

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 1, 2011

11-1450

CITY COUNCIL BRIEFING
CITY HALL, ROOM 6ES
MAYOR PRO TEM MEDRANO, PRESIDING

PRESENT: [12] Medrano, Jasso, Neumann, Salazar (*9:45 a.m.), Davis, Atkins (*9:04 a.m.), Kadane, Allen, Koop, Natinsky, Margolin, Hunt (*9:33 a.m.)

ABSENT: [2] Caraway (absent on city business), Hill

VACANT: [1] Place 15

The meeting was called to order at 9:02 a.m.

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

The invocation was given by Genaro Munoz, Reverend, Grace Tabernacle Missionary Baptist Church.

Councilmember Kadane 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 3:15 p.m.

Mayor Pro Tem Medrano

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 meeting called to order.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 1, 2011

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 1, 2011

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

11-1451

Special Presentations

At the beginning of each briefing meeting of the city council a time is set aside for the mayor and city council 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

JUNE 1, 2011

11-1452

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: Katherine McGovern, 4364 Royal Ridge Dr.
REPRESENTING: Self/others supporting voting rights
SUBJECT: Council decision on political signs

SPEAKER: Richard Knight, 1409 S. Lamar
REPRESENTING: Pegasus (C.E.O.)
SUBJECT: Management of City's waste stream

SPEAKER: Frank Giannattasio, 8204 Elmbrook Dr.
REPRESENTING: Champion Waste Services
SUBJECT: Flow control

SPEAKER: Vincent Reed, 7315 Boisenberry Ln.
REPRESENTING: Son (Vincent Jr.)
SUBJECT: Police brutality

SPEAKER: Tom Brown, 6210 Campbell Rd.
REPRESENTING: National Solid Waste Management Assoc.
SUBJECT: Flow control

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Kristy Macktinger, 7020 Chipperton Dr.
REPRESENTING: Parents in opposition of Saint Paul Apts.
SUBJECT: Stating opposition of the Saint Paul Apartments

SPEAKER: Erick Lugger, 6815 Kenwood Ave.
SUBJECT: Permanent supportive housing next to Presbyterian Day School

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1452

Page 2

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

SPEAKER: Robert Ceccarelli, 5303 Harry Hines Blvd.
SUBJECT: Homelessness

SPEAKER: Barbara Allen Grimes, 319 Konawa Dr.
REPRESENTING: Pleasant Grove District
SUBJECT: Water bill, electric bill, dogs, etc...

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

11-1453

Item 1: Approval of Minutes of the May 18, 2011 City Council Meeting

Councilmember Kadane moved to adopt the minutes.

Motion seconded by Councilmember Margolin and unanimously adopted. (Davis, Atkins absent when vote taken; Caraway absent on city business; Hill absent; Place 15 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

11-1454

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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

11-1455

Briefing A: The Green Path from Trash to Treasure

The following individuals addressed the city council regarding the item:

Wayne Wooten, 5301 Sun Valley Dr., **Fort Worth, TX**, representing Empire Disposal, Ltd.
Sandra McGlothin, 5301 Sun Valley Dr., **Fort Worth, TX**, representing Empire Roofing, Ltd.
Kyle T. Fair, 5600 Tennyson Pkwy., **Plano, TX**, representing GGI Energy, Inc. – Chairman
George Gitschel, 932 Governors Bay Dr., **Redwood City, CA**, representing Organic Energy Corporation
Gregory Harris, 6200 Center St., **Clayton, CA**, representing Organic Energy Corporation
Barney Gorey, 13817 Oakley Ln., **St. Francisville, LA**, representing Organic Energy Corporation of Louisiana
Doug McKinnon, 4100 International Plaza, **Fort Worth, TX**, representing First Resource Group

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

11-1456

Briefing B: 2011 Redistricting Public Plan Submission Options

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

11-1457

Item 3: An ordinance amending Chapter 17 of the Dallas City Code to revise requirements relating to: **(1)** itineraries for mobile food preparation vehicles; **(2)** restrictions on how long mobile food preparation vehicles may stay at one location; **(3)** authorizations for the use of private premises and toilet facilities by mobile food preparation vehicles; and **(4)** overnight parking at commissaries by mobile food preparation vehicles - Financing: No cost consideration to the City

