

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 5, 2003

03-2970

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

PRESENT: [14] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar,
Chaney, Blaydes, Griffith, Finkelman, Greyson, Rasansky, Lill

ABSENT: [1] Fantroy

The meeting was called to order at 9:08 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 7:17 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, NOVEMBER 5, 2003

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 5, 2003

EXHIBIT B

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2971

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

November 5, 2003

03-2972

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: Rule of Law

SPEAKER: Michael Simmons, 2515 Lawrence St. **CANCELED**
REPRESENTING: Simmons Custom Painting
SUBJECT: Theft of services by Madie Berry, Luis Aveno, City of Dallas
Housing Department

SPEAKER: Charles Allen, 615 S. Montclair Ave.
SUBJECT: Trinity River

SPEAKER: Patrick Bradshaw, 1133 Hidden Ridge, Irving **NO SHOW**
SUBJECT: The Care Program

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Ora Miller, 2860 56th St. **NO SHOW**
REPRESENTING: Goldmine Community Organization and Crime Watch
SUBJECT: Disbanding International Community Patrol

SPEAKER: Bruce Kline, 733 Cliffview Dr.
SUBJECT: Mayoral – Police relations

SPEAKER: Jeffrey Murtha, 4237 Oakgrove Dr, Carrollton **NO SHOW**
REPRESENTING: The Clubhouse
SUBJECT: Sexual Oriental Business – 6 foot rule

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Civil rights violation against Chief of Police, DISD, Southwest
Station

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2973

Item 1: Approval of Minutes of the October 15, 2003 City Council Meetings

Councilmember Rasansky moved to approve the minutes.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2974

03-2975

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 November 5, 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 Thornton Reese moved to reappoint Jayne M. Kysar and Skip Tremble, general public representatives, to the Animal Shelter Commission and reappoint Gene L. Jameson, citizen-at-large, to the Judicial Nominating Commission.

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

Councilmember Thornton Reese moved to reappoint Linda Sorrells, to the Ethics Advisory Commission.

Motion seconded by Councilmember Garcia.

During discussion, Mayor Miller requested the city council to meet in executive session under 551.074 of the Texas Open Meetings Act to confer with the city attorney regarding Linda Sorrells, board member, Ethics Advisory Commission.

Later in the meeting, Mayor Miller restated the previous motion to reappoint Linda Sorrells to the Ethics Advisory Commission.

Mayor Miller declared the motion adopted on a divided voice vote, with Mayor Miller voting "No". (Fantroy absent)

Councilmember Finkelman moved to appoint William N. Roth, to the Housing Finance Corporation Board.

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

Councilmember Thornton Reese moved to reappoint Bruce Wilke, chair, City Plan and Zoning Commission, Carl Raines, chair, Dallas Citizens Police Review Board, Marshall J. Doke, chair, Judicial Nominating Commission, June Leftwich, chair, Municipal Library Board, and appoint Fred Williams, chair, Landmark Commission.

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

Councilmember Garcia moved to appoint Frances Rizo, vice-chair, to the Community Development.

Motion seconded by Deputy Mayor Pro Tem Hill and unanimously adopted. (Fantroy absent)

Councilmember Oakley 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 Thornton Reese and unanimously adopted. (Fantroy absent)

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

03-2984	ASC	ANIMAL SHELTER COMMISSION
03-2985	BOA	BOARD OF ADJUSTMENT
03-2986	CDD	COMMUNITY DEVELOPMENT COMMISSION
03-2987	CPC	CITY PLAN AND ZONING COMMISSION
03-2988	EAC	ETHICS ADVISORY COMMISSION
03-2989	EHC	ENVIRONMENTAL HEALTH COMMISSION
03-2990	HFC	HOUSING FINANCE CORPORATION BOARD
03-2991	JNC	JUDICIAL NOMINATING COMMISSION
03-2992	PAR	PARK AND RECREATION BOARD
03-2993		Board Officers

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2976

Item 3: An ordinance authorizing the issuance and sale of \$164,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2003A; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$404,760 - Financing: Water Utilities Bond Funds **(To be considered before 12:00 noon)**

Councilmember Blaydes moved to approve the bond ordinance authorizing the issuance and sale of \$164,000,000 Waterworks and Sewer System Revenue Refunding and Improvement Bonds to Lehman Brothers, Inc. being the best bid.

Motion seconded by Councilmember Lill and unanimously adopted. (Fantroy absent)

Assigned ORDINANCE NO. 25427.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2977

Briefings: A. Balanced Vision Plan for the Trinity River Corridor

Karen Walz, executive director of Dallas Plan, and the city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2978

Briefings: B. Proposed Ordinance Relating to Possession of Shopping Carts Off Retail Premises

The city attorney and the city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2979

Briefings: C. Dallas Convention Center Hotel Request for Proposal Development

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2980

Briefings: D: Boards and Commissions

The briefing of this item was postponed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2981

Briefings: E. Proposed Amendments to the Hotel and Motel use in Chapters 51 and 51A, the Dallas Development Code, of the Dallas City Code

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2982

Briefings: F. 2004 City Calendar

The briefing of this item was postponed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

November 5, 2003

03-2983

Closed Session

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

- Charlene Partney v. COD and John Hancock, Civil Action No. cc-02-02234-a
- Fran Sharpe v. COD, Cause No. 03-04673
- Ann Tenison Hereford Webb, et al. v. City of Dallas, et al., Cause No. 3:00-CV-2558-R
- Reata Construction - Conflict of Interest
- Legal issues regarding Section 108 portfolio sale

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
- Performance Evaluation of City Auditor Thomas M. Taylor

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.)

- Charlene Partney v. COD and John Hancock, Civil Action No. cc-02-02234-a
- Fran Sharpe v. COD, Cause No. 03-04673
- Ann Tenison Hereford Webb, et al. v. City of Dallas, et al., Cause No. 3:00-CV-2558-R
- Reata Construction - Conflict of Interest

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

Attorney Briefings (Sect. 551.074. T.O.M.A.)

- Nomination of Linda Sorrels to the Ethics Commission

No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 5, 2003

EXHIBIT C

12/4/03 10:20 AM
G:\2003MIN\110503.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 5, 2003

03-2970

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

PRESENT: [14] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar,
Chaney, Blaydes, Griffith, Finkelman, Greyson, Rasansky, Lill
ABSENT: [1] Fantroy

CORRECTION

AGENDA
CITY COUNCIL BRIEFING
WEDNESDAY, NOVEMBER 5, 2003

Briefings (Continued) 6ES

- D. Boards and Commissions **[03-2980; BRIEFING POSTPONED]**
- E. Proposed Amendments to the Hotel and Motel use in Chapters 51 and 51A, the Dallas Development Code, of the Dallas City Code **[03-2981; BRIEFED BRIEFING POSTPONED]**
- F. 2004 City Calendar **[03-2982; BRIEFING POSTPONED]**

Closed Session **[03-2983; CLOSED SESSION HELD]** 6ES

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

- Charlene Partney v. COD and John Hancock,
Civil Action No. cc-02-02234-a
- Fran Sharpe v. COD, Cause No. 03-04673
- Ann Tenison Hereford Webb, et al. v. City of Dallas, et al.,
Cause No. 3:00-CV-2558-R
- Reata Construction - Conflict of Interest
- Legal issues regarding Section 108 portfolio sale

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
- Performance Evaluation of City Auditor Thomas M. Taylor

Open Microphone Speakers **[03-2972]** 6ES

Adjournment