

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 21, 2002

02-2320

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

PRESENT: [15] Miller, Hill, Loza, Garcia, Housewright, Thornton Reese, Oakley, Chaney,  
Fantroy, Poss, Walne, Finkelman, Greyson, Rasansky, Lill

ABSENT: [0]

The meeting was called to order at 9:28 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 Mayor Laura Miller.

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 6:24 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.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 21, 2002

EXHIBIT A

9/5/02 11:10 AM  
G:\2002MIN\CC0082102.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 21, 2002

EXHIBIT B

9/5/02 11:10 AM  
G:\2002MIN\CC0082102.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2321

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

August 21, 2002

02-2322

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: Christopher Head, 939 San Fernando Way,  
REPRESENTING: Texas Public Workers Association  
SUBJECT: Saving employees' jobs

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
REPRESENTING: Citizens of Dallas  
SUBJECT: Code Compliance – Ticketing cars parked in driveway

SPEAKER: Cheryl Camin, 2808 McKinney Ave.  
REPRESENTING: Dallas Association of Young Lawyers  
SUBJECT: Freedom Run

SPEAKER: Penina Weiner, 11711 El-Hara Cir. **CANCELED**  
SUBJECT: Planning and Zoning

SPEAKER: Rob Crain, 4241 Delmar Ave.  
REPRESENTING: Dallas Association of Young Lawyers  
SUBJECT: Freedom Run

**ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:**

SPEAKER: Michael Simmons, 2515 Lawrence St.  
REPRESENTING: Simmons Custom Painting  
SUBJECT: Theft of services by Madie Berry/ Joseph Avina/City of Dallas Housing Department

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**  
SUBJECT: Environmental racism: Former Mayor/Mayor of Dallas/EPA/RSR Lead Smelter

SPEAKER: Jurline Hollins, 2832 Marjorie Ave. **NO SHOW**  
SUBJECT: Mayor/Roy Williams/Cadillac Heights

SPEAKER: Elijah McGrew, 9524 Military Parkway **CANCELED**  
SUBJECT: Motel/SOB

SPEAKER: Opal Lee, 417 S. Judkins, Ft. Worth, TX  
SUBJECT: DFW collaboration

SPEAKER: Phil Waigand, 4810 Landrun Ln., Arlington, TX  
SUBJECT: DFW collaboration

**OPEN MICROPHONE - END OF MEETING - SPOKE IN THE LAST 30 DAYS:**

SPEAKER: Gwain Wooten, 5111 Holland Ave. **NO SHOW**  
SUBJECT: Boards and Commissions

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NO SHOW**  
REPRESENTING: Committee for Peace and Justice  
SUBJECT: Code of Ethics

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2323

Item 1: Approval of Minutes of the August 7, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Councilmember Oakley and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2324

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 August 21, 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.

Councilmember Rasansky moved to appoint Richard Garza to the City Plan Commission.

Motion seconded by Councilmember Garcia and unanimously adopted.

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

Motion seconded by Councilmember Housewright and unanimously adopted.

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

**02-2332 CPC CITY PLAN COMMISSION**  
**02-2333 CRC CHARTER REVIEW COMMISSION**



BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2325

Item 3: Authorize (1) adoption of the preliminary FY 2002-03 Community Development Block Grant Reprogramming Budget (as recommended by the City Manager) in the amount of \$1,698,189 and (2) a public hearing to be held on September 11, 2002 to receive citizens' comments on the proposed use of funds - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2326

Briefings: A. Proposed Action Agenda for Implementing the Dallas Plan for 2002-2004

Elaine Agather, chairman of the board of directors and Karen Walz, executive director of the Dallas Plan, briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2327

Briefings B. Frequency Trade of WRR Municipal Radio 101.1 FM

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2328

Briefings: C. Reunion Arena Options

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 (Texas Open Meetings Act) to confer with the city attorney.