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Davis absent when vote taken; Caraway absent on city business; Hill absent; Place 15 vacant)

Assigned ORDINANCE NO. 28220

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

11-1458

Item 4: An ordinance amending Chapters 3 and 15A of the Dallas City Code to: **(1)** define terms; **(2)** clarify restrictions on advertising on public property; **(3)** allow political campaign signs to be temporarily placed on public property that is used as an early voting location or election day voting location, if certain requirements are met; and **(4)** make certain non-substantive changes - Financing: No cost consideration to the City

Councilmember Hunt moved to pass the ordinance amending Chapters 3 and 15A of the Dallas City Code.

Motion seconded by Councilmember Margolin.

Councilmember Margolin moved to suspend Section 6.3 of the City Council Rules of Procedures to allow the following individuals to address the city council on the item.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted. (Salazar, Atkins absent when vote taken; Caraway absent on city business; Hill absent)

The following individuals addressed the city council on the item:

Mike LoVuolo, 616 Cristler Ave

Darlene Ewing, 4209 Parry Ave., Chair of Dallas County Democratic Party

Councilmember Jasso asked Councilmember Hunt if she would accept a friendly amendment to her motion to exempt political activity from being defensible.

Motion seconded by Councilmember Davis.

Councilmember Jasso clarified the amendment to state “suspend the defense to prosecution for political activity during authorized elections.”

Later in the meeting, Councilmember Jasso and Councilmember Hunt restated the motion that Section 3-1(d) be amended to state “an exception rather than a defense to prosecution.”

Councilmember Hunt accepted the friendly amendment as part of her motion that Section 3-1(d) be amended to state “an exception rather than a defense to prosecution.”

Councilmember Margolin, who seconded the original motion, also accepted Councilmember Jasso’s friendly amendment.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11-1458

Page 2

Mayor Pro Tem Medrano called the vote on Councilmember Hunt's original motion to pass the ordinance amending Chapters 3 and 15A of the Dallas City Code with Councilmember Jasso's friendly amendment that Section 3-1(d) be amended to state "an exception rather than a defense to prosecution."

Mayor Pro Tem Medrano declared the motion as modified by the friendly amendment adopted on a divided vote, with Councilmember Neumann and Councilmember Natinsky voting "No." (Caraway absent on city business; Hill absent; Place 15 vacant)

Assigned ORDINANCE NO. 28221

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 1, 2011

Closed Session [**11-1459; HELD**]

6ES

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

- Nettie Glover, Claim No. 11298786
- City of Dallas v. Mainland Land & Equipment Co., et al., Cause No. cc-09-09703-a
- City of Dallas v. 11900 Marsh Lane, L.P. et al., Cause No. cc-10-08752-c
- Paz Energy LLC v. Dallas/Fort Worth International Airport Board, et al., Cause No. 153-237052-09
- United States and State of Texas ex rel. Doug Moore, et al. v. City of Dallas, et al., Civil Action No. 3-09-CV-1452-O-BH
- Robert Groden v. City of Dallas, Tex., et al., Civil Action No. 3:10-CV-1280-F; State of Texas v. Robert Groden, No. MC11R0004

At 11:56 a.m., Mayor Pro Tem Medrano 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.)

- Nettie Glover, Claim No. 11298786
- City of Dallas v. Mainland Land & Equipment Co., et al., Cause No. cc-09-09703-a
- City of Dallas v. 11900 Marsh Lane, L.P. et al., Cause No. cc-10-08752-c
- Paz Energy LLC v. Dallas/Fort Worth International Airport Board, et al., Cause No. 153-237052-09
- United States and State of Texas ex rel. Doug Moore, et al. v. City of Dallas, et al., Civil Action No. 3-09-CV-1452-O-BH
- Robert Groden v. City of Dallas, Tex., et al., Civil Action No. 3:10-CV-1280-F; State of Texas v. Robert Groden, No. MC11R0004

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

The following agenda item was made part of the closed session:

Agenda item 4

Mayor Pro Tem Medrano reconvened the city council meeting after the closed session at 1:51 p.m. No other matters were discussed during the closed session. (Caraway absent when vote taken; Hill absent; Place 15 vacant)

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 1, 2011

EXHIBIT C