

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 18, 2010

10-2070

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

PRESENT: [15] Leppert, Caraway, Medrano, Jasso, Neumann, Hill, Salazar, Davis,
Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt (*9:20 a.m.)

ABSENT: [0]

The meeting was called to order at 9:05 a.m.

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

The invocation was given by Nihat Yesil, Dallas Islamic Center.

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 6:12 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.

*** Indicates arrival time after meeting called to order.**

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EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT B

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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: Christopher Head, 9337 San Fernando Way
REPRESENTING: North Texas Assoc. of Public Employees
SUBJECT: Employee layoffs

SPEAKER: Rick Gonzales, 4283 S. Cresthaven Rd.
REPRESENTING: Airway Heights
SUBJECT: Northwest Dallas precinct

SPEAKER: Betty Culbreath, 1636 Bar Harbor Dr.
SUBJECT: The cost of reduction in staff

SPEAKER: Josephine Peoples, 2419 Langdon Ave.
SUBJECT: Budget cuts

SPEAKER: Ann Brookins, 210 Pinewood Trl.
SUBJECT: Home builder issues

OPEN MICROPHONE – END OF MEETING:

SPEAKER: B.M. Randolph, P.O. Box 210315
REPRESENTING: Makin a difference FJC
SUBJECT: Communication and diversity

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Arrogant, racist and unjust with greed

SPEAKER: Elijah McGrew, 2829 Fordham Rd.
SUBJECT: City prosecution/City Attorney

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Governments response to the concerns of the poor

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

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter Dr.
SUBJECT: Change

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Item 1: Approval of Minutes of the August 4, 2010 City Council Meeting and the August 9, 2010 Council Budget Briefing

Councilmember Hill moved to approve the minutes.

Motion seconded by Councilmember Salazar and unanimously adopted.

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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 appointments made to boards and commissions.

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Item 3: An ordinance ordering a special election to be held in the City of Dallas on Tuesday, November 2, 2010, for the purpose of submitting to the qualified voters propositions on whether to authorize the sale of: (1) approximately 257 acres of land, being all of Elgin B. Robertson Park; and (2) approximately 25 acres of land, being part of Joey Georgusis Park - Financing: No cost consideration to the City

Councilmember Neumann moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Hill.

After discussion, Mayor Leppert called the vote on the motion.

Mayor Leppert declared the motion adopted on a divided vote, with Mayor Pro Tem Caraway and Councilmembers Salazar, Atkins, Koop and Natinsky voting "No."

Assigned ORDINANCE NO. 27961

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Item 4: Consider authorization of a public hearing to be held on October 13, 2010 on the potential change of park use to non-park use of: **(1)** approximately 257 acres of land, being all of Elgin B. Robertson Park; and **(2)** approximately 25 acres of land, being part of Joey Georgusis Park - Financing: This action has no cost consideration to the City

Councilmember Neumann moved to adopt the item.

Motion seconded by Councilmember Hill.

After discussion, Mayor Leppert called the vote on the motion.

Mayor Leppert declared the motion adopted on a divided vote, with Mayor Pro Tem Caraway and Councilmembers Salazar, Atkins, Koop and Natinsky voting "No."

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Item 5: An ordinance amending Ordinance No. 27932 and Ordinance No. 27933 to change certain election day polling and early voting locations for the November 2, 2010 special elections on whether to legalize "the legal sale of beer and wine for off-premise consumption only" and on whether to legalize "the legal sale of mixed beverages in restaurants for food and beverages certificate holders only" - Financing: No cost consideration to the City

Councilmember Neumann moved to approve the item and pass the ordinance.

Motion seconded by Councilmember Koop.

Later in the meeting, Councilmember Koop moved to amend Councilmember Neumann's motion to use Churchill Recreation Center instead of Unity Church as Election Day polling location for precinct 1135.

Motion seconded by Councilmember Neumann.

After discussion, Mayor Leppert called the vote on the motion as amended by Councilmember Koop to use Churchill Recreation Center instead of Unity Church as Election Day polling location for precinct 1135.

Mayor Leppert declared the motion as amended adopted on a divided vote, with Mayor Pro Tem Caraway and Councilmember Davis voting "No."

Assigned ORDINANCE NO. 27962

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Item 6: A resolution authorizing an amendment of the appointment of citizens to serve as election judges for the City of Dallas in Dallas County for the November 2, 2010 joint election - Financing: No cost consideration to the City

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

Mayor Pro Tem Caraway moved to adopt the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Salazar abstain)

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Item 7: A resolution authorizing an amendment of the appointment of citizens to serve as election judges for the City of Dallas in Collin County for the November 2, 2010 joint election - Financing: No cost consideration to the City

This item was not considered by the city council because Collin County has not provided a list of election judges.

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Item 8: A resolution authorizing an amendment of the appointment of citizens to serve as election judges for the City of Dallas in Denton County for the November 2, 2010 joint election - Financing: No cost consideration to the City

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

Mayor Pro Tem Caraway moved to adopt the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Salazar abstain)

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Item 9: A resolution designating the absence by Councilmember Vonciel Jones Hill as being for "official city business" - Financing: No cost consideration to the City

Councilmember Hill announced she had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Hill left the briefing room.

Mayor Pro Tem Caraway moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Medrano and unanimously adopted. (Hill abstain)

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Briefing A: Love Field Concession Options

Mayor Leppert called a recess of the city council meeting at 4:02 p.m.

Mayor Leppert reconvened the city council meeting at 4:26 p.m.

The city manager briefed the city council on the item.

The following individuals addressed the city council regarding the item:

Joseph Glogowski, 922 W. 9th St.
Tyrone Gordon, 5710 R.L. Thronton Frwy.
Fred Conwright, 1339 Lavender Rd.

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Item 10: Determination by the City Council as to whether the agenda item posted on the August 18, 2010 Agenda, which is related to Love Field concessions, will be considered on August 18, 2010 - Financing: No cost consideration to the City (via Mayor Leppert)

The following individuals addressed the council on the item:

Marcus Ranquillo, representing Hudson Joint-Venture
Gilbert Aranza, representing Stars Concessions, LTD.

Councilmember Hunt moved to adopt the item.

Motion seconded by Councilmember Neumann.

After discussion, Mayor Leppert called the vote on Councilmember Hunt's motion:

Voting Yes: [10] Leppert, Caraway, Neumann, Davis, Kadane, Allen, Koop,
Natinsky, Margolin, Hunt
Voting No: [5] Medrano, Jasso, Hill, Salazar, Atkins

Mayor Leppert declared the motion adopted.

Later in the meeting, Councilmember Davis moved to reconsider the vote on the item.

Motion seconded by Councilmember Salazar.

After further discussion, Mayor Leppert called the vote on Councilmember Davis' motion to reconsider the item.

Voting Yes: [7] Caraway, Medrano, Jasso, Hill, Salazar, Davis, Atkins
Voting No: [8] Leppert, Neumann, Kadane, Allen, Koop, Natinsky, Margolin,
Hunt

Mayor Leppert declared the motion to reconsider failed.

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Item 11: This item directs the City Manager to implement one of the following Love Field concession plan options described in the August 18, 2010 Briefing to the City Council: **(1)** single prime operator (old and new terminal space bid together); **(2)** two prime operators (old terminal space and part of new terminal space negotiated and part of new terminal space bid); **(3)** two prime operators (negotiated old terminal space and bid all new terminal space); **(4)** direct leasing option with or without incumbent operators' right of first refusal (multiple operators in old and new terminal space), or **(5)** an other option as recommended by the City Council during the August 18, 2010 Briefing - Financing: No cost consideration to the City (via Mayor Leppert)

Councilmember Salazar moved to adopt Option 2.

Motion seconded by Councilmember Hill.

Mayor Leppert called the vote on Councilmember Salazar's motion to adopt Option 2:

Voting Yes: [7] Caraway, Medrano, Jasso, Hill, Salazar, Davis, Atkins
Voting No: [8] Leppert, Neumann, Kadane, Allen, Koop, Natinsky, Margolin, Hunt

Mayor Leppert declared the motion failed.

Councilmember Hunt moved to adopt and amend Option 4: Direct Leasing with, or without, Incumbent 1st right of refusal, multiple operators: old terminal and new terminal to state, incumbents are provided 1st right of refusal on 27% instead of 25% of new terminal provided they provide services during construction period.

Motion seconded by Councilmember Atkins and Councilmember Natinsky.

After discussion, Mayor Leppert called the vote on Councilmember Hunt's motion as amended to adopt Option 4:

Voting Yes: [11] Leppert, Caraway, Jasso, Neumann, Atkins, Kadane, Allen, Koop, Natinsky, Margolin, Hunt
Voting No: [4] Medrano, Hill, Salazar, Davis

Mayor Leppert declared the motion adopted.

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Briefing B: Storm Communication Improvements

This item was postponed.

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Briefing C: Sanitation Services FY11 Proposed Budget

This item was postponed

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Closed Session [**10-2087; HELD**]

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

- Maria B. Guandique, Individually and as Next Friend of Katherin G. Guandique (minor) and Stephanie Guandique (minor) v. City of Dallas, Cause No. 10-00723-B
- Calvin Bailey v. City of Dallas, Cause No. 09-14811-K
- Code compliance issues concerning a metal salvage facility on property generally bounded by Pontiac Avenue, Cedar Crest Boulevard, and Childs Street.

At 5:38 p.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.)

- Maria B. Guandique, Individually and as Next Friend of Katherin G. Guandique (minor) and Stephanie Guandique (minor) v. City of Dallas, Cause No. 10-00723-B
- Calvin Bailey v. City of Dallas, Cause No. 09-14811-K
- Code compliance issues concerning a metal salvage facility on property generally bounded by Pontiac Avenue, Cedar Crest Boulevard, and Childs Street.

Mayor Leppert reconvened the city council meeting after the closed session at 5:54 p.m. No other matters were discussed during the closed session.

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EXHIBIT C