

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 15, 2006

06-3200

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

PRESENT: [14] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar,
Chaney, Fantroy, Griffith, Koop, Natinsky, Rasansky, Hunt,
ABSENT: [1] Blaydes

The meeting was called to order at 9:37 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 city council and the audience 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.

At 3:41 p.m., Mayor Miller announced Mayor Pro Tem Hill, Councilmembers Thornton Reese, Salazar, Chaney, Fantroy, Griffith, and Hunt had left the briefing meeting and a quorum of the city council was not present; therefore, no further business could be conducted and adjourned the meeting.

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 15, 2006

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT B

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3201

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 15, 2006

06-3202

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 LoVuolo, 616 Cristler
SUBJECT: Comcast

SPEAKER: Larry Ihse, 1408 N. Washington
SUBJECT: Comcast

SPEAKER: Marbi Massan, 1240 N. Britain Rd.
SUBJECT: Taxi Issues

OPEN MICROPHONE – END OF MEETING:

None

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3203

Item 1: Approval of Minutes of the November 1, 2006 City Council Meeting

Councilmember Rasansky moved to approve the minutes.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Thornton-Reese absent when vote taken, Blaydes absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3204

06-3205

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 2005-2007 board term updated through NOVEMBER 15, 2006.

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

Councilmember Chaney requested the vote be divided so the vote on Reinvestment Zone Thirteen Board (Grand Park South) could be voted on separately.

Mayor Miller ordered the vote divided, there being no objections raised to Councilmember Chaney's request.

Councilmember Chaney moved to appoint John Loveland, Dallas Member, to the Reinvestment Zone Six Board (Farmers Market).

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Blaydes absent)

Councilmember Chaney announced that he had a conflict of interest and would abstain from voting or participating in any discussion relating to appointment of a member to the Reinvestment Zone Thirteen Board (Grand Park South). Councilmember Chaney left the briefing room.

Councilmember Medrano moved to appoint David Rubin, Dallas Member, to the Reinvestment Zone Thirteen Board (Grand Park South).

Motion seconded by Councilmember Salazar and unanimously adopted. (Chaney abstain; Blaydes absent)

Councilmember Chaney 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, 2007.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Blaydes absent).

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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06-3205

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

06-3215 CDC COMMUNITY DEVELOPMENT COMMISSION
06-3216 PLA PERMIT AND LICENSE APPEAL BOARD
06-3217 RZ06 REINVESTMENT ZONE SIX BOARD (FARMERS MARKET)
06-3218 RZ13 REINVESTMENT ZONE THIRTEEN BOARD (GRAND PARK SOUTH)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3206

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)

Councilmember Koop moved to appoint Pamela Dunlop Gates to the DART Board.

Motion seconded by Mayor Pro Tem Hill.

Councilmember Salazar asked Councilmember Koop if she would accept a friendly amendment to her motion to include the appointment of all three nominees to the DART Board: Daniel C. Perez, Robert W. Strauss and Pamela Dunlop Gates.

Councilmember Koop accepted Councilmember Salazar's friendly amendment as part of her motion to appoint Pamela Dunlop Gates and include the appointment of Daniel C. Perez and Robert W. Strauss.

Mayor Pro Tem Hill, who seconded the original motion, also accepted Councilmember Salazar's friendly amendment.

Later in the meeting, Councilmember Rasansky requested the appointments on each place on the DART Board be voted on separately.

Mayor Miller ordered the vote divided, there being no objections raised to Councilmember Rasansky's request.

Councilmember Natinsky moved to appoint Robert W. Strauss, Place 01, to the DART Board for a term to expire July 1, 2008.

Motion seconded by Mayor Pro Tem Hill.

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

Councilmember Salazar moved to appoint Daniel Perez, Place 02, to the DART Board for a term to expire July 1, 2008.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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Motion seconded by Mayor Pro Tem Hill.

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

Mayor Pro Tem Hill moved to appoint Pamela Dunlop Gates, Place 05, to fill the unexpired term of Huelon Harrison, for a term to expire July 1, 2007.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3207

Item 3: Authorize a loan agreement with the Sixth Floor Museum at Dealey Plaza and the Dallas Police Department Museum for the loan of the clothing worn by Detective L.C. Graves on November 24, 1963, for the period of November 15, 2006 through December 31, 2007.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Thornton Reese, Griffith absent when vote taken; Blaydes absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3208

Item 4: Receive report of the Canvassing Committee and adopt a resolution accepting the Canvassing Committee's report declaring the results of the November 7, 2006 special election

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Thornton Reese, Griffith absent when vote taken; Blaydes absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3209

Item 5: A hearing for Comcast of Dallas, L.P. (Comcast) to show cause why it should not be issued notice of one or more events of default under its franchise with the City of Dallas for the ownership, operation, and maintenance of a cable TV system within the City and for other purposes (Ordinance No. 24361 dated August 23, 2000, as amended and supplemented) (the Franchise) for failure to make available to the City all records reasonably necessary for the City to audit records reflecting Comcast's gross revenues relevant to the Franchise as required by section 9(e) of the Franchise, and other grounds, and why any such failure should not be determined by the City Council to be the fault of Comcast and within its control as provided in section 14(d) of the Franchise, and related issues

Councilmember Koop moved to hold under advisement until January 2007, voting briefing agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Natinsky and unanimously adopted. (Miller, Hill absent when vote taken; Blaydes absent)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3210

Briefings: A. Cost Study and Review of Fees

This item was not briefed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3211

Briefings: B. Homeland Security Programs and Projects Update

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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06-3212

Briefings: C. Automated Red Light Enforcement Program Update

This item was not briefed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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06-3213

Briefings: D. City Contracting Procedures

This item was not briefed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

NOVEMBER 15, 2006

06-3214

Closed Session

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

- Legal issues relating to Master Agreement between the City of Dallas and Fair Skate Project
- Legal issues involving the possible acquisition, including the exercise of eminent domain if necessary, of part or all of tracts of land totaling approximately 1,418 acres north and south of S. Loop 12 immediately east of the Trinity River owned by Metropolitan Sand & Gravel Co., LLC
- Harold Cox et al. v. Dallas et al., Cause No. 3:98-CV-2091-H and HUD Case Nos. 06-06-0844-8, 06-06-0077-6, and 06-06-0005-9
- Legal issues involving treated water contracts with the City of Irving

At 1:02 p.m. Mayor Miller announced the closed session of the city council 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 relating to Master Agreement between the City of Dallas and Fair Skate Project
- Legal issues involving the possible acquisition, including the exercise of eminent domain if necessary, of part or all of tracts of land totaling approximately 1,418 acres north and south of S. Loop 12 immediately east of the Trinity River owned by Metropolitan Sand & Gravel Co., LLC
- Harold Cox et al. v. Dallas et al., Cause No. 3:98-CV-2091-H and HUD Case Nos. 06-06-0844-8, 06-06-0077-6, and 06-06-0005-9
- Legal issues involving treated water contracts with the City of Irving

At 3:41 p.m., Mayor Miller announced Mayor Pro Tem Hill, Councilmembers Thornton Reese, Salazar, Chaney, Fantroy, Griffith, and Hunt had left the briefing meeting and a quorum of the city council was not present; therefore, no further business could be conducted and adjourned the meeting.

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EXHIBIT C