

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 1, 2003

03-2650

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

PRESENT: [15] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar,  
Fantroy, Chaney, Blaydes, Griffith, Finkelman, Greyson,  
Rasansky, Lill

ABSENT: [0]

The meeting was called to order at 10:07 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 5:27 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.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 1, 2003

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 1, 2003

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2651

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.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2652

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: William Hodges, 7744 Ryanridge Dr.  
REPRESENTING: Alameda Heights  
SUBJECT: Youth Build Dallas Vocational Training

SPEAKER: Martha DuBois, P.O. Box 4175 **NO SHOW**  
REPRESENTING: International Independent Spanish Coalition Minority  
SUBJECT: Racism and discrimination issues by Former Police Chief

SPEAKER: Ruby McGowan, 2216 Hillburn Dr. **NO SHOW**  
SUBJECT: Comments on former Chief of Police

SPEAKER: Terry Flowers, 1527 Allen Cr., Cedar Hill  
REPRESENTING: St. Phillips School  
SUBJECT: Prostitution in the neighborhood

**OPEN MICROPHONE – END OF MEETING:**

None.

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

SPEAKER: Albert Park, P.O. Box 240  
RERPRESENTING: John Q. Public  
SUBJECT: Who wants to know?

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: This black Jesus. The conspiracy and the world's best secret.

SPEAKER: Al Lipscomb, 830 Clearwood Dr. **CANCELED**  
SUBBJECT: Fair Park homeowners and agreement on parking

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NO SHOW**  
SUBJECT: People united with never be defeated.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

03-2652

Page 2

SPEAKER: Bruce Kline, 733 Cliffview Dr.  
SUBJECT: Deputy Police Chief Investigation

**NO SHOW**

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2653

Item 1: Approval of Minutes of the September 17, 2003 City Council Meetings

Councilmember Oakley moved to approve the minutes.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent when vote taken)

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2654

03-2655

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 October 1, 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 Rasansky moved to reappoint Karen Fling, Licensed Veterinarian, to the Animal Shelter Commission, reappoint Kathryn Mitchell, Interested Citizen and Susie A. Bell, Expertise in Visual to the Cultural Affairs Commission, appoint Patricia Rodriguez, Arts Advocate, to the Cultural Affairs Commission, reappoint Manny Alvarez, Judge Not a Municipal Court Judge, to the Judicial Nominating Commission, reappoint Frances James, Citizen-At-Large, (historian) and Richard Shampain, Citizen-At-Large to the Landmark Commission, reappoint Erma Saracho, Business Person in Banking, to the Southern Dallas Development Corporation Board and appoint Virginia Sue Meyers Riley, to the Senior Affairs Commission.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent when vote taken)

Councilmember Rasansky moved to reappoint Michael Harling and Robert Chereck and appoint Maria E. Gonzales to the Housing Finance Corporation Board.

Motion seconded by Councilmember Oakley and unanimously adopted. (Salazar absent when vote taken)

Councilmember Fantroy moved to reappoint Calvin C. Bluiett, Gloria M. Tarpley and Rebecca Baird Bergstresser to the Ethics Advisory Commission.

Motion seconded by Councilmember Oakley and unanimously adopted. (Salazar absent when vote taken)

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

03-2654, 2655

Page 2

Councilmember Greyson moved to reappoint Marvin M. Lane, Jr., Patsy "Pat" Parrish and F. Ray Hill, to the Civil Service Board.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Salazar absent when vote taken)

Councilmember Rasansky moved to reappoint Dovie L. Jaffe and appoint David Neumann, to the Board of Adjustment Alternate Members.

Motion seconded by Councilmember Oakley and unanimously adopted. (Salazar 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. (Salazar absent when vote taken)

Councilmember Oakley moved to appoint Laura Estrada, chair of the Cultural Affairs Commission.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent when vote taken)

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

<b>03-2665</b>	<b>ASC</b>	<b>ANIMAL SHELTER COMMISSION</b>
<b>03-2666</b>	<b>BOX</b>	<b>BOARD OF ADJUSTMENT ALTERNATE MEMBERS</b>
<b>03-2667</b>	<b>CAC</b>	<b>CULTURAL AFFAIRS COMMISSION</b>
<b>03-2668</b>	<b>CAX</b>	<b>CULTURAL AFFAIRS COMMISSION ALTERNATES</b>
<b>03-2669</b>	<b>CPC</b>	<b>CITY PLAN AND ZONING COMMISSION</b>
<b>03-2670</b>	<b>CSB</b>	<b>CIVIL SERVICE BOARD</b>
<b>03-2671</b>	<b>EHC</b>	<b>ETHICS ADVISORY COMMISSION</b>
<b>03-2672</b>	<b>HFC</b>	<b>HOUSING FINANCE CORPORATION BOARD</b>
<b>03-2673</b>	<b>JNC</b>	<b>JUDICIAL NOMINATING COMMISSION</b>
<b>03-2674</b>	<b>LMC</b>	<b>LANDMARK COMMISSION</b>
<b>03-2675</b>	<b>MLK</b>	<b>MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD</b>
<b>03-2676</b>	<b>SAC</b>	<b>SENIOR AFFAIRS COMMISSION</b>
<b>03-2677</b>	<b>SDD</b>	<b>SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD</b>
<b>03-2678</b>		<b>Board Officers</b>

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2656

Item 3: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees is available in the City Secretary's Office)

There was no appointment of members to the DART Board.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2657

Item 4: Authorize settlement of a lawsuit styled Donato Garcia and Antonia Garcia and next friend of Jasmine Garcia and Alex Garcia, Minors v. City of Dallas, Dallas Police Department, Police Chief Terrell D. Bolton, Officer Kenneth Pesce, Assistant City Attorney Robert Miklos, Civil Action No. 3:02-CV-0116-P - \$43,500 - Financing: Current Funds

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

Councilmember Oakley moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia abstain; Salazar absent when vote taken)

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2658

Briefings: A. Fair Park Comprehensive Development Plan and South Dallas/Fair Park  
Entertainment District Study

Paul Dyer, director of Park and Recreation, briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2659

Briefings: B. Trinity Parkway Environmental Impact Statement

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2660

Briefings: C. Dallas Housing Finance Corporation Multifamily Program Criteria

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2661

Briefings: D. Urban Rehabilitation Standards Board

Mayor Miller briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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03-2662

Briefings: E. Police Chief Search

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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03-2663

Briefings: F. Elm Fork Floodplain Management Study

The briefing of this item was postponed.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

October 1, 2003

03-2664

Closed Session

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

- Legal issues regarding City's MS4 Storm Water Permit
- Legal issues regarding the Sexually Oriented Business License Application for 10600 Plano Road
- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H
- Estate of Shane G. Sorrells, et al. v. City of Dallas, Texas, et al. Civil Action No. 3:99-CV-1185-P
- Dallas Housing Finance Corporation Multifamily Program Criteria

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.)

- Legal issues regarding City's MS4 Storm Water Permit
- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H
- Estate of Shane G. Sorrells, et al. v. City of Dallas, Texas, et al. Civil Action No. 3:99-CV-1185-P
- Dallas Housing Finance Corporation Multifamily Program Criteria

No other matters were discussed during the closed session.

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