

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 16, 2002

02-2985

CITY COUNCIL BRIEFING  
CITY HALL, ROOM 6ES  
MAYOR LAURA MILLER, PRESIDING

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

The meeting was called to order at 9:27 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 the city council and the audience.

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 5:56 p.m.

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Mayor

ATTEST:

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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, OCTOBER 16, 2002

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
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EXHIBIT B

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 16, 2002

02-2986

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

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02-2987

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: Se-Gwen Tyler, 1816 Prairie View Dr.  
REPRESENTING: Arlington Park Community  
SUBJECT: Wal-Mart

SPEAKER: Nancy Hart, 6405 Bordeaux Ave.  
SUBJECT: Wal-Mart

SPEAKER: Karen Potaszniak, 7626 Fisher Rd.  
REPRESENTING: Smoke Free Dallas Coalition  
SUBJECT: Smoking Ordinance

SPEAKER: Todd Walther, 4433 Echo Glen Dr.  
SUBJECT: Smoking Ban

**NO SHOW**

SPEAKER: Monica Greene, 2045 Lauraette Dr.  
REPRESENTING: Greater Dallas Restaurant Association  
SUBJECT: Ban smoking in restaurants

SPEAKER: Sandi Bailey, 6430 Lupton Ave.  
REPRESENTING: The Hotel Association  
SUBJECT: Smoking Ordinance

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

SPEAKER: Michael Simmons, 2515 Lawrence St. **NAME NOT CALLED**  
REPRESENTING: Simmons Custom Painting  
SUBJECT: Theft of services by Madie Berry, Joseph Avina, City of Dallas Housing Department

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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Mayor Miller requested that all speakers that had signed up to speak on the smoking issue to be heard at the beginning of the meeting.

SPEAKER: Frank Seltzer, 6034 Palo Pinto Ave  
SUBJECT: Anti-Smoking Ordinance

SPEAKER: Jeff Franko, 7023 Nicki St.  
REPRESENTING: Dallas Restaurant Association  
SUBJECT: Smoking Issues

SPEAKER: Mark Maguire, 12406 Montego Plz. **NO SHOW**  
SUBJECT: Smoking Issues

SPEAKER: Phil Romano, 11660 Strait Ln. **NO SHOW**  
SUBJECT: Smoking Issues

SPEAKER: Keith Christian, 9115 Valley Chapel Ln.  
REPRESENTING: Jerami's Bar & Grill  
SUBJECT: Smoking Ordinance

SPEAKER: Robert Hamer, 4418 Beechwood Ln.  
REPRESENTING: The Wild Turkey Restaurant  
SUBJECT: Smoking Ordinance

SPEAKER: Penny Anderly, 8935 San Leandro Dr.  
SUBJECT: Proposed Smoking Ordinance

SPEAKER: Baine Brooks, 803 Patricia Dr., (Allen)  
REPRESENTING: Greater Dallas Restaurant Association  
SUBJECT: Smoking Ban

SPEAKER: Peter Tarantino, 4600 Gaston Ave.  
REPRESENTING: Tarantino International Concepts, Cava Restaurant Bar & Lounge  
SUBJECT: Smoking Issues

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Gloria Newhouse, 1416 W. Red Bird                   **NAME NOT CALLED**  
SUBJECT: Landlord/Tenants/Leases

SPEAKER: Jesse Price, 205 Jessica Dr. (Garland)  
REPRESENTING: Dallas Citizens for Reasonable Smoking Ordinance  
SUBJECT: Smoking Ordinance

SPEAKER: Marvin Roberts, 1225 Holt Ave. (DeSoto)           **CANCELED**  
REPRESENTING: Street Vendors  
SUBJECT: Special Event Ordinance

SPEAKER: Benjamin Pena, 620 Geller Rd., (Ferris)           **NAME NOT CALLED**  
REPRESENTING: LULAC  
SUBJECT: Employee retaliation

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

SPEAKER: William Hopkins, 2011 Leath St.                   **NAME NOT CALLED**  
SUBJECT: Corruption: Mayor of Dallas, State Representative, Merrill Lynch,  
RSR Lead Smelter

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 16, 2002

02-2988

Item 1: Approval of Minutes of the October 2, 2002 City Council Meeting

Councilmember Greyson moved to approve the minutes.

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



BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 16, 2002

02-2989

02-2990

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 October 16, 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 Walne moved to appoint Melissa Stains, representing PTA of Richardson, to the Citizens Safety Advisory Committee.

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

Councilmember Walne 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 Poss and unanimously adopted. (Hill absent)

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

**02-2995 CAC CULTURAL AFFAIRS COMMISSION**

**02-2996 CSA CITIZENS SAFETY ADVISORY COMMITTEE**

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 16, 2002

02-2991

Briefings: A. Smoking Ordinance Overview

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 16, 2002

02-2992

Briefings: B. Amendments to Chapters 41A and 51A of the Dallas City Code -  
Regulations for Establishing Compliance Dates for Non-Conforming Uses

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 16, 2002

02-2993

Briefings: C. Relocation and Planned Installation of Monuments at the Dallas Convention Center

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 16, 2002

02-2994

Closed Session

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

- City of Heath v. City of Dallas, Cause No. 1-02-442
- North Oak Lawn Neighborhood Association, Inc. v. City of Dallas, Texas, Planning & Zoning Commission of Dallas, Texas, et al., No. DV-00-08586-F
- 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
- Amendments to Chapters 41A and 51A of the Dallas City Code

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

- Annual Performance Evaluation of the City Manager
- Annual Performance Evaluation of the City Attorney
- Annual Performance Evaluation of the City Auditor
- Annual Performance Evaluation of the City Secretary

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

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

- Annual Performance Evaluation of the City Manager

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

Amortization with the Board of Adjustment

No other matters were discussed during the closed session.

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EXHIBIT C