

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 21, 2003

03-1417

CITY COUNCIL BRIEFING  
CITY HALL, ROOM 6ES  
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 9:20 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 for a moment of silence.

The pledge of allegiance was led by Weldon Montgomery.

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 3:50 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, MAY 21, 2003

EXHIBIT A

6/6/03 8:41 AM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 21, 2003

EXHIBIT B

6/6/03 8:41 AM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1418

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

MAY 21 2003

03-1419

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: Jack Borden, 5032 N. Hall St.  
SUBJECT: Last City Council Election

SPEAKER: Susan Finnell, 3905 Weeburn Dr. **CANCELLED**  
SUBJECT: Mosquito issue

SPEAKER: Lark Swofford, 8220 Abrams Rd.  
SUBJECT: Mosquito issue

SPEAKER: Douglas Uchdndu, 3149 W. Market Dr., **(Irving)**  
REPRESENTING: Association of United Taxicab Operators  
SUBJECT: Taxicab insurance

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Sandra Crenshaw, 1431 Quartet St. **CANCELLED**  
SUBJECT: Mayor and criticism of Councilmembers

SPEAKER: Raymond Ibe, 3 Pamela Ct., **(Mansfield)** **NO SHOW**  
SUBJECT: Taxicab insurance

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

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NO SHOW**  
REPRESENTING: Committee to honor J.B. Jackson, Jr. and Elsie Faye Heggins  
SUBJECT: Historic value

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**  
SUBJECT: Racism: Mayor's race/ KKK/Media/Dallas Morning News

SPEAKER: Jurline Hollins, 2832 Marjorie Ave. **NO SHOW**  
SUBJECT: Taxation without Representation/Plantation political wars

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1420

Item 1: Approval of Minutes of the May 7, 2003 City Council Meeting

Councilmember Greyson moved to approve the minutes.

Motion seconded by Councilmember Walne and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1421

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)

There were no consideration of appointments to boards and commissions.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1423

Briefings: A. Consolidated Plan Budget Amendments

The city manager briefed the city council on the item.



BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1424

Briefings: B. FY 2003-04 Budget Overview

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1425

Briefings: C. Youth Commission

Jesse Moreno, chair, Youth Commission briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1426

Briefings: D. FY 2003-04 General Fund Budget Outlook (for information only)

- 1) Environmental and Health Services
- 2) Park and Recreation
- 3) Public Works and Transportation (Street Lighting and Storm Water)
- 4) Street Services
- 5) City Auditor
- 6) Office of Financial Services

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

MAY 21, 2003

03-1427

Closed Session

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

- 2218 Bryan Street, Ltd. v. City of Dallas, Texas, et al., Cause No. 01-00292-L
- City of Dallas v. Antonio Pena, Cause No. 02-000006, Dallas Municipal Court Chapter 54
- BDA 001C-108, Allen Burch, Inc. d/b/a The Fare
- BDA 987C-108, Allen Burch, Inc. d/b/a The Fare
- BDA 001C-102, Case and Point d/b/a Bare Facts
- Civil Action No. 3:01-2317-R, D. Burch, Inc. d/b/a Baby Dolls Topless Saloon and Northwest Investments Group, Inc. v. City of Dallas, and Chief Terrell Bolton in his capacity as Chief of Police Cause No. 3-00-CV-0423, MD II, Inc., et al v. City of Dallas
- Case No. 02-10067, Baby Dolls Topless Saloon, Inc. d/b/a Baby Dolls Saloon-East, Plaintiff, and MD II Entertainment, Inc. d/b/a The Fare West and D. Burch, Inc. d/b/a Baby Dolls Topless Saloon, et al, Intervenor, v. City of Dallas, Texas
- Case No. 02-10673, Baby Dolls Topless Saloon, Inc. d/b/a Baby Dolls Saloon-East, Plaintiff, and MD II Entertainment, Inc. d/b/a The Fare West and D. Burch, Inc. d/b/a Baby Dolls Topless Saloon, et al, Intervenor, v. City of Dallas, Texas
- Civil Action No. 3-97-1331-R, Baby Dolls Topless Saloon, Inc. d/b/a Baby Dolls Saloon-East, Plaintiff, and MD II Entertainment, Inc. d/b/a The Fare West and D. Burch, Inc. d/b/a Baby Dolls Topless Saloon, et al, Intervenor, v. City of Dallas, Texas
- Civil Action No. 3-01-CV 0857-G, Millennium Restaurant Group, Inc. d/b/a Cabaret Royale and Steven William Craft v. City of Dallas, Texas and Terrell Bolton in his Official Capacity as Chief of Police of the City of Dallas, Texas
- Civil Action No. 3:00-CV-2479-G, Mary Ann Schachsieck, d/b/a Case and Point, Inc. v. City of Dallas
- Cause No. 00-09241-A, styled Allen-Burch, Inc. d/b/a The Fare v. City of Dallas, Texas and Board of Adjustment of the City of Dallas, Texas
- Cause No. 02-3230 styled Allen-Burch, Inc. v. City of Dallas, et.al.
- Cause No. 05-00-1944-CV arising from Trial Court cause number 99-00754 styled Allen-Burch, Inc. v. City of Dallas
- Appeal No. 05-00-1950-CV and consolidated into Appeal No. 05-00-1943-CV arising out of Trial Court cause number 98-8342 styled Allen-Burch, Inc. v. City of Dallas, Texas and Board of Adjustment of City of Dallas, Texas

