

“CORRECTION”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 15, 2013

13-0770

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

PRESENT: [15] Rawlings, Medrano, Atkins, Jasso, Griggs (*9:09 a.m.), Caraway Hill, Alonzo, Davis (*9:17 a.m.), Kadane, Allen, Koop, Margolin, Greyson (*9:09 a.m.), Hunt

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 Reverend Becky Walker of First United Methodist Church.

Mayor Pro Tem Medrano 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 5:21 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, MAY 15, 2013

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0771

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

MAY 15, 2013

13-0772

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: Margaret Christensen, 5207 McKinney Ave.
SUBJECT: Mosquito Control

SPEAKER: Lawrence Boyd, 3905 Weeburn Dr.
SUBJECT: Mosquito Control

SPEAKER: Jennifer Land, 3905 Weeburn Dr.
SUBJECT: Mosquito Control

SPEAKER: Patricia Kobes, 5727 Richmond Ave.
SUBJECT: Mosquito Control

SPEAKER: Sherman Roberts, 5826 Fox Hill Ln.
SUBJECT: Grow South Lancaster Corridor

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Robert Ceccarelli, 1822 Young St. (handout provided)
SUBJECT: DISD Superintendent

SPEAKER: Juanita Wallace, 1409 Lamar St.
REPRESENTING: Dallas Ranch NAACP
SUBJECT: Education in DISD

SPEAKER: Clara McDade, 4127 Happy Canyon Dr.
REPRESENTING: Highland Hills Community Liaison Association
SUBJECT: Education in DISD

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Texas regulation/EPA/KKK

SPEAKER: Ozumba Lnuke-X, 4106 Vineyard Dr. (handout provided)
REPRESENTING: God
SUBJECT: We're living in Revelation, Watch!

SPEAKER: Trina Triche, 1818 Corsicana St.
SUBJECT: Good government

SPEAKER: Jonathan Vance, 5302 Bryan St.
SUBJECT: Redefining culture

SPEAKER: Richard Sheridan, 3022 Forest Ln. (handout provided)
REPRESENTING: Encouraging Citizens
SUBJECT: Message to our new City Council

SPEAKER: Lakolya London, 1753 Mockingbird Ln.
REPRESENTING: The Children
SUBJECT: Corruption in DISD

Mayor Rawlings allowed the following individual to address the city council at the end of the meeting; no objection was voiced by the city council:

SPEAKER: Craig Holcomb, 3601 Turtle Creek (handout provided)
SUBJECT: Flyers

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0773

Item 1: Approval of Minutes of the May 1, 2013 City Council Meeting

Councilmember Kadane moved to adopt the minutes of the May 1, 2013 City Council Meeting.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted. (Davis, Hunt absent when vote taken)

“CORRECTION”

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MAY 15, 2013

13-0774

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 board and commission appointments for the 2011-2013 board term updated through MAY 15, 2013.

Mayor Pro Tem Medrano moved to appoint Teresa Gubbins, Experience in General Public, to the Animal Shelter Commission; and Assistant City Manager Ryan Evans, Chief Financial Officer Jeanne Chipperfield and Director of Economic Development Karl Zavitkovsky to the ~~Cypress Waters~~ Trinity River West Municipal Management District (MMD).

Motion seconded by Councilmember Alonzo and unanimously adopted. (Hunt absent when vote taken)

Mayor Pro Tem Medrano moved to appoint Maurice Franklin, Chair, to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Alonzo and unanimously adopted. (Hunt absent when vote taken)

Mayor Pro Tem Medrano 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 by Councilmember Alonzo and unanimously adopted. (Hunt absent when vote taken)

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

13-5630	ASC	ANIMAL SHELTER COMMISSION
13-5631	PAR	PARK AND RECREATION BOARD
13-5632	CYP	*CYPRESS WATERS MMD
	<u>TRW</u>	<u>TRINITY RIVER WEST MMD</u>
13-5633		BOARD OFFICERS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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13-0775

Item 3: Authorize **(1)** a 40-year agreement between the City of Dallas and AT&T for the funding, construction, maintenance and naming rights for a portion of Trinity Trails, Phases 2, 3 and 3A; **(2)** the acceptance and deposit of funds from AT&T not to exceed \$2,500,000; and **(3)** the establishment of appropriations in the amount of \$2,500,000 in the AT&T Trail Grant Fund - Total not to exceed \$2,500,000 - Financing: Private Funds

At Mayor Rawlings request, agenda items 3 and 4 were considered collectively.

