

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 17, 2003

03-2500

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

PRESENT: [13] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney,
Blaydes, Griffith, Greyson, Rasansky, Lill
ABSENT: [2] Fantroy, Finkelman

The meeting was called to order at 10:10 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 the audience and the city council.

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 6:16 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, SEPTEMBER 17, 2003

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 17, 2003

EXHIBIT B

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2501

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

September 17, 2003

03-2502

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: Joe Martin, 3105 Gladiolus Ln.
SUBJECT: Broken promises

SPEAKER: Rick Gonzales, 4263 S. Cresthaven Rd.
SUBJECT: Neighborhood concerns

CANCELED

SPEAKER: Ray Campbell, 1000 E. Redbird Ln.
SUBJECT: Terrell Bolton issues

SPEAKER: Charles Griffith, 419 N. Windomere St.
REPRESENTING: Dallas City Retired Employees Association
SUBJECT: Medical insurance benefits for City of Dallas retirees

SPEAKER: James Cowgill, 11357 Earlywood Dr.
REPRESENTING: Dallas City Retired Employees Association
SUBJECT: Budget

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Billy MacLeod, 5225 Fleetwood Oaks Dr.
SUBJECT: City unity

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Cathy Ann Fears, 115 N. Edgefield Ave.
REPRESENTING: Keep It Clean Oak Cliff Organization
SUBJECT: Litter free Oak Cliff

NO SHOW

SPEAKER: Mark Blaquiere, 115 N. Edgefield Ave.
REPRESENTING: Keep It Clean Oak Cliff Organization
SUBJECT: Litter free Oak Cliff

NO SHOW

SPEAKER: Jordan Pitre, 2310 Bonnie View Rd.
REPRESENTING: Skyline Ranch
SUBJECT: Skyline Ranch

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SPEAKER: Robert Pitre, 2310 Bonnie View Rd.
REPRESENTING: Skyline Ranch
SUBJECT: Dallas Visitors Bureau

SPEAKER: Deborah Dennis, 2070 Chevella Dr.
REPRESENTING: WDD Corporation
SUBJECT: Housing and Neighborhood Development

NO SHOW

SPEAKER: E. Ruth Steward, 7022 Balalaika Rd.
SUBJECT: People unity

CANCELED

SPEAKER: Martha Fortune, 403 N. Howeth, Gainesville
SUBJECT: Smoking ban

SPEAKER: Linda Lisardo, 2112 Leslie St., Denton
SUBJECT: Smoking ban

SPEAKER: Carl Brown, 907 Bluff Springs, Ferris
REPRESENTING: Amalgamated Transit Union #1635
SUBJECT: DART reductions

SPEAKER: Michael Lisardo, 2112 Leslie St., Denton
SUBJECT: Demonstration – Smoking ban

SPEAKER: Michealle Frey, 1220 Stinnette Pl, Desoto
REPRESENTING: Steel Workers Association
SUBJECT: Budget amendments

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Racism: Mayor of Dallas, Laid off city workers, \$11 million animal shelter

SPEAKER: Sandra Crenshaw, 1431 Quarter St.
REPRESENTING: People United
SUBJECT: Why a recall?

CANCELED

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Political consultants, Cadillac Heights, West Dallas lead, City Tax Attorneys

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2503

Item 1: Approval of Minutes of the September 3, 2003 City Council Meetings

Councilmember Oakley moved to approve the minutes.

Motion seconded by Councilmember Garcia and unanimously adopted. (Fantroy, Finkelman absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2504

03-2505

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 re-nominations received for city board and commission appointments for the 2003-2005 board term updated through September 17, 2003.

The assistant city secretary noted that the report indicated nominees and re-nominees for individual appointments cleared for council action that met all qualifications for service.

Councilmember Garcia moved to appoint Evelyn Maddox, General Public, and reappoint Andrea Allen, General Public, Julie M. McKinney, General Public, and Elaine Munch, General Public to the Animal Shelter Commission.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Fantroy, Finkelman absent)

Councilmember Rasansky moved to reappoint Diana Marquis, Visual Artist, Julie Halstead Peek, Interested Citizen, Gail Terrell, Interested Citizen, and Matt C. Jansha, Interested Citizen and appoint Stella Trejo Esparza, Interested Citizen, Jill Kotvis, Interested Citizen, and Laura Estrada, Interested Citizen to the Cultural Affairs Commission.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Fantroy, Finkelman absent)

Councilmember Greyson moved to reappoint James Christopher Wells, Arts Advocate, to the Cultural Affairs Commission Alternate.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Fantroy, Finkelman absent)

Councilmember Thornton Reese moved to reappoint Alan W. Tompkins, Citizen-at-Large, and Marshall J. Doke, Jr., Citizen-at-Large, to the Judicial Nominating Commission.

Motion seconded by Councilmember Griffith and unanimously adopted. (Fantroy, Finkelman absent)

Councilmember Greyson moved to appoint Doug Edwards, Citizen-at-Large, and reappoint Daron K. Tapscott, Architect, to the Landmark Commission.

