

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 1, 2004

04-2495

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

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

The meeting was called to order at 9:28 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 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.

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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, SEPTEMBER 1, 2004

EXHIBIT A

9/21/04 11:05 AM  
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CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 1, 2004

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2496

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

September 1, 2004

04-2497

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: Dwaine Caraway, 1934 Argyle Ave.  
SUBJECT: Regarding agenda Item 62 on the August 25, 2004 Agenda

SPEAKER: Ricky Anderson, 5734 Preston View Blvd.  
SUBJECT: Homeless population

SPEAKER: Marcus Cooper, 408 Park Ave.  
SUBJECT: Homeless problems

SPEAKER: James K. Wagborne, 5524 Belmont Ave.  
REPRESENTING: Dallas Homeless Neighborhood Association  
SUBJECT: Homeless

SPEAKER: Earnest J. Kyle, (address not given)  
SUBJECT: Harassment

**ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:**

SPEAKER: Alice Fitzpatrick, (address not given) **NO SHOW**  
SUBJECT: Harassment

SPEAKER: Dewell Sumler, 1100 Cadiz St. **NO SHOW**  
SUBJECT: Harasment

SPEAKER: Carl Jackson, (address not given) **NO SHOW**  
SUBJECT: Homelessness

SPEAKER: Faith Duff, 1100 Cadiz St. **NO SHOW**  
SUBJECT: Harassment

SPEAKER: Melvin Boyd, 8519 Van Pelt Dr. **NO SHOW**  
SUBJECT: Homeless

SPEAKER: Charles Willis, (address not given) **NO SHOW**  
SUBJECT: Homeless harassment

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

04-2497

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SPEAKER:	Clayton J. Ware, 3211 Irving Blvd.	<b>NO SHOW</b>
SUBJECT:	Homeless harassment	
SPEAKER:	Fabian Fregoso, (address not given)	<b>NO SHOW</b>
SUBJECT:	Homeless harassment	
SPEAKER:	Viola Johnson, (address not given)	<b>NO SHOW</b>
SUBJECT:	Homeless people	
SPEAKER:	James Hancox, (address not given)	<b>NO SHOW</b>
SUBJECT:	Homelessness	
SPEAKER:	Charlie L. Calvin, 5611 harvest Hill Rd.	<b>NO SHOW</b>
SUBJECT:	Homeless	
SPEAKER:	Patrick L. Gamble, (address not given)	<b>NO SHOW</b>
SUBJECT:	Homeless	
SPEAKER:	Lia Johnson, 901 S. Ervay St.	<b>NO SHOW</b>
SUBJECT:	Harassment	
SPEAKER:	James McKenzie, (address not given)	<b>NO SHOW</b>
SUBJECT:	Homeless harassment	
SPEAKER:	Charles McClellar, 901 S. Ervay St.	<b>NO SHOW</b>
SUBJECT:	Homeless harassment/Homeless housing	
SPEAKER:	J.D. Hunt, 2929 Hickory Dr.	<b>NO SHOW</b>
SUBJECT:	Disrespect/Health and Housing	
SPEAKER:	Ozumba Lnuk-x, 4106 Vineyard Dr.	<b>NO SHOW</b>
SUBJECT:	Arrest/Equipment and training policies of the Dallas Police Department	
SPEAKER:	Betty Culbreath, 1636 Bar Harbor Dr.	<b>NO SHOW</b>
SUBJECT:	Against the money being used for the Texas\OU Football Game	
SPEAKER:	Ronald Weisfeld, 2909 San Jacinto St.	<b>NO SHOW</b>
SUBJECT:	Homeless Intake Facility	
SPEAKER:	Jim Depetris, 2631 Commerce St.	<b>CANCELED</b>
SUBJECT:	Homeless Issue	
SPEAKER:	Judith Sturrock, 2631 Commerce St.	<b>NO SHOW</b>
SUBJECT:	Homeless Issue	

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SPEAKER: Shannon Chance, 1100 Cadiz St. **NO SHOW**  
SUBJECT: Harassment

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Sandra Crenshaw, 1431 Quarter Dr. **NO SHOW**  
SUBJECT: Bad enough outside Fair park, now outside City and State?

SPEAKER: Donald G. Nickel, 3918 Gaspar Dr. **NO SHOW**  
SUBJECT: Code Enforcement

SPEAKER: Rene Peters, 418 Runningbrook Ln., Mesquite **NO SHOW**  
SUBJECT: Harassment

SPEAKER: Quynh Pham, 2529 Meadow Ln, Garland  
SUBJECT: Police Department and hiring policies

**OPEN MICROPHONE – SPOKE IN THE LAST 30 DAYS:**

SPEAKER: Jewel Floyd, 3815 Myrtle St. **NO SHOW**  
SUBJECT: Prairie View vs Gambling game

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NO SHOW**  
REPRESENTING: Citizens Organized for Representative Democracy  
SUBJECT: Strong Mayor

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**  
SUBJECT: Racism: Director of EHS/Mayor/City Code Chapter 19, Section 19-83

SPEAKER: Roy H. Williams, 5881 Preston View Blvd. **CANCELED**  
REPRESENTING: Dallas County Green Party  
SUBJECT: Item 4 – Gambling State University and Prairie View A&M University

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2498

Item 1: Approval of Minutes of the August 18, 2004 City Council Meeting

Councilmember Oakley moved to approve the minutes.

Motion seconded by Councilmember Lill and unanimously adopted. (Hill absent; Chaney, Fantroy, Greyson absent when vote taken)

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2499

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 September 1, 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 Lill moved to appoint Elizabeth Kelsey Johnson, Dallas Member, to the Reinvestment Zone Four Board (Cedar Area).

Motion seconded by Councilmember Finkelman and unanimously adopted. (Hill absent; Chaney, Fantroy, Greyson absent when vote taken)

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

**04-2507 RZ4 REINVESTMENT ZONE FOUR BOARD (CEDARS AREA)**

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2500

Item 3: Authorize (1) a public hearing to be held on September 15, 2004 at 9:30 a.m. to receive citizens' comments on a proposed tax rate; and (2) a proposal to consider adoption of a 71.974/\$100 valuation tax rate, or such other rate as may be proposed by the City Council on September 22, 2004 - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Garcia.

Councilmember Lill moved to substitute for Councilmember Thornton Reese's motion a motion to authorize (1) a public hearing to be held on September 15, 2004 at 9:30 a.m. to receive citizens' comments on a proposed tax rate; and (2) a proposal to consider adoption of a 72.974/\$100 valuation tax rate, or such other rate as may be proposed by the City Council on September 22, 2004

Motion seconded by Councilmember Finkelman.

After discussion, Mayor Miller called the vote on Councilmember Lill's substitute motion:

Voting Yes:	[9]	Loza, Garcia, Oakley, Thornton Reese, Salazar, Fantroy, Blaydes, Finkelman, Lill
Voting No:	[4]	Miller, Chaney, Griffith, Rasansky
Absent:	[1]	Hill
Absent when vote taken:	[1]	Greyson

Mayor Miller declared the motion adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2501

Item 4: Authorize (1) the City's participation as a third party beneficiary to the State Fair/Texas-OU Cotton Bowl Stadium Agreement by providing \$125,000 to each University as a "game fee" subject to the annual University of Texas versus University of Oklahoma football game being played at the Cotton Bowl each October for five years beginning in 2004 and ending in 2008 and (2) the City to provide \$25,000 each to Grambling State University and Prairie View A&M University as a "game fee" subject to the annual Grambling State University versus Prairie View A&M University football game being played at the Cotton Bowl each October for five years, beginning in 2004 and ending in 2008 - \$300,000 annually - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

or, in the alternative;

Item 5: Authorize (1) the City's participation as a third party beneficiary to the State Fair/Texas-OU Cotton Bowl Stadium Agreement by providing \$125,000 to each University as a "game fee" subject to the annual University of Texas versus University of Oklahoma football game being played at the Cotton Bowl each October for five years beginning in 2004 and ending in 2008 and (2) the City to provide \$25,000 each to Grambling State University and Prairie View A&M University as a "game fee" subject to the annual Grambling State University versus Prairie View A&M University football game being played at the Cotton Bowl each October for five years, beginning in 2004 and ending in 2008 and (3) the Council to authorize the creation of a program under the Public/Private Partnership guidelines to allow the use of the PILOT (Payment in Lieu of Taxes) Program Funds - \$300,000 annually - Financing: Convention and Event Services Current Funds (\$250,000) (subject to annual appropriations) and Public/Private Partnership Funds (\$50,000) (subject to annual appropriations) **THIS ITEM WAS NOT CONSIDERED.**

or, in the alternative;

Item 6: Authorize (1) the City's participation as a third party beneficiary to the State Fair/Texas-OU Cotton Bowl Stadium Agreement by providing \$125,000 to each University as a "game fee" subject to the annual University of Texas versus University of Oklahoma football game being played at the Cotton Bowl each October for five years beginning in 2004 and ending in 2008 and (2) the City to provide \$25,000 each to Grambling State University and Prairie View A&M University as a "game fee" subject to the annual Grambling State University versus Prairie View A&M University football game being played at the Cotton Bowl each October for five years, beginning in 2004 and ending in 2008 and (3) Council authorize the South Dallas Fair Park Trust Fund to fund a grant without the prior approval of the Trust Fund Board - \$300,000 annually - Financing: Convention and Event Services Current Funds (\$250,000) (subject to annual appropriations) and South Dallas Fair Park Trust Funds (\$50,000) (subject to annual appropriations) **THIS ITEM WAS NOT CONSIDERED**

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The following individuals addressed the city council regarding agenda item 4:

Senator Royce West, 320 S. R.L. Thornton Frwy.  
Dallas County Commissioner John Wiley Price  
State Representative Terri Hodge, 1716 Chattanooga Pl.  
Opal Smith, 1906 Matagorda Dr., representing Prairie View A&M University National  
Alumni Association  
L.A. Bedford, 1926 Argyle Ave.  
Al Lipscomb, 830 Clearwood Dr.  
Daryl K. Washington, 14001 Dallas Pkwy, Farmers Branch, Grambling State National  
Alumni Association/J.L. Tuner Legal Association  
Clarence Moore, 110 Chesterfield Cir., Waxahachie, Grambling State University Dallas  
Alumni Chapter

The following individuals were present, in support of agenda item 4, but did not speak on the item:

Al Wash, 905 Green Castle Dr.  
Jerry Christian, 8112 Fox Creek Trail  
Frederick D. Haynes, III  
Samuel Seals.

Councilmember Thornton Reese moved to approve agenda item 4.

Motion seconded by Councilmember Fantroy.

Councilmember Griffith moved to substitute for Councilmember Thornton Reese's motion a motion to amend the financing for agenda item 4 (2) to allow funds for the \$50,000 for a five-year period to come from the Convention & Event Services budget and reduce the annual budgeted amount in FY 04-05 from the South Dallas/Fair Park Trust Fund by \$50,000.

Motion seconded by Councilmember Garcia.

During discussion, Councilmember Griffith withdrew his substitute motion.

Councilmember Garcia withdrew her second of the substitute motion.

Mayor Miller stated that the substitute motion was withdrawn, there being no objection raised to Councilmember Griffith's request, and that Councilmember Thornton Reese's original motion was on the table for debate.

During the debate, Councilmember Salazar moved the previous question.

Motion seconded by Councilmember Chaney.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

04-2502

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Mayor Miller called the vote on Councilmember Salazar's motion to end the debate and proceed to an immediate vote on the pending question.

Voting Yes:	[9]	Loza, Garcia, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Greyson
Voting No:	[5]	Miller, Oakley, Finkelman, Rasansky, Lill
Absent:	[1]	Hill

Mayor Miller declared the previous question was approved.

Mayor Miller then called the vote on the Councilmember Thornton Reese's motion.

Voting Yes:	[14]	Miller, Loza, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill
Voting No:	[0]	
Absent:	[1]	Hill

Mayor Miller declared the motion adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2502

Briefings: A. Budget Workshop

- Employee Compensation for FY 2004-05
- Public Safety Tax Increase Discussion

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2503

Briefings: B. Fleet Maintenance Services Update

The city manager briefed the city manager on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2504

Briefings: C. Homeless Assistance Center

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2505

Briefings: D. Marketing Income Opportunities: Beverage Services Partnership  
Agreement

The city manager and Bruce Todd, Pathfinder Group, briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 1, 2004

04-2506

Closed Session

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

- Settlement for Yolanda Matthews
- Legal issues in connection with Supplement Agreement No. 3 for professional legal services of Robert W. Taylor
- City of Dallas v. Redbird Development Corporation, et al., Cause No. DV99-08817-K
- Legal issues involving the Red Light Camera Enforcement
- City of Dallas, Petitioner, v. James Jennings and Charlotte Jennings, Respondents, Cause No. D-01-1012
- City of Dallas v. C and C Co., Cause No. 04-0734
- City of Dallas v. Elmer D. Gulyas, Jr., Cause No. 04-0733
- Heather Stewart v. City of Dallas, Cause No. 02-10116-L
- Margaret Thompson v. City of Dallas, Cause No. 03-03259-F
- Debra Forge, Individually and as Survivor of Keenon Forge, Deceased v. City of Dallas, Cause No. 3-03-CV-0256-D
- Robert Harrell, dba Interstate Mechanical Contractors v. Dallas Aircraft Services, Inc. v. City of Dallas, Cause No. cc-00-13122-B

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.)

- Settlement for Yolanda Matthews
- City of Dallas v. Redbird Development Corporation, et al., Cause No. DV99-08817-K
- Legal issues involving the Red Light Camera Enforcement

No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 1, 2004

EXHIBIT C

9/21/04 11:05 AM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 1, 2004

04-2495

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

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

**CORRECTIONS**

9/21/04 11:05 AM  
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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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Motion seconded by Councilmember Chaney.