

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 19, 2008

08-3190

CITY COUNCIL BRIEFING
CITY HALL, ROOM 6ES
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [14] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar (11:30),
Davis, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

ABSENT: [1] Atkins

The meeting was called to order at 9:19 a.m.

The assistant city secretary announced that a quorum of the city council was present.

The invocation was given by Orlando Cardoza, Father, The Cathedral of Guadalupe.

Councilmember Davis 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 3:42 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.

*** Indicates arrival time after invocation and pledge of allegiance.**

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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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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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: Jim Craham, 4905 Radbrook Place
SUBJECT: Smoking Ordinance

SPEAKER: Brad Kirby, 2110 Irving Blvd
SUBJECT: DPD/Dog thieves are good Samaritans

SPEAKER: Joseph Lashley, 1618 Hillburn Dr.
SUBJECT: Dogs and flood drains

SPEAKER: Robert Ceccarelli, 1818 Corsicana St.
SUBJECT: The Bridge Homeless Shelter

SPEAKER: Linda Young, 5521 Greenville Ave.
REPRESENTING: Central Air Company
SUBJECT: Hot check, waiting 5 years for help

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Otis Fagan, 2247 Scotland Dr.
SUBJECT: West Dallas lead

SPEAKER: Charles Goodrum, 1822 Tompkins, **Grand Prairie, TX**
SUBJECT: West Dallas lead

SPEAKER: Randy Whatley, 605 Branch Hollow Cir., **Garland, TX**
SUBJECT: Methadone Clinic at Maple and Inwood

SPEAKER: Michelle Lynn Upchruch, 3829 Cemetery Hill Rd., **Carrollton, TX**
SUBJECT: Jenny the elephant

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

SPEAKER: Frank Ward III, P.O. Box 50694
REPRESENTING: Trinity Reunion Church/Community
SUBJECT: Is there not a cause? I shall not want.

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Corrupt DPD, DART Police and racism

SPEAKER: Gwain Wooten, 4625 Bryan St.
REPRESENTING: Real American Women
SUBJECT: Where is the Dallas City Charter?

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08-3193

Item 1: Approval of Minutes of the November 5, 2008 City Council Meeting

Councilmember Rasansky moved approval of the minutes.

Motion seconded by Councilmember Hill and unanimously adopted. (Leppert, Salazar, Davis, Koop absent when vote taken; Atkins absent)

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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)

There were no consideration of appointments to boards and commissions.

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08-3195

Item 3: Authorize adoption of the final FY 2008-09 Consolidated Plan Reprogramming Budget #1 for the Neighborhood Stabilization Program in an estimated amount of \$7,932,555 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Leppert, Salazar, Davis, Koop absent when vote taken; Atkins absent)

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08-3196

Item 4: Authorize a Memorandum of Understanding by and between the City of Houston, Texas, a Texas Home Rule City located principally in Harris County and the City of Dallas, a Texas Home Rule City located principally in Dallas County to provide mutual aid between both parties in the form of personnel, supplies and equipment during disasters and/or civil emergencies as well as during cleanup periods - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Leppert, Salazar, Davis, Koop absent when vote taken; Atkins absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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08-3197

Item 5: Authorize modifications to the two bond underwriting syndicates previously approved on June 26, 2002 by Council Resolution No. 02-1989 for negotiated bond financings - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Leppert, Salazar, Davis, Koop absent when vote taken; Atkins absent)

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08-3198

Item 6: An ordinance authorizing the issuance and sale of Civic Center Convention Complex Revenue Refunding and Improvement Bonds, Series 2008 in an amount not to exceed \$325,000,000; establishing parameters regarding the sale of the Bonds; approving the execution of the Bond Purchase Contract and an Escrow Agreement; and all other matters related thereto - Not to exceed \$750,000 - Financing: 2008 Civic Center Convention Complex Revenue Refunding and Improvement Bond Funds

Mayor Pro Tem Garcia and Councilmember Rasansky announced they had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Garcia and Councilmember Rasansky left the briefing room.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Allen and unanimously adopted. (Medrano, Koop, Hunt absent when vote taken; Garcia, Rasansky abstain; Atkins absent)

Assigned ORDINANCE NO. 27410

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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08-3199

Item 7: Authorize **(1)** the reappointment of the City Secretary Deborah Watkins for an additional two-year term, beginning November 19, 2008; and **(2)** ~~a lump sum payment~~ an adjustment in compensation to the City Secretary Deborah Watkins in an amount to be determined by City Council, ~~to be made in two equal payments on April 9, 2009 and September 10, 2009, in addition to her base pay of \$120,840, plus the associated pension contribution effective October 1, 2008 -~~ Financing: Current Funds

Councilmember Kadane moved to approve the item with the following revision:

- Reappoint City Secretary Deborah Watkins for an additional 2-year term commencing November 19, 2008; and
- 4% added to the annual base pay of \$124,890.00 effective October 1, 2008.

Motion seconded by Councilmember Salazar and unanimously adopted. (Medrano, Koop, Hunt absent when vote taken; Atkins absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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08-3200

Briefing A: Annette Strauss Artist Square Sound Mitigation Plan

The city manager briefed the city council on the item.

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08-3201

Briefing B: The 2010 Census: An Overview

The city manager briefed the city council on the item.

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08-3202

Briefing C: The 2010 Census: City of Dallas

The city manager briefed the City Council on the item.

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Closed Session

[08-3203; HELD]

6ES

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

- Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Appeal No. 07-11215; Love Terminal Partners, LP, et al. v. City of Dallas, et al., Appeal No. 05-07-00383; the acquisition of certain leasehold interests at Dallas Love Field with addresses of 7701 and 7777 Lemmon Avenue, including the exercise of eminent domain if necessary; and other legal issues regarding those leasehold interests
- Billy James Smith v. City of Dallas, et al., Civil Action No. 3:07-CV-2414-BH
- Jim Lowenberg, et al. v. City of Dallas, Texas Supreme Court No. 06-0310
- Legal issues regarding wholesale treated water service contracts with customers of Dallas Water Utilities
- Legal issues involving audit of Smirnoff Music Center Lease Payments

Real Property Deliberations (Sec. 551.072 T.O.M.A.)

- The acquisition of certain leasehold interests at Dallas Love Field with addresses of 7701 and 7777 Lemmon Avenue, including the exercise of eminent domain if necessary; and other legal issues regarding those leasehold interests

At 11:50 a.m., Mayor Pro Tem Garcia announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

Closed Session

6ES

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

- Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Appeal No. 07-11215; Love Terminal Partners, LP, et al. v. City of Dallas, et al., Appeal No. 05-07-00383; the acquisition of certain leasehold interests at Dallas Love Field with addresses of 7701 and 7777 Lemmon Avenue, including the exercise of eminent domain if necessary; and other legal issues regarding those leasehold interests
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Real Property Deliberations (Sec. 551.072 T.O.M.A.)

- The acquisition of certain leasehold interests at Dallas Love Field with addresses of 7701 and 7777 Lemmon Avenue, including the exercise of eminent domain if necessary; and other legal issues regarding those leasehold interests

Mayor Leppert reconvened the city council meeting after the closed session at 2:46 p.m. No other matters were discussed during the closed session.

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EXHIBIT C