, Inc. to provide review of TXU Lone Star Gas Company's application for an increase in gas rates - Not to exceed \$37,500 - Financing: Current Funds (To be fully reimbursed by TXU Lone Star Gas Company)

Councilmember Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0977

Item 5: A resolution extending the City Council's decision deadline for TXU Lone Star Gas Company's proposed new gas rate schedules for 90 days from April 5, 2002 through July 4, 2002 - Financing: No cost consideration to the City

Councilmember Greyson moved to approve the resolution.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0978

Item 6: **Special Election on May 4, 2002**

- * An ordinance ordering a special election to be held in the City of Dallas on Saturday, May 4, 2002 for the purpose of submitting to the qualified voters of the City a referendum regarding an increase in pay for members of the Police and Fire Departments of the City of Dallas, that if approved by the voters will have a fiscal impact of \$60,841,317 in FY 2002-03 and a tax rate impact of 9.564 per \$100 valuation (assuming no growth in the tax base) - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted. (Chaney absent)

Later in the meeting, Deputy Mayor Pro Tem Loza moved to reconsider the vote on agenda item 6 to allow Councilmember Rasansky to ask the city attorney a question.

Motion seconded by Councilmember Finkelman.

After discussion, Mayor Miller called the vote on Deputy Mayor Pro Tem Loza's motion to reconsider the vote on agenda item 6 to allow Councilmember Rasansky to ask the city attorney a question.

Mayor Miller declared the motion to reconsider was adopted, and that agenda item 6 was before the council for reconsideration. (Chaney absent)

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted. (Chaney absent)

Assigned ORDINANCE NO. 24861.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0979

Item 7: **Special Election on May 4, 2002**

- * A resolution authorizing (1) a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas, Collin, and Denton Counties for the conduct of a joint election to be held on Saturday, May 4, 2002, and (2) an increase in appropriations in an amount not to exceed \$600,000 in the City Secretary's Office Elections budget - Not to exceed \$600,000 - Financing: Contingency Reserve Funds

Councilmember Finkelman moved to approve the resolution.

Motion seconded by Councilmember Poss and unanimously adopted. (Chaney absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0980

Item 8: **Special Election on May 4, 2002**

- * A resolution approving the appointment of citizens to serve as election judges for the May 4, 2002 joint election - Financing: No cost consideration to the City

Councilmember Poss moved to approve the resolution.

Motion seconded by Councilmember Lill and unanimously adopted. (Chaney absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0981

Item 9: **Special Election on May 4, 2002**

- * A resolution authorizing the Mayor to appoint an ad hoc City Council canvassing committee to review the returns of the May 4, 2002, special election and submit a canvass report to the full City Council on Wednesday, May 8, 2002 - Financing: No cost consideration to the City

Mayor Miller moved to appoint the following councilmembers to serve as the canvassing committee to review the returns of the May 4, 2002 special election.

Councilmember James Fantroy, chair
Councilmember Mark Housewright
Councilmember Mary Poss

Councilmember Poss moved to approve the resolution.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0982

Item 10: A resolution (1) directing the City Manager to include in the FY 2002-03 annual City budget a five percent increase in the base salary of each sworn employee of the Police and Fire Departments of the City resulting in a fiscal impact of \$17,894,505 and a tax rate impact of 2.814 per \$100 valuation assuming no growth in the tax base; (2) indicating intent to include in the FY 2003-04 annual City budget a five percent increase in the base salary of each sworn employee of the Police and Fire Departments of the City resulting in a fiscal impact of \$18,789,224 and a tax rate impact of 2.954 per \$100 valuation assuming no growth in the tax base; (3) indicating intent to include in the FY 2004-05 annual City budget a five percent increase in the base salary of each sworn employee of the Police and Fire Departments of the City resulting in a fiscal impact of \$19,728,688 and a tax rate impact of 3.104 per \$100 valuation assuming no growth in the tax base; (4) resulting in a compounded 15.76% increase in the base salary of each sworn employee of the Police and Fire Departments of the City over the three year period indicated; and (5) taking effect on May 8, 2002 only in the event that the police and fire pay proposition submitted to the qualified voters of the City of Dallas at a May 4, 2002 special election fails to pass (via Mayor Miller)

The following individual addressed the city council regarding the resolution:

Sandra Crenshaw, 1431 Quartet Dr.

Councilmember Finkelman moved to approve the resolution.

Motion seconded by Councilmember Lill and unanimously adopted. (Chaney absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0983

Item 11: Adoption of alternative minimum salaries for members of the Police and Fire Departments of the City of Dallas in accordance with Section 141.034 of the Texas Local Government Code (via Mayor Miller)

The city council took no action on this time.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0984

- Item 12. Adoption of proposed minimum salaries for members of the Police and Fire Departments of the City of Dallas stated in the petition filed on February 15, 2002, under Section 141.034 of the Texas Local Government Code (via Mayor Miller)

The city council took no action on this item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0985

Briefings: A. Street Squad Narcotics Investigation

The city manager briefed the city council on the item.

During discussion, Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0986

Briefings: B. Personnel Rule Changes

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

March 20, 2002

02-0987

Closed Session

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

- Southwestern Bell Telephone Company, Claim No. 95008526
- Nancy Carol Mensing and Christopher Mensing v. City of Dallas and Lajimian D. Blocker, Individually and as an Employee of the City of Dallas, Cause No. 01-02747-D
- Stacy Martin, Individually and as Next Friend of Chelsea Howland, a minor v. Claude Henry Adams and City of Dallas, Cause No. cc-01-03121-c
- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H
- Emigdio Esparza v. Mark Delapaz, Eddie Herrera and City of Dallas, Civil Action No. 3:02-CV-0179-T
- Erubiel Cruz v. Mark Delapaz, Eddie Herrera and City of Dallas, Cause No. 02-01215-A
- Anthony Arredondo v. City of Dallas, Texas; Tex. App.-Dallas, Case No. 05-99-01819-CV
- Kenneth E. Albert, et al., v. City of Dallas, Texas; 199th Dist. Ct., Collin Co., Tex., Cause No. 199-697-94
- David R. Barber, et al., v. City of Dallas, Texas; 199th Dist. Ct., Collin Co., Tex., Cause No. 199-624-95
- James F. Hill, et al., v. City of Dallas, Texas; 191st Dist. Ct., Dallas Co., Tex., Cause No. 95-00975-J
- David S. Martin, et al., v. City of Dallas, Texas; 354th Dist. Ct., Rockwall Co., Tex., Cause No. 1-95-506
- George G. Parker, et al., v. City of Dallas, Texas; 354th Dist. Ct., Rockwall Co., Tex., Cause No. 1-95-107
- Kevin Michael Willis, et al., v. City of Dallas, Texas; 199th Dist. Ct., Collin Co., Tex., Cause No. 199-200-95

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Review of the Dallas Police Chief's duties and performance related to the Street Squad Narcotics Investigation

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

02-0987

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

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

- Southwestern Bell Telephone Company, Claim No. 95008526
- Nancy Carol Mensing and Christopher Mensing v. City of Dallas and Lajimian D. Blocker, Individually and as an Employee of the City of Dallas, Cause No. 01-02747-D
- Stacy Martin, Individually and as Next Friend of Chelsea Howland, a minor v.

No other matters were discussed during the closed session.

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