Motion seconded by Councilmember Oakley and unanimously adopted. (Fantroy, Finkelman absent)

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Councilmember Lill moved to reappoint E. Lee Ruth, Landscape Architect and appoint Jorge Guerra, Real Estate Development with experience in redevelopment of commercial historic properties, to the Landmark Commission Alternate Members. The reappointment of Fred Williams, historian, should be held until a later date.

Councilmember Oakley moved to reappoint Julia Laxson, Knowledge of Community/Business Resource, to the Southern Dallas Development Corporation Board.

Motion seconded by Councilmember Garcia and unanimously adopted. (Fantroy, Finkelman absent)

Councilmember Oakley moved to reappoint Cranston Alkebulan, Citizen-at-Large, Anthony Hunt, Citizen-at-Large, Martin Weber, Licensed Real Estate Broker, Jack B. Gale, Home Builder, Brenda L. Jones, Citizen-at-Large, Suzanne Pohl, Citizen-at-Large, Martin Antonio Guerra, Citizen-at-Large, Johnny Jefferson, Citizen-at-Large, Donna Wigley, Citizen-at-Large, and appoint Mattie Lee Nash, and Johnny Clark, Citizen-at-Large. The reappointment of Joseph G. Hernandez, Citizen-at-Large, should be held until a later date.

Motion seconded by Councilmember Lill and unanimously adopted.

Councilmember Blaydes moved the reappointment of Beverly Tobian, Citizen-at-Large, to the Urban Rehabilitation Standards Board Alternates be held for one week.

Motion seconded by Councilmember Thornton Reese.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No."

Councilmember Salazar moved to appoint Dina Ornelas, Freshman, Nimitz High School, Michael Leon Davis, Senior, Yvonne A. Ewell Townview Center, and reappoint Miquela A. Davis, Sophomore, Yvonne A Ewell Townview Center, Emily Hebert, Senior, The Hockaday School and John C. Taylor, Freshman, Jesuit College Prep to the Youth Commission.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Fantroy, Finkelman absent when vote taken)

Councilmember Thornton Reese 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, 2005.

Motion seconded by Councilmember Oakley and unanimously adopted. (Fantroy, Finkelman absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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

03-2513	ASC	ANIMAL SHELTER COMMISSION
03-2514	BOA	BOARD OF ADJUSTMENT
03-2515	CAC	CULTURAL AFFAIRS COMMISSION
03-2516	CAX	CULTURAL AFFAIRS COMMISSION ALTERNATES
03-2517	CDC	COMMUNITY DEVELOPMENT COMMISSION
03-2518	EHC	ENVIRONMENTAL HEALTH COMMISSION
03-2519	JNC	JUDICIAL NOMINATING COMMISSION
03-2520	LMC	LANDMARK COMMISSION
03-2521	LMX	LANDMARK COMMISSION ALTERNATES
03-2522	PLA	PERMIT AND LICENSE APPEAL BOARD
03-2523	SAC	SENIOR AFFAIRS COMMISSION
03-2524	SDD	SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD
03-2525	URS	URBAN REHABILITATION STANDARDS BOARD
03-2526	URX	URBAN REHABILITATION STANDARDS BOARD ALTERNATES
03-2527	YAC	YOUTH COMMISSION

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2506

Item 3: Authorize payment of an Agreed Final Judgment for final attorney's fees to Michael M. Daniel, attorney for plaintiffs, in the lawsuit styled Debra Walker, et al. v. United States Department of Housing and Urban Development, et al., Civil Action No. 3:85-CV-1210-R - \$175,000 - Financing: Current Funds

Deputy Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Fantroy, Finkelman absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2507

Briefings: A. FY 2003-04 Budget Amendments (if necessary)

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2508

Briefings: B. Trinity River Lake Concepts

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2509

Briefings: C. City of Dallas Housing Finance Corporation Multi-Family Program Policies

The briefing of this item was postponed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2510

Briefings: D. Water Utilities FY 2003-04 Proposed Budget (if necessary)

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2511

Briefings: E. The Storm Water Management Program at Work

The briefing of this item was postponed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 17, 2003

03-2512

Closed Session

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

- City of Dallas v. Transcontinental Realty Investors, Inc., Union Pacific Railroad Company, et al., Cause No. cc-99-03125-e
- Donato Garcia, et al., v. City of Dallas, et al., Civil Action No. 3:02-CV-0116-P
- City of Heath v. City of Dallas, Cause No. 1-02-442
- Legal issues involving the City of Dallas Housing Finance Corporation Multi-Family Program Policies

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

- Performance Evaluation of City Manager Teodoro J. Benavides
- Performance Evaluation of City Attorney Madeleine B. Johnson
- Performance Evaluation of City Secretary Shirley Acy

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. Transcontinental Realty Investors, Inc., Union Pacific Railroad Company, et al., Cause No. cc-99-03125-e
- Donato Garcia, et al., v. City of Dallas, et al., Civil Action No. 3:02-CV-0116-P

Councilmember Garcia announced that she had a conflict of interest and would abstain from participating in any discussion. Councilmember Garcia left the briefing room.

- City of Heath v. City of Dallas, Cause No. 1-02-442
- Legal issues involving the City of Dallas Housing Finance Corporation Multi-Family Program Policies

No other matters were discussed during the closed session.

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EXHIBIT C