Councilmember Hill moved to adopt agenda items 3 and 4.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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13-0776

Item 4: Authorize a 40-year lease agreement between the City and The Company of Trinity Forest Golfers, Inc. (CTFG), a nonprofit corporation, in substantially the same form attached hereto for the development, management and operation of a championship golf course - Estimated Annual Revenue: Initial Revenue \$1,000 and an estimated annual revenue of \$10,000 beginning FY2015

At Mayor Rawlings request, agenda items 3 and 4 were considered collectively.

Councilmember Hill moved to adopt agenda items 3 and 4.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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13-0777

Item 5: Authorize settlement of the lawsuit styled Leanne Siri v. The City of Dallas, Civil Action No. 3:10-CV-0036-M - Not to exceed \$390,000 -
Financing: Current Funds

Councilmember Hill moved to adopt the item.

Motion seconded by Mayor Pro Tem Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0778

Briefing A: Dallas Area Rapid Transit Board of Directors Appointment Process 2013-2015 Term

Councilmember Koop briefly outlined the appointment process.

Discussion followed on the interview process and qualifications.

Following the request by Councilmember Caraway, the attendance for existing DART Board members was reported by the City Secretary.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0779

Item 6: Consideration of appointments to the Dallas Area Rapid Transit Board of Directors for Places 4, 5, 6, 7 (shared) and 8 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees in the City Secretary's Office)

Councilmember Koop reported the ranking results conducted by the Transportation and Environment Council Committee for the (re)nominees for Places 4, 5, 6, 7 (shared) and 8 for the 2013-2015 board term for the DART board:

1. William M. Velasco, II
2. Pamela Dunlop Gates
3. William M. Tsao
4. Amanda Moreno Cross
5. Jerry Christian, Sr.
6. Claude R. Williams, Jr.
7. Joyce Blacknall Foreman

Mayor Rawlings announced ballots would be distributed to cast votes for (re)nominees for Places 4, 5, 6, 7 (shared) and 8.

Councilmember Hill requested the item be deferred until a later date.

Motion died due to lack of a second.

The city secretary distributed ballots to the city council. In order to allow the city secretary's office to calculate the results of the balloting, the item was held for later in the meeting.

Later in the meeting, the balloting results were provided to Mayor Rawlings. At the request of Mayor Rawlings, the city secretary announced the following results of the balloting for places 4, 5, 6, 7 (shared) and 8 appointed to the Dallas Area Rapid Transit Board of Directors indicating the individuals appointed:

William M. Velasco, II
Pamela Dunlop Gates
William M. Tsao
Amanda Moreno Cross
Jerry Christian, Sr.
Claude R. Williams, Jr.

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

13-5634 DART DALLAS AREA RAPID TRANSIT

Note: The city secretary assigns place number following appointment.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0780

Briefing B: Budget Workshop #2 - FY 2013-14 Budget Development Update

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0781

Lunch Police Memorial Ceremony
(noon) 500 South Akard Street
 Dallas, TX 75201
 (corner of Young Street and Akard Street)

The City Council attended the Police Memorial Ceremony at 500 South Akard Street.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0782

Briefing C: Atmos Energy Corporation - Dallas Annual Rate Review

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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13-0783

Item 7: An ordinance **(1)** denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos), repealing rate rider IR-Infrastructure Replacement; and **(2)** authorizing increased rates to be charged by Atmos, as negotiated pursuant to its January 15, 2013 Dallas Annual Rate Review (DARR) filing - Financing: No cost consideration to the City

Councilmember Kadane moved to adopt the item.

Motion seconded by Deputy Mayor Pro Tem Atkins and unanimously adopted.

Assigned ORDINANCE NO. 28984

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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13-0784

Briefing D: Occasional Sales (Garage Sales) Ordinance Update

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0785

Briefing E: Proposed FY 2013-14 Consolidated Plan Budget

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 15, 2013

13-0786

Closed Session

6ES

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

- City of Dallas v. City Park A Lot, L.P., et al., Cause No. CC-12-06044-C
- City of Dallas v. Tomaino Properties, L.P., et al., Cause No. CC-12-06590-B
- Legal issues involving proposed amendments to Chapters 7A and 42 of the Dallas City Code.

At 11:22 a.m., Mayor Rawlings announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- City of Dallas v. City Park A Lot, L.P., et al., Cause No. CC-12-06044-C
- City of Dallas v. Tomaino Properties, L.P., et al., Cause No. CC-12-06590-B
- Legal issues involving proposed amendments to Chapters 7A and 42 of the Dallas City Code.

Mayor Rawlings reconvened the city council meeting after the closed session at 2:29 p.m. No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 15, 2013

EXHIBIT C