

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

04-3550

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

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

ABSENT: [0]

The meeting was called to order at 9:12 a.m.

The 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 5:12 p.m.

Mayor

ATTEST:

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, DECEMBER 15, 2004

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 2004

04-3551

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

December 15, 2004

04-3552

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: Michael Humphreys, 2929 Hickory **NO SHOW**
SUBJECT: Community issues

SPEAKER: Mary Guthrie, 9759 Broken Bow Rd.
REPRESENTING: Old City Park
SUBJECT: Development of the Cedars and homeless center being located in Cedars

SPEAKER: Thelma Youngblood, 2406 E. Illinois Ave. **NO SHOW**
SUBJECT: Strong Mayor form of government

SPEAKER: Rick Gonzales, 4283 S. Cresthaven
SUBJECT: City Government

SPEAKER: Jewel Floyd, 4939 Gurley **NO SHOW**
SUBJECT: Litter

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Gary Smith, 620 Goodwin Dr., **Richardson**
REPRESENTING: Old City Park
SUBJECT: Development of the Cedars and homeless center being located in Cedars

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Al Lipscomb, 830 Clearwood Ave. **DID NOT CALL NAME**
SUBJECT: What's going on? Double standards

SPEAKER: Christy Whitehead, 8015 Genesis Dr.
SUBJECT: Code Compliance officer wrongful termination – SW Dist. 5B

SPEAKER: Gwain Wooten, 5111 Holland Ave. **DID NOT CALL NAME**
SUBJECT: Revelations, Chapter 2, verses 9-11

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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SPEAKER: Kay Sheets, 209 E. Main St., **Grand Prairie**
REPRESENTING: Texas Public Workers Association **DID NOT CALL NAME**
SUBJECT: Civil Service

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

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **DID NOT CALL NAME**
REPRESENTING: Citizens Organized for a Representative Democracy
SUBJECT: Strong Mayor

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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Item 1: Approval of Minutes of the November 29, 2004 City Council Meeting

Councilmember Rasansky moved to approve the minutes.

Motion seconded by Councilmember Oakley and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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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 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 December 15, 2004.

The city secretary noted that the report indicated nominees and re-nominees for individual appointments cleared for council action that met all special qualifications for service.

Councilmember Griffith moved to appoint all the nominees to "individual" 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 Garcia and unanimously adopted.

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

04-3561	BOA	BOARD OF ADJUSTMENT
04-3562	EHC	ENVIRONMENTAL HEALTH COMMISSION
04-3563	YAC	YOUTH COMMISSION

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 2004

04-3555

Item 3: Authorize a Memorandum of Understanding and negotiations with the Woodbine Development Corporation for the development of a Convention Center Headquarters Hotel for a period of 120 days from December 16, 2004 to April 16, 2005 - Financing: No cost consideration to the City

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Garcia.

After discussion, Mayor Miller called the on the motion.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 2004

04-3556

Item 4: Authorize settlement of the lawsuit styled Russell Wyman v. City of Dallas and Raj Sharma, Cause No. 3:02-CV-2496-D - \$400,000 - Financing: Current Funds

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 2004

04-3557

Briefings: A. Resource Speaker for January Council Planning Retreat
John Fregonese - Comprehensive Land Use Planning

The city manager and John Fregonese, Comprehensive Land Use Planning briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 2004

04-3558

Briefings: B. Dallas City Charter Discussion

- 1) Summary of Recommendations from Charter Review Commission, City Attorney, City Secretary, Mayor, and Blackwood, et al. Petition
- 2) Current City of Dallas Charter
- 3) Recommendations from the Charter Review Commission
- 4) City Attorney's Recommendations
- 5) City Secretary's Recommendations
- 6) Mayor's Recommendations
- 7) Notice of Intent to Circulate Petition (Blackwood, et al.)

Mayor Miller, city attorney and city secretary briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 2004

04-3559

Briefings: C. Improving City Services through Citizen Feedback (for information only)

- City of Dallas Website Feedback Results
- 3-1-1 Service Request Feedback Results
- Library Survey
- 2005 City of Dallas Citizen Survey

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 2004

04-3560

Closed Session

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

- Terrell Bolton v. City of Dallas and City Manager Teodoro Benavides, Cause No. 3:04-CV-0501-R
- City of Dallas v. Freddy Davenport, Cause No. 03-07334-L Herbert J. Bell, Jr. and Margaret C. Bell v. City of Dallas and Johnson Bros. Corporation, Cause No. cc-02-5472-d
- City of Dallas v. Wisetime Entertainment, L.L.C., Curtis Wise dba Texas Showgirls and 10945 Composite Drive, Cause No. 04-11826-E
- Wisetime Entertainment, L.L.C. v. City of Dallas, Cause No. 04-02146-J
- Update on legal issues related to regulation of Comcast Cable of Dallas, Inc. price regulation and other issues involving cable TV regulation
- Legal issues relating to Southcrest Corp. and Mid-Continent Casualty Co. (Tower Building)Legal issues regarding the plat of Mountain Creek Lake Installment No. 1 adjacent to the former Dallas Naval Air Station

Personnel Matters (Sec. 551.074 T.O.M.A.)

- 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.)

- Terrell Bolton v. City of Dallas and City Manager Teodoro Benavides, Cause No. 3:04-CV-0501-R
- City of Dallas v. Freddy Davenport, Cause No. 03-07334-L Herbert J. Bell, Jr. and Margaret C. Bell v. City of Dallas and Johnson Bros. Corporation, Cause No. cc-02-5472-d
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Personnel Matters (Sec. 551.074 T.O.M.A.)

- Performance Evaluation of City Secretary Shirley Acy

No other matters were discussed during the closed session.

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Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill

ABSENT: [0]

CORRECTIONS

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Chaney, **Fantroy**, Griffith, Blaydes, Finkelman, Greyson,
Rasansky, Lill

ABSENT: [0]