

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MARCH 4, 2009

09-0700

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

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar (\*9:39 a.m.), Davis, Atkins (\*9:13 a.m.), Kadane, Allen, Koop, Natinsky, Rasansky, Hunt (\*9:29 a.m.)

ABSENT: [0]

The meeting was called to order at 9:04 a.m.

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

The invocation was given by Yaakov Rich, Rabbi, Congregation Toras Chaim.

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 2:23 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.

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MARCH 4, 2009

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
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EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

09-0701

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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

09-0702

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: Leslie Allen Davis, 3035 E. Ledbetter Dr.  
SUBJECT: The Martin Luther King Dream

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

SPEAKER: Herbert Hodge, 834 N. Marsalis Ave.  
REPRESENTING: Campaign to end AIDS  
SUBJECT: HIV/AIDs collaboration/comprehensive plan

SPEAKER: Robert Lewis, 3710 Pueblo St.  
REPRESENTING: West Dallas  
SUBJECT: West Dallas neglect

SPEAKER: Sharon Schoder, 1242 Woodlawn Ave.  
REPRESENTING: Everyone affected by the daytime curfew  
SUBJECT: Why I am against the daytime curfew

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Charles Goodrum, 1822 Tompkin St.  
REPRESENTING: Clean Environment  
SUBJECT: Crime victim compensation

**OPEN MICROPHONE – END OF MEETING – SPOKE IN LAST 30 DAYS:**

SPEAKER: Virgil Keith Wyatt, 5302 Harry Hines Blvd.  
SUBJECT: Immigration, housing and disability

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09-0702

**OPEN MICROPHONE – END OF MEETING – SPOKE IN LAST 30 DAYS:**

(Continued)

SPEAKER: Gwain Wooten, 1000 Gatsby Ave.  
REPRESENTING: Real American Women  
SUBJECT: No statute of limitations on murder

SPEAKER: Steven Meeks, 3223 Carpenter  
SUBJECT: Ongoing issues

SPEAKER: Frank Ward III, P.O. Box 50694  
REPRESENTING: Trinity Reunion Church/Community  
SUBJECT: Father, Son, Holy Spirit

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

09-0703

Item 1: Approval of Minutes of the February 18, 2009 City Council Meeting

Deputy Mayor Pro Tem Caraway moved to approve the minutes.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

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MARCH 4, 2009

09-0704

09-0705

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 boards and commissions appointments for the 2007-2009 board term updated through March 4, 2009.

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

Councilmember Medrano moved to appoint Laura Dixon, Registered Voter, to the Reinvestment Zone Seven Board (Sports Arena).

Motion seconded by Councilmember Hill and unanimously adopted.

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

**09-5118 RZ07 REINVESTMENT ZONE SEVEN BOARD (SPORTS ARENA)**

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MARCH 4, 2009

09-0706

Item 3: Authorize a thirty-six-month master agreement for fuel based on Oil Pricing Index Service index rates - Douglass Distributing, lowest responsible bidder of nine - Not to exceed \$62,653,385 - Financing: Current Funds

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Neumann and unanimously adopted.

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09-0707

Item 4: Authorize **(1)** a twelve-month fixed price contract for unleaded fuel with Martin Eagle Oil Company or Mansfield Oil Company or Douglass Distributing or Truman Arnold in the amount of \$3,500,000; and **(2)** a twelve-month fixed price contract for diesel fuel with Martin Eagle Oil Company or Mansfield Oil Company or Douglass Distributing or Truman Arnold in the amount of \$4,300,000 with the lowest responsible bidders of four - Not to exceed \$ 7,800,000 - Financing: Current Funds (subject to annual appropriations)

This item was not considered by council.

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09-0708

Item 5: An ordinance ordering a special election to be held in the City of Dallas on Saturday, May 9, 2009, for the purpose of submitting to the qualified voters of the city a proposed amendment to Chapter XI of the Dallas City Charter that would prohibit the City of Dallas from owning, financing, constructing, or operating a hotel or other lodging facility, with certain exceptions - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27502

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

09-0709

Item 6: An ordinance ordering a special election to be held in the City of Dallas on Saturday, May 9, 2009, for the purpose of submitting to the qualified voters of the City a proposed amendment to Chapter XI of the Dallas City Charter that would restrict the city's authority to provide financial assistance totaling over \$1,000,000 to a private development project - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27503

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

09-0710

Briefing A: Workforce Inclusion Plan

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

09-0711

Briefing B: City of Dallas Environmental Management System (EMS): 2009 Senior Management Review and Acceptance into U.S. EPA's Performance Track Program

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

09-0712

Briefing C: Roadmap to Tree Planning and Planting in Dallas, TX

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MARCH 4, 2009

Closed Session

**[09-0713; HELD]**

6ES

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

- Jeffery Randle v. City of Dallas, Cause No. 06-11744-B
- Garyesue Tullos Hooper v. City of Dallas, Cause No. 08-08102-G
- James Curtis Giles v. City of Dallas, et al., Civil Action No. 3:08-CV-1767-D,  
Billy James Smith v. City of Dallas, et al., Civil Action No. 3:07-CV-1413-O,  
James Douglas Waller v. City of Dallas, et al., Civil Action No. 3:08-CV-0728-M,  
Charles Chatman v. City of Dallas, et al., Civil Action No. 3:08-CV-0767-D

At 11:49 a.m., Mayor Leppert 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:

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

- Jeffery Randle v. City of Dallas, Cause No. 06-11744-B
- Garyesue Tullos Hooper v. City of Dallas, Cause No. 08-08102-G
- James Curtis Giles v. City of Dallas, et al., Civil Action No. 3:08-CV-1767-D,  
Billy James Smith v. City of Dallas, et al., Civil Action No. 3:07-CV-1413-O,  
James Douglas Waller v. City of Dallas, et al., Civil Action No. 3:08-CV-0728-M,  
Charles Chatman v. City of Dallas, et al., Civil Action No. 3:08-CV-0767-D

Mayor Pro Tem Garcia reconvened the city council meeting after the closed session at 1:03 p.m. No other matters were discussed during the closed session.

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EXHIBIT C