

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 6, 2012

12-1500

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

PRESENT: [15] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway (*9:17 a.m.),
Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson (*9:13 a.m.),
Margolin, Hunt (*9:40 a.m.)

ABSENT: [0]

The meeting was called to order at 9:06 a.m.

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

The invocation was given by Councilmember Hill.

Councilmember Margolin 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 12:02 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.**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 6, 2012

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 6, 2012

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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12-1501

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

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12-1502

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: Bernard Pertee, 3130 Stag Rd.
SUBJECT: Racial discrimination/profiling (Prosperity Bank)

SPEAKER: Cathy Zwernemann, 3257 Lancelot Dr.
SUBJECT: Oil/gas drilling within City limits

SPEAKER: Peter Stone, 8611 Labron Ave.
SUBJECT: Healthy food/drinks in selected parks

SPEAKER: Sandra Crenshaw, Not Provided
SUBJECT: Mayor

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Carol Bell-Walton, 6705 Velasco Ave.
SUBJECT: White Rock Lake

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

SPEAKER: Richard P. Sheridan, 3022 Forest Ln.
REPRESENTING: The Black Community
SUBJECT: Revelation 20:12

SPEAKER: Robert Ceccarelli, 5302 Harry Hines Blvd.
SUBJECT: Lincoln H.S./DISD

SPEAKER: LaKesha Johnson, 1716 Chattanooga Pl.
REPRESENTING: Schools
SUBJECT: Education

SPEAKER: LaKolya London, 1716 Chattanooga Pl.
REPRESENTING: Children of Arlington Park
SUBJECT: Education and Supreme Court

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

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: Real American Women
SUBJECT: It's twisted

SPEAKER: LaKesha Gilbreath, Private
REPRESENTING: Schools
SUBJECT: Arlington Park Elementary

SPEAKER: Kyla London, Private
REPRESENTING: Children of Arlington Park
SUBJECT: Arlington Park

SPEAKER: Kendon Wallace, Private
REPRESENTING: Children of Arlington Park
SUBJECT: Arlington Park

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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12-1503

Item 1: Approval of Minutes of the May 16, 2012 City Council Meeting and the Corrected Minutes of the February 1, 2012 and May 9, 2012 City Council Meetings

The city secretary clarified the corrections provided the minutes be modified to reflect approval of the following at the May 23, 2012 City Council Meeting:

- Councilmember Davis absent on city business of the February 1, 2012 City Council Meeting.
- Councilmember Margolin absent on city business approved by city council on May 23, 2012 by resolution 12-1434.

Deputy Mayor Pro Tem Atkins moved to adopt the minutes of the May 16, 2012 City Council Meeting and the Corrected Minutes of the February 1, 2012 and May 9, 2012 City Council Meetings.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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12-1504

12-1505

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 2011-2013 board term updated through JUNE 6, 2012.

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

Councilmember Hill moved to appoint Julie A. Cassidy, General Public, to the Animal Shelter Commission; Carolyn R. Davis to the Employees' Retirement Fund Board of Trustees; and Elizabeth D. Frizell as chair and Gary Sibley as vice-chair to the Judicial Nominating Commission.

Motion seconded by Councilmember Kadane.

Councilmember Hunt requested the vote on the chair/vice-chair appointments to the Judicial Nominating Commission be held until later in the afternoon to allow her and Councilmember Jasso to speak with the Mayor on the matter.

Councilmember Hunt moved to substitute Councilmember Hill's motion to separate the vote for individual and full city council nominees from the vote to be taken on the chair/vice-chair nominees to the Judicial Nominating Commission.

Motion seconded by Councilmember Jasso.

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

After discussion, Mayor Rawlings called for a vote on the substitute motion.

Mayor Rawlings declared the substitute motion adopted on a divided vote, with Councilmember Hill and Councilmember Kadane voting "No." (Davis abstain)

*Note: Councilmember Davis informed the city secretary of the following clarification; she had no actual conflict of interest on this item.

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Councilmember Hunt moved to appoint Julie A. Cassidy, General Public, to the Animal Shelter Commission and Carolyn R. Davis to the Employees' Retirement Fund Board of Trustees.

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

Later in the meeting, after Councilmember Jasso and Councilmember Hunt had the opportunity to meet with Mayor Rawlings on the matter, Councilmember Hunt moved to appoint Gary Sibley as Vice Chair to the Judicial Nominating Commission.

Motion seconded by Councilmember Jasso and unanimously adopted. (Davis abstain)

Councilmember Hunt moved to appoint a nominee 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 Mayor Pro Tem Medrano and unanimously adopted. (Davis abstain)

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

| | | |
|----------------|------------|---|
| 12-5191 | ASC | ANIMAL SHELTER COMMISSION |
| 12-5192 | CDC | COMMUNITY DEVELOPMENT COMMISSION |
| 12-5193 | ERF | EMPLOYEES' RETIREMENT FUND BOARD OF TRUSTEES |
| 12-5194 | | BOARD OFFICERS |

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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12-1506

Item 3: Consideration and appointment of 3 members to the Dallas Area Rapid Transit Board of Directors (2 appointees to serve terms to expire June 30, 2014 and 1 to serve an unexpired term to expire June 30, 2013) (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Councilmember Koop moved to appoint the following individuals to the Dallas Area Rapid Transit (DART) Board of Directors, with the terms to expire June 30, 2014:

| | |
|---------|--------------------|
| Place 1 | Robert Strauss |
| Place 2 | Richard Carrizales |

and the following individual to the Dallas Area Rapid Transit (DART) Board of Directors to fill the one-year unexpired term for Place 3 which expires on June 30, 2013:

| | |
|---------|----------------|
| Place 3 | James F. Adams |
|---------|----------------|

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted.

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

12-5195 DART DALLAS AREA RAPID TRANSIT BOARD OF DIRECTORS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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12-1507

Briefing A: 2012 City Manager's Recommended Bond Program

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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12-1508

Briefing B: Local Preference/Contract Limits for Competitive Bidding, Claim
Settlement Authority and Council Approval

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Closed Session [**12-1509; HELD**]

6ES

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

- City of Dallas vs. James Robert McDaniel et al., Cause No. CC-10-01370-E
- Maria Rojas, Individually and as Next Friend of Michael Rojas v. City of Dallas, Cause No. DC-10-09355-J
- Lavell Fairbanks v. Travis French, No. DC-10-02144-I
- Rodarick Lyles v. City of Dallas, et al., Civil Action No. 3:11-cv-0428-P
- Legal issues under the Texas Public Information Act regarding requests for personally identifiable information.
- Legal issues in connection with amendment to Dallas Development Code 51A-8.500, "Subdivision Layout and Design"

At 2:22 p.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.)

- City of Dallas vs. James Robert McDaniel et al., Cause No. CC-10-01370-E
- Maria Rojas, Individually and as Next Friend of Michael Rojas v. City of Dallas, Cause No. DC-10-09355-J
- Lavell Fairbanks v. Travis French, No. DC-10-02144-I
- Rodarick Lyles v. City of Dallas, et al., Civil Action No. 3:11-cv-0428-P
- Legal issues in connection with amendment to Dallas Development Code 51A-8.500, "Subdivision Layout and Design"

Mayor Rawlings reconvened the city council meeting after the closed session at 3:36 p.m. No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT C