

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 15, 2004

04-2610

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

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

ABSENT: [0]

The meeting was called to order at 9:21 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 4:03 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 15, 2004

EXHIBIT A

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CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 15, 2004

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CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 15, 2004

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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 15, 2004

04-2612

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: Bonnie Hurd, 9215 Bruton Rd.  
SUBJECT: Mayor

SPEAKER: Doris Howard, 1514 Fordham Rd. **NO SHOW**  
SUBJECT: Code compliance/Narcotics/Animals

SPEAKER: Lartia Cook, 338 Campus Dr.  
REPRESENTING: House of Refuge  
SUBJECT: House of Refuge

SPEAKER: Jerry Dowdy, 14129 Kleberg Rd. **NO SHOW**  
SUBJECT: Two buildings

SPEAKER: Kevin Bartholomew, 10915 Ridgemeanow  
REPRESENTING: Ben E. Keith Co  
SUBJECT: Bottle Deposit Bill

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

SPEAKER: Howard Hallam, 5330 S. Dentwood Dr. **NO SHOW**  
REPRESENTING: Ben E. Keith Co  
SUBJECT: Bottle Deposit Bill

SPEAKER: Donald Mickel, 3918 Gaspar Ave. **CANCELED**  
SUBJECT: Code Enforcement

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**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Arbertha Herrod, 5151 Lauderdale Dr.  
REPRESENTING: Arden Terrace Neighborhood Association  
SUBJECT: Concerns regarding the neighborhood

SPEAKER: Don Sneed, 119 Palm Dr., Lancaster, TX  
SUBJECT: Death from HIV and AIDS here in Dallas/Marriage for Gays

SPEAKER: Michelle Frey, 1220 Stinnett Place, DeSoto  
REPRESENTING: Steel Workers City of Dallas  
SUBJECT: Employee Benefits

SPEAKER: David Sords, 1605 Mills Springs Dr., Austin  
REPRESENTING: Texas Soft Drink Association  
SUBJECT: Briefing Item A

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

SPEAKER: Ozumba Lnuk-x 4106 Vineyard Dr. **NO SHOW**  
SUBJECT: #7645 Police (corrupt) Honrath, Jerod James

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**  
SUBJECT: Code violation against: Mayor of Dallas/Director of Environmental Health/KKK/Dallas Police Department

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

September 15, 2004

04-2613

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

Councilmember Oakley moved to approve the minutes, as corrected. Councilmember Finkelman stated that there were several typographical errors.

Motion seconded by Councilmember Garcia and unanimously adopted.

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04-2614

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 15, 2004.

Councilmember Lill moved to appoint Dan Weiser, Interested Citizen, to the Cultural Affairs Commission.

Motion seconded by Councilmember Garcia and unanimously adopted.

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

**04-2622 CAC CULTURAL AFFAIRS COMMISSION**

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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04-2615

Item 3: A public hearing to receive citizens' comments on the proposed 72.97¢/\$100 property tax rate for the 2004-05 fiscal year - Financing: No cost consideration to the City

No one addressed the city council regarding the property tax rate

Mayor Pro Tem Loza moved to close the public hearing.

Motion seconded by Councilmember Greyson and unanimously adopted.

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Item 4: A resolution ordering TXU Electric Delivery Company to show cause regarding the reasonableness of its existing Transmission and Distribution rates within the City of Dallas - Financing: No cost consideration to the City

The following individual addressed the city council regarding TXU Electric Delivery Co.:

Brenda Jackson, 5539 McCommas Blvd., representing TXU Electric Delivery

Mayor Pro Tem Loza moved to defer the resolution until the October 13, 2004 agenda meeting of the city council and on October 6, 2004 briefing meeting allow representatives of TXU Electric Deliver to make a presentation to the full council.

Motion seconded by Councilmember Chaney.

Councilmember Oakley moved to substitute Mayor Pro Tem Loza's motion a motion to follow the staff's recommendation to order TXU Electric Delivery Company to show cause regarding the reasonableness of its existing Transmission and Distribution rates within the City of Dallas.

Motion seconded by Councilmember Garcia.

After discussion, Mayor Miller called the vote on Councilmember Oakley's substitute motion.

Mayor Miller declared the substitute motion adopted on a divided voice vote, with Councilmembers Loza, Hill, Chaney, Rasansky, voting "No". (Thornton Reese absent when vote taken).

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Item 5: Authorize a five-year beverage services contract with the most advantageous proposer of three - Dr. Pepper Bottling Company of Texas - Estimated Net Revenue: \$4,584,222

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Hill absent when vote taken)

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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Briefings: A. Development of the State Legislative Program for the 79th Session of the  
Texas Legislature

The city attorney briefed the city council on the item.

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Briefings: B. Civil Service/Human Resources Efficiency Task Force Update

The city manager briefed the city council on the item.

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Briefings: C. FY 2004-05 Budget Amendment Discussion and Straw Votes (if necessary)

The briefing of this item was postponed.

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Closed Session

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

- Legal issues in connection with Supplement Agreement No. 3 for professional legal services of Robert W. Taylor
- Claim of Terry Van Sickle, Sr.
- Margaret Thompson v. City of Dallas, Cause No. 03-03259-F
- 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
- Debra Forge, Individually and as Survivor of Keenon Forge, Deceased v. City of Dallas, Cause No. 3-03-CV-0256-D
- Anthony Lynn Curlin v. Daniel Earl Maples, Jr., Quentis Ray Roper, Sean Moses & City of Dallas, Cause No. 3:02-CV-1997-H

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.)

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

- Legal issues in connection with Supplement Agreement No. 3 for professional legal services of Robert W. Taylor
- Claim of Terry Van Sickle, Sr.
- Margaret Thompson v. City of Dallas, Cause No. 03-03259-F
- City of Dallas, Petitioner v. James Jennings and Charlotte Jennings, Respondents, Cause No. D-01-1012
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Councilmember Garcia announced that she had a conflict of interest and would abstain from participating in any discussion. Councilmember Garcia left the briefing the room.

- Anthony Lynn Curlin v. Daniel Earl Maples, Jr., Quentis Ray Roper, Sean Moses & City of Dallas, Cause No. 3:02-CV-1997-H

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

Legislative Agenda Items Regarding Discounting Hotel Rooms

No other matters were discussed during the closed session.

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