- Appeal No. 05-00-1937-CV and Trial Court case number 98-2501 styled ERAF Corporation v. City of Dallas, Texas and Permit and License Appeal Board of the City of Dallas, Texas
- Appeal No. 05-00-1938-CV and Trial Court case number 00-1114 styled New Age Restaurants, Inc. and Steve Craft v. City of Dallas, Texas and the Permit and License Appeal Board of the City of Dallas, Texas
- Appeal No. 05-00-1949-CV and Trial Court case number 98-01118 styled Allen-Burch, Inc. v. City of Dallas, Texas, et. al.
- Cause No. 02-04853-C styled Mainstage, Inc. d/b/a P.T.'s v. City of Dallas, Texas and Board of Adjustment of the City of Dallas, Texas
- Cause No. 02-09501-D styled Mainstage, Inc. d/b/a P.T.'s Gentlemen's Club v. City of Dallas, Texas, the Permit & License Appeal Board of the City of Dallas, Texas, and Terrell Bolton, solely in his official capacity as Chief of Police

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.)

- City of Dallas v. Antonio Pena, Cause No. 02-000006, Dallas Municipal Court Chapter 54
- BDA 001C-108, Allen Burch, Inc. d/b/a The Fare
- BDA 987C-108, Allen Burch, Inc. d/b/a The Fare
- BDA 001C-102, Case and Point d/b/a Bare Facts
- Civil Action No. 3:01-2317-R, D. Burch, Inc. d/b/a Baby Dolls Topless Saloon and Northwest Investments Group, Inc. v. City of Dallas, and Chief Terrell Bolton in his capacity as Chief of Police
- Cause No. 3-00-CV-0423, MD II, Inc., et al v. City of Dallas
- Case No. 02-10067, Baby Dolls Topless Saloon, Inc. d/b/a Baby Dolls Saloon-East, Plaintiff, and MD II Entertainment, Inc. d/b/a The Fare West and D. Burch, Inc. d/b/a Baby Dolls Topless Saloon, et al, Intervenor, v. City of Dallas, Texas
- Case No. 02-10673, Baby Dolls Topless Saloon, Inc. d/b/a Baby Dolls Saloon-East, Plaintiff, and MD II Entertainment, Inc. d/b/a The Fare West and D. Burch, Inc. d/b/a Baby Dolls Topless Saloon, et al, Intervenor, v. City of Dallas, Texas
- Civil Action No. 3-97-1331-R, Baby Dolls Topless Saloon, Inc. d/b/a Baby Dolls Saloon-East, Plaintiff, and MD II Entertainment, Inc. d/b/a The Fare West and D. Burch, Inc. d/b/a Baby Dolls Topless Saloon, et al, Intervenor, v. City of Dallas, Texas

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- Cause No. 02-09501-D styled Mainstage, Inc. d/b/a P.T.'s Gentlemen's Club v. City of Dallas, Texas, the Permit & License Appeal Board of the City of Dallas, Texas, and Terrell Bolton, solely in his official capacity as Chief of Police

No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 21, 2003

EXHIBIT C

6/6/03 8:41 AM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 21, 2003

03-1422

Item 3: Authorize hardship relief for Home Depot U.S.A. Inc. on property located at 2600 Ft. Worth Avenue from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for certain uses previously authorized by Resolution No. 03-1021 on March 26, 2003, and a resolution accepting deed restrictions volunteered by the applicant - Financing: No cost consideration to the City

The following individuals addressed the city council regarding this item:

Steven Kanoff, 1122 Jackson St. regarding the Bronco Group Limited  
Bill Dahlstrom, 7273 Paldao Dr., representing Home Depot  
Terry Barakis, 1600 Old Course Dr., (**Plano**), representing Home Depot

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 551.071 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 Housewright moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Hill, Lill absent when vote taken)