

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 5, 2011

11-2700

CITY COUNCIL BRIEFING
CITY HALL, ROOM 6ES
MAYOR RAWLINGS, PRESIDING

PRESENT: [15] Rawlings, Medrano, Atkins, Jasso, Griggs (*9:11 a.m.), Caraway (*9:13 a.m.), Hill, Alonzo, Davis (*9:13 a.m.), Kadane, Allen, Koop, Greyson, Margolin, Hunt (*9:11 a.m.)

ABSENT: [0]

The meeting was called to order at 9:09 a.m.

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

The invocation was given by Councilmember Hill.

Councilmember Greyson 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 8:28 p.m.

Mayor

ATTEST:

Acting 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, OCTOBER 5, 2011

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 and city council 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: Yared Wonde, 1020 Postal Way
REPRESENTING: Postal Workers Union
SUBJECT: Closing of Dallas main post office

SPEAKER: Larry Gibson, 2849 W. Illinois Ave.
REPRESENTING: National Postal Mail Handlers Union
SUBJECT: Consolidation and closing of postal facilities

SPEAKER: Harold Cox, 7415 Ridgewick Dr.
REPRESENTING: Pleasant Grove Homeowners Assoc.
SUBJECT: McCommas Landfill

SPEAKER: Raymond Crawford, 2647 Southwood Dr.
REPRESENTING: Dallas Area Residence for Responsible Drilling
SUBJECT: Gas drilling

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
REPRESENTING: God
SUBJECT: Mayor and security assaulted me on 12/8/10

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Government corruption

SPEAKER: Robert Ceccarelli, 5302 Harry Hines Blvd.
SUBJECT: Homelessness

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: R.A.W.
SUBJECT: Equal representation from all City Council

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11-2703

Item 1: Approval of Minutes of the September 7, 2011 City Council Meeting and the September 19, 2011 Budget Briefing

Deputy Mayor Pro Tem Atkins moved to adopt the minutes of the September 7, 2011 City Council Meeting and the September 19, 2011 Council Budget Briefing.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken)

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11-2705

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 acting city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2011-2013 board term updated through October 5, 2011.

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

Councilmember Hill moved to approve the appointments of Steve Clicque, Real Estate Developer, to the Landmark Commission Alternate Members and Marcus P. Valerin, Registered Voter, to the Reinvestment Zone Fourteen Board (Skillman Corridor).

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken)

Councilmember Hill moved to appoint nominees to an "individual appointment" position in the report who met all qualifications for service to the boards and commissions of the city for the term ending September 30, 2013.

Motion seconded by Councilmember Kadane and unanimously adopted. (Caraway absent when vote taken)

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

11-5222	CDC	COMMUNITY DEVELOPMENT COMMISSION
11-5223	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
11-5224	LMX	LANDMARK COMMISSION ALTERNATE MEMBERS
11-5225	RZ14	REINVESTMENT ZONE FOURTEEN BOARD (SKILLMAN CORRIDOR)

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11-2706

Item 3: Presenting alternative modifications (as posted at dallascityhall.com) to the recommended districting plan for the 14 City Council districts, approved by majority vote of the Redistricting Commission on August 23, 2011; and filed with the Mayor on August 31, 2011; and deliberating those and any other modifications; and adopting a districting plan to be implemented at the next general election of the City Council conducted in 2013; and instructing the City Attorney to file the approved districting plan for preclearance by the United States Department of Justice, Civil Rights Division, in accordance with the procedures for the administration of Section 5 of the Voting Rights Act of 1965, as amended - Financing: No cost consideration to the City

Councilmember Jasso made a motion to adopt “Proposed Floor Amendment PlanID: cPlan16d combination (Jasso – D1) 10/4/11” with amendments by Mayor Pro Tem Medrano, Councilmember Alonzo and Councilmember Margolin.

Motion seconded by Councilmember Griggs.

Deputy Mayor Pro Tem Atkins moved to substitute Councilmember Jasso’s motion and adopt “Proposed Floor Amendment PlanID: cPlan16d (Caraway – D4, Davis – D7, DMPT Atkins – D*) 10/5/11.”

Motion seconded by Councilmember Caraway.

After discussion, Councilmember Hill asked Deputy Mayor Pro Tem Aktins if he would accept a friendly amendment to his motion to incorporate the following change:

- East Frio Drive at Ledbetter Drive (Route 12) north to Atlas Drive, east to South Lancaster Road, north to East Ann Arbor Avenue, east to Veterans Drive, south to Ledbetter (Route 12), and west to East Frio Drive. This area moved from District 4 to District 3.