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

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2329

Briefings: D. Proposed Real Estate Commission

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2330

Briefings: E. Boards and Commissions

The briefing of this item was postponed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

August 21, 2002

02-2331

Closed Session

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

- Nora Mejia v. John T. Maguire and the City of Dallas, Cause No. cc-01-12953-a
- Boulder Ridge Apartments, Ltd. v. City of Dallas, Cause No. DV99-00913C
- Ronald A. Hamilton v. City of Dallas, Cause of Action No. 00-00917-G in the 134th Judicial District Court, Dallas County, Texas
- Ronald A. Hamilton v. J.D. Collett and Jeffrey Ramirez, Civil Action No. 3:00-CV-1469-R, in the United States District Court for the Northern District of Texas, Dallas Division
- Juanita Carter v. City of Dallas, Civil Action No. 3:99-CV-1927-M
- Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H consolidated with Civil Action No. 3:98-CV-1763-H
- Anthony Arredondo v. City of Dallas; Tex. App.-Dallas, Cause No. 05-99-01819-CV
- Kenneth E. Albert, et al., v. City of Dallas; 199th District Ct., Collin County, Texas, Cause No. 199-697-94
- David R. Barber, et al., v. City of Dallas; 199th District Ct., Collin County, Texas, Cause No. 199-624-95
- James F. Hill, et al., v. City of Dallas; 191st District Ct., Dallas County, Texas, Cause No. 95-00975-J
- David S. Martin, et al., v. City of Dallas; 354th District Ct., Rockwall County, Texas, Cause No. 1-95-506
- George G. Parker, et al., v. City of Dallas; 354th District Ct., Rockwall County, Texas, Cause No. 1-95-107
- Kevin Michael Willis, et al., v. City of Dallas; 199th District Ct., Collin County, Texas, Cause No. 199-200-95
- Reata Construction Corporation v. City of Dallas, Court of Appeals, 5th District Appeal No. 05-01-01780-CV
- Gramercy Insurance Company v. City of Dallas, Cause No. 01-03865-A in the 14th Judicial District, Dallas County, Texas
- MD II Entertainment, Inc. v. City of Dallas, DV01-08040-F
- New Age Restaurants, Inc. v. City of Dallas, et al., DV00-01114-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV99-00754-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV99-00755-H
- D. Burch, Inc. v. City of Dallas, et al., DV99-00756-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-01880-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-08342-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-08343-H

9/5/02 11:10 AM  
G:\2002MIN\CC0082102.doc

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

02-2331

Page 2

- D. Burch, Inc. v. City of Dallas, et al., DV98-08344-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-01118-H
- ERAF Corporation v. City of Dallas, et al., DV98-02501-H
- D. Burch, Inc. v. City of Dallas, et al., DV98-02710-H
- Northwest Entertainment v. City of Dallas, et al., DV98-05799-H
- Northwest Investments v. City of Dallas, et al., DV98-05801-H
- MD II Entertainment, Inc. v. City of Dallas, et al., 97-08254-H
- D. Burch, Inc. v. City of Dallas, et al., 97-06039-H
- D. Burch, Inc. v. City of Dallas, et al., DV00-09240-L
- Allen-Burch, Inc. v. City of Dallas, et al., DV00-09241-A
- MD II Entertainment, Inc. v. City of Dallas, et al., DV00-09242-L
- Santa Fe Cabaret, L.L.C. v. City of Dallas, DV00-07957-C
- Northwest Entertainment Group, Inc. v. City of Dallas, et al., DV00-05673-I
- Green Star, Inc. v. City of Dallas, DV01-05718-D
- City of Dallas, Texas v. MD II Entertainment, Inc. d/b/a The Fare West, DV01-04540-J
- Adventure Plus, Inc., et al. v. City of Dallas, 3:00-CV-2500-R
- Millennium Restaurants Group, Inc., et al. v. City of Dallas, 3:01-CV-0857-G
- Baby Dolls Topless Saloon, Inc., et al. v. City of Dallas, et al., 3:00-CV-1331-R
- Allen Burch, Inc. BDA 001C-108
- D. Burch, Inc. BDA 001C-107
- Mainstage, Inc. BDA 001C-103
- D. Burch, Inc. dba Baby Dolls Topless Saloon, et al. v. City of Dallas, et al., 3:01-CV-2317-R
- MD II Entertainment dba The Fare West v. City of Dallas, et al., DV02-1705-L
- D. Burch, Inc. v. City of Dallas, 02-05951-L
- Santa Fe Cabaret, L.L.C. v. City of Dallas, 02-05539-B
- Mainstage, Inc., v. City of Dallas, et al., 02-04853-C

