

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 19, 2004

04-1600
CITY COUNCIL BRIEFING
CITY HALL, ROOM 6ES
MAYOR LAURA MILLER, PRESIDING

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

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.

Desiree Garza, student at W. H. Adamson High School, led the pledge of allegiance.

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 6:26 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, MAY 19, 2004

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 19, 2004

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1601

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

May 19, 2004

04-1602

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: Afisu Olabimtan, 5123 Briargrove Ln.
REPRESENTING: APN & Associates, Inc.
SUBJECT: Briefing E – In-Housing v. Outsourcing Engineering/Architectural Services

SPEAKER: Ronald Wright, 4112 Amity Dr. **CANCELED**
REPRESENTING: Pleasant Grove Community Unity Coalition
SUBJECT: Abolishment of chock-hold

SPEAKER: Kevin Mondy, 8157 Leigh Ann Dr.
SUBJECT: Youth Services

SPEAKER: Ron Iscaro, 13730 Flagstone Ln.
SUBJECT: Injury Pay

SPEAKER: Michael Flusche, 2230 Dunloe Dr.
SUBJECT: Injury Pay

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Steve Stagner, 4300 Waterford Pl, Austin
REPRESENTING: Texas Council of Engineering Companies
SUBJECT: Briefing E – In-Housing v. Outsourcing Engineering/Architectural Services

SPEAKER: Guadalupe Ortega, 163 County Rd., McKinney
SUBJECT: Injury Pay

SPEAKER: Al Lipscomb, 830 Clearwood Dr. **NO SHOW**
REPRESENTING: The Unfortunate
SUBJECT: Feeding the poor / Matthew 25:35-46

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

CITIZEN SPEAKERS

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Mark Walker, 4150 2nd Ave.
REPRESENTING: Willowgrove Baptist Church
SUBJECT: Youth Service

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

SPEAKER: Al Lipscomb, 830 Clearwood Dr. **NO SHOW**
REPRESENTING: The Unfortunate
SUBJECT: Feeding the poor / Matthew 25:35-46

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**
SUBJECT: Racism against City of Dallas, KKK and War in Iraq

SPEAKER: Charles Goodlow, Jr., 3880 S. Walton Walker Blvd. **NO SHOW**
SUBJECT: "Trouble in getting legal services for the disadvantage".

SPEAKER: Bonnie Hurd, 9215 Bruton Rd.
SUBJECT: "It is now the City's fault."

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1603

Item 1: Approval of Minutes of the May 5, 2004 City Council Meeting

Councilmember Garcia moved to approve the minutes.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1604

04-1605

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 boards and commissions appointments for the 2003-2005 board term updated through May 19, 2004.

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 Sam Coats to the Civil Service Board.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Loza, Salazar, Fantroy, Rasansky absent when vote taken; Finkelman absent)

Councilmember Garcia moved to appoint James A Nunez, registered architect, David W. Westbrook, Jr., registered engineer-structural, Frederick W. Toulmin, familiar with national electrical code and DP&L rules, James M. Hightower, building contractor-commercial, Allen Nixon, building contractor-residential, Raymond Cano Ornelaz, Jr., master electrician-commercial, Lloyd Harmon, master electrician-residential, Arthur L. Jones, familiar with national electrical code and DP&L rules, Donald Lee Montgomery, HVA contractor-commercial, and Dale Litton, person who participates in community affairs, to the Building Inspection Advisory, Examining & Appeals Board.

Motion seconded by Councilmember Blaydes. (Loza, Salazar, Fantroy, Rasansky absent when vote taken; Finkelman absent)

Councilmember Garcia 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 Blaydes and unanimously adopted. (Loza, Salazar, Fantroy, Rasansky absent when vote taken; Finkelman absent)

The Assistant City Secretary announced that Councilmember Garcia is nominating Eladio Martinez as vice chair to the Dallas Citizens Police Review Board.

During discussion, Councilmember Garcia withdrew her nomination of Eladio Martinez as vice chair to the Dallas Citizens Police Review Board.

Councilmember Garcia moved to appoint Todd Howard as vice chair to the Dallas Citizens Police Review Board.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Loza, Salazar, Fantroy, Rasansky absent when vote taken; Finkelman absent)

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

04-1615	BIA	BUILDING INSPECTION ADVISORY, EXAMINING & APPEALS BOARD
04-1616	CDC	COMMUNITY DEVELOPMENT COMMISSION
04-1617	CSB	CIVIL SERVICE BOARD
04-1618		Board Officers

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1606

Item 3: Authorize Supplemental Agreement No. 1 to the contract with Berkshire Advisors, Inc. for the management and efficiency study of the Dallas Police Department to allow payments to be made for portions of the study completed and approved by the City – Financing: No additional cost consideration to the City of Dallas

Councilmember Greyson moved to approve the item.

Motioned seconded by Councilmember Garcia and unanimously approved.
(Finkelman absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1607

Briefings: A. Comprehensive Plan Strategy

The city manager briefed the council on the item.

Mayor Pro Tem Loza moved to suspend the rule to allow the following citizens to speak on this item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Finkelman absent)

The following individuals were present during the briefing but did not speak:

Cay Colb, 4402 Rawlins St.
Pat White, 4714 Wildwood Road

The following individual addressed the city council regarding the Comprehensive Plan Strategy:

Neil Emmons, 2525 Turtle Creek Blvd., spoke on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1608

Briefings: B. Measurements, Priorities, and Forms related to the City Manager's June 2004 Performance Evaluation/Public Safety (Only)

The briefing of this item was postponed.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1609

Briefings: C. FY 2004-05 Community Development Block Grant – Public Services

The briefing of this item was postponed.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1610

Briefings: D. Retail Recruitment Initiative Criteria and Downtown Tunnel System

The city manager and Nancy Hormann, Executive Director, Downtown Partnership, Inc. and Interim Director, Central Dallas Association, briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1611

Briefings: E. In-Housing v. Outsourcing Engineering/Architectural Services

The briefing of this item was postponed.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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04-1612

Briefings: F. Trinity Equestrian Center Operations and Management Plan (for information only)

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1613

Briefings: G. FY 2004-05 Departmental Budget Outlooks (for information only)

- 1) Code Compliance
- 2) Housing
- 3) City Secretary's Office and Elections
- 4) Municipal Court Judiciary
- 5) Mayor and City Council Office

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 19, 2004

04-1614

Closed Session

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

- Legal issues involving fake drugs investigation
- Jesus R. Rodriquez v. Kevin L. Mackey and City of Dallas, Cause No. cc-03-05404-a
- Raul Arrambide V. Clifton McGee and the City of Dallas, Cause No. 02-14332-B
Robert W. Reynolds v. City of Dallas, Robert Melton and Thomas M. Taylor, Cause No. 3:01-CV-2424
Thomas M. Taylor, Cause No. 3:01-CV-2424
- Thomas Wayne Williams v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1662-H
- Raymond Plasek v. City of Dallas, cc-01-05424-c
- Greenstar, Inc. v. City of Dallas and Terrell Bolton, Cause No. 01-05718
- City of Dallas v. Nottingham Investors, L.P.; NIGP, Inc., JPMC 2001-FL1 Chapel Creek Limited Partnership; JPMC 2001-FL-1 Chapel Creek GP, L.L.C., and Nottingham Redevelopment, LTD. (G-134th Judicial District), Cause No. 03-00188-C
- City of Dallas v. TP - Town Plaza II, L.P.; Carlos Espinosa RCGP, LLC; WAK/TPRO, L.P. (a.k.a. WAK/TPRO LTD.); WAK/TPRO Holdings, Inc.; Renaissance Investments, Inc. (a.k.a. DEC Partners); Bank One, Texas, N.A.; Frank S. Owen; and Carlos Espinosa (162nd Judicial District), Cause No. 01-4531

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 involving fake drugs investigation
- Jesus R. Rodriquez v. Kevin L. Mackey and City of Dallas, Cause No. cc-03-05404-a
- Raul Arrambide V. Clifton McGee and the City of Dallas, Cause No. 02-14332-B
Robert W. Reynolds v. City of Dallas, Robert Melton and Thomas M. Taylor, Cause No. 3:01-CV-2424
Thomas M. Taylor, Cause No. 3:01-CV-2424
- City of Dallas v. Nottingham Investors, L.P.; NIGP, Inc., JPMC 2001-FL1 Chapel Creek Limited Partnership; JPMC 2001-FL-1 Chapel Creek GP, L.L.C., and Nottingham Redevelopment, LTD. (G-134th Judicial District), Cause No. 03-00188-C

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- City of Dallas v. TP - Town Plaza II, L.P.; Carlos Espinosa RCGP, LLC; WAK/TPRO, L.P. (a.k.a. WAK/TPRO LTD.); WAK/TPRO Holdings, Inc.; Renaissance Investments, Inc. (a.k.a. DEC Partners); Bank One, Texas, N.A.; Frank S. Owen; and Carlos Espinosa (162nd Judicial District), Cause No. 01-4531

No other matters were discussed during the closed session.

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