Motion seconded by Councilmember Davis.

Deputy Mayor Pro Tem Atkins agreed to accept the friendly amendment and rename the map to “PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11.”

Councilmember Davis who seconded Deputy Mayor Pro Tem’s substitute motion accepted the friendly amendment.

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The following individuals addressed the city council:

- Roy Williams, 5881 Preston View Blvd., representing 40 Acres and A Mule, spoke to PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11 and PlanID: cPlan16d combination (Jasso – D1) 10/4/11
- Lavette Lipscomb-Dudley, 4697 Baystone Dr. spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11
- Eugene Gaytan, P.O. Box 4482, representing Hispanic community at large, spoke in favor of PlanID: cPlan16d combination (Jasso – D1) 10/4/11
- Yolanda Williams, address not provided, spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11 with changes
- Kermit Mitchell, 5659 Marblehead Dr., representing Twin Oaks Neighborhood Association, spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11
- Ann Mitchell, 5659 Marblehead Dr., representing Twin Oaks Neighborhood Association, spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11
- Neil Emmons, 2525 Turtle Creek Blvd., spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11 and PlanID: cPlan16d combination (Jasso – D1) 10/4/11

At the request of Mayor Rawlings, by general consensus of the city council, the speaker rules were suspended to allow the following individuals to speak:

- Bill Betzen, 6717 Cliffwood Dr., spoke in opposition to PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11 and PlanID: cPlan16d combination (Jasso – D1) 10/4/11
- Richard Sheridan, 3022 Forest Lane, representing some citizens, spoke in opposition to PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11 and PlanID: cPlan16d combination (Jasso – D1) 10/4/11
- Juanita Wallace, 1409 S. Lamar St., representing Dallas NAACP, spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11
- Gail Terrell, 1445 Firebird Dr., representing Hidden Valley Homeowners/Crime Watch Group., spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11
- Marvin Crenshaw, 5134 Malcolm X Blvd., representing J.B. Jackson Jr. Institute, spoke in favor of PlanID: cPlan16d (Caraway, Hill, Davis, DMPT Atkins) 10/5/11

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At 10:53 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act).

Mayor Rawlings reconvened the city council meeting after the closed session at 1:24 p.m. No other matters were discussed during the closed session.

During discussion, Councilmember Hunt called for a point of order.

Mayor Rawlings called a recess of the city council meeting at 3:05 p.m. to meet with Deputy Mayor Pro Tem Atkins and Councilmember Jasso.

Mayor Rawlings reconvened the city council meeting after the recess at 4:17 p.m.

Later in the meeting, Councilmember Hill asked Deputy Mayor Pro Tem Atkins if he would accept a second friendly amendment to his substitute motion to incorporate the following changes:

1. Area bordered by Interstate 30, Interstate 35, and Beckley Avenue move from District 4 to District 1.
2. Area bordered by Interstate 30, Chalk Hill Rd, Davis Street, and Cockrell Hill Road move from District 3 to District 6.
3. Area bordered by Davis Street, Cockrell Hill Road, Meredith Avenue, Albrook Street, Mount Rainer Street, and Gilpin Avenue move from District 1 to District 3.
4. Area bordered by Illinois Street, Hampton Road, Kiest Boulevard, and Cockrell Hill Road move from District 1 to District 3.
5. Area bordered by Illinois Street, Hampton Road, Kiest Boulevard, and Polk Street move from District 1 to District 4.
6. Area bordered by Hampton Road, Kiest Boulevard, Polk Street, and Ledbetter Drive (Route 12) move from District 3 to District 4.

Deputy Mayor Pro Tem Atkins agreed to accept the second friendly amendment.

Councilmember Davis who seconded Deputy Mayor Pro Tem's substitute motion as amended accepted the second friendly amendment.

Mayor Rawlings called a recess of the city council meeting at 5:00 p.m. to allow other councilmembers to arrive.

Mayor Rawlings reconvened the city council meeting after the recess at 5:45 p.m.

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Mayor Rawlings called a recess of the city council meeting at 5:46 p.m. to allow review on the feasibility of additional amendments.

Mayor Rawlings reconvened the city council meeting after the recess at 6:35 p.m.

After discussion and at Deputy Mayor Pro Tem's request, Acting City Secretary Rios read the following into the record:

CVAP (Citizen Voting Age Population Data)
For the City of Dallas
From 2005 – 2009
U.S. Census American Community Survey

	TOT_EST	CVAP_EST	CVAP/TOTAL	# OF CVAP IN GROUP/TOTAL CVAP	GROUP AS % OF TOTAL POP.
Total	1,269,205	698,305	55%	100%	100%
Not Hispanic or Latino	731,705	555,595	76%	80%	58%
Hispanic or Latino	537,500	142,710	27%	20%	42%
			71% of Black Population is CVAP	29% of CVAP is Black	23% of total pop is Black
			27% of Hispanic Population is CVAP	20% of CVAP is Hispanic	42% of total pop is Hispanic

Councilmember Caraway called the question.

Mayor Rawlings called for a vote on the question.

Voting Yes: [6] Rawlings, Atkins, Caraway, Hill, Davis, Kadane

Voting No: [9] Medrano, Jasso, Griggs, Alonzo, Allen, Koop, Greyson, Margolin, Hunt

Mayor Rawlings declared the call for the question failed.

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After discussion, Mayor Rawlings called the vote on Deputy Mayor Pro Tem Atkins' substitute motion with the two (2) friendly amendments.

Voting Yes: [9] Rawlings, Atkins, Caraway, Hill, Davis, Kadane, Allen, Koop,
Margolin

Voting No: [6] Medrano, Jasso, Griggs, Alonzo, Greyson, Hunt

Mayor Rawlings declared the motion adopted.

Councilmember Margolin moved to reconsider the vote on the item to allow her to make a friendly amendment.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Mayor Rawlings declared the motion to reconsider adopted.

Councilmember Margolin moved to approve Deputy Mayor Pro Tem Atkins' substitute motion with the two (2) friendly amendments, with the following change:

- Southern Pacific RR at Skillman Street north to Park Lane, east to Abrams Road, north to White Rock Creek, south to Skillman Street, and west to Southern Pacific RR. Move from District 9 to District 13.

Motion seconded by Deputy Mayor Pro Tem Atkins.

Mayor Rawlings called the vote on Councilmember Margolin's motion to approve Deputy Mayor Pro Tem Atkins' substitute motion with the two (2) friendly amendments and the additional change.

Voting Yes: [9] Rawlings, Atkins, Caraway, Hill, Davis, Kadane, Allen, Koop,
Margolin

Voting No: [6] Medrano, Jasso, Griggs, Alonzo, Greyson, Hunt

Mayor Rawlings declared the motion adopted.

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11-2707

Briefing A: 2012 City Calendar

The item was not briefed.

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Briefing B: Complete Streets Initiative Update

The item was not briefed.

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Closed Session [**11-2709; NOT HELD**]

6ES

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

- Doug Moore v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O
- Staci Williams v. City of Dallas, Texas, Civil Action No. 3:11-CV-00397-P
- Lavell Fairbanks v. Travis French et al., Cause No. 10-02144

The following item was made a part of the closed session under Attorney Briefings (Sec. 551.071 T.O.M.A.):

- Item 3: Presenting alternative modifications (as posted at dallascityhall.com) to the recommended districting plan for the 14 City Council districts, approved by majority vote of the Redistricting Commission on August 23, 2011; and filed with the Mayor on August 31, 2011; and deliberating those and any other modifications; and adopting a districting plan to be implemented at the next general election of the City Council conducted in 2013; and instructing the City Attorney to file the approved districting plan for preclearance by the United States Department of Justice, Civil Rights Division, in accordance with the procedures for the administration of Section 5 of the Voting Rights Act of 1965, as amended - Financing: No cost consideration to the City

At 10:53 a.m., Mayor Rawlings 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.)

- Doug Moore v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O
- Staci Williams v. City of Dallas, Texas, Civil Action No. 3:11-CV-00397-P
- Lavell Fairbanks v. Travis French et al., Cause No. 10-02144

- Item 3: Presenting alternative modifications (as posted at dallascityhall.com) to the recommended districting plan for the 14 City Council districts, approved by majority vote of the Redistricting Commission on August 23, 2011; and filed with the Mayor on August 31, 2011; and deliberating those and any other modifications; and adopting a districting plan to be implemented at the next general election of the City Council conducted in 2013; and instructing the City Attorney to file the approved districting plan for preclearance by the United States Department of Justice, Civil Rights Division, in accordance with the procedures for the administration of Section 5 of the Voting Rights Act of 1965, as amended - Financing: No cost consideration to the City

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Mayor Rawlings reconvened the city council meeting after the closed session at 1:24 p.m. Mayor Rawlings stated only agenda item 3 was discussed during the closed session and not the other items.

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EXHIBIT C