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.)

- Nora Mejia v. John T. Maguire and the City of Dallas, Cause No. cc-01-12953-a
- Boulder Ridge Apartments, Ltd. v. City of Dallas, Cause No. DV99-00913C
- Ronald A. Hamilton v. City of Dallas, Cause of Action No. 00-00917-G in the 134th Judicial District Court, Dallas County, Texas
- Juanita Carter v. City of Dallas, Civil Action No. 3:99-CV-1927-M County, Texas

9/5/02 11:10 AM

G:\2002MIN\CC0082102.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS



- MD II Entertainment, Inc. v. City of Dallas, DV01-08040-F
- New Age Restaurants, Inc. v. City of Dallas, et al., DV00-01114-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV99-00754-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV99-00755-H
- D. Burch, Inc. v. City of Dallas, et al., DV99-00756-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-01880-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-08342-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-08343-H
- D. Burch, Inc. v. City of Dallas, et al., DV98-08344-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-01118-H
- ERAF Corporation v. City of Dallas, et al., DV98-02501-H
- D. Burch, Inc. v. City of Dallas, et al., DV98-02710-H
- Northwest Entertainment v. City of Dallas, et al., DV98-05799-H
- Northwest Investments v. City of Dallas, et al., DV98-05801-H
- MD II Entertainment, Inc. v. City of Dallas, et al., 97-08254-H
- D. Burch, Inc. v. City of Dallas, et al., 97-06039-H
- D. Burch, Inc. v. City of Dallas, et al., DV00-09240-L
- Allen-Burch, Inc. v. City of Dallas, et al., DV00-09241-A
- MD II Entertainment, Inc. v. City of Dallas, et al., DV00-09242-L
- Santa Fe Cabaret, L.L.C. v. City of Dallas, DV00-07957-C
- Northwest Entertainment Group, Inc. v. City of Dallas, et al., DV00-05673-I
- Green Star, Inc. v. City of Dallas, DV01-05718-D
- City of Dallas, Texas v. MD II Entertainment, Inc. d/b/a The Fare West, DV01-04540-J
- Adventure Plus, Inc., et al. v. City of Dallas, 3:00-CV-2500-R
- Millennium Restaurants Group, Inc., et al. v. City of Dallas, 3:01-CV-0857-G
- Baby Dolls Topless Saloon, Inc., et al. v. City of Dallas, et al., 3:00-CV-1331-R
- Allen Burch, Inc. BDA 001C-108
- D. Burch, Inc. BDA 001C-107
- Mainstage, Inc. BDA 001C-103
- D. Burch, Inc. dba Baby Dolls Topless Saloon, et al. v. City of Dallas, et al., 3:01-CV-2317-R
- MD II Entertainment dba The Fare West v. City of Dallas, et al., DV02-1705-L
- D. Burch, Inc. v. City of Dallas, 02-05951-L
- Santa Fe Cabaret, L.L.C. v. City of Dallas, 02-05539-B
- Mainstage, Inc., v. City of Dallas, et al., 02-04853-C

The following item was made a part of the closed session.

Pay Referendum

No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 21, 2002

EXHIBIT C

9/5/02 11:10 AM  
G:\2002MIN\CC0082102.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS