

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 16, 2013

13-1800

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs (\*9:07 a.m.), Medrano (\*9:19 a.m.), Hill, Caraway (\*9:20 a.m.), Callahan, Davis (\*9:12 a.m.), Kadane, Allen, Kleinman, Greyson (\*9:21 a.m.), Gates, Kingston (\*9:09 a.m.)

ABSENT: [0]

The meeting was called to order at 9:03 a.m.

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

The invocation was given by Reverend James Pruitt of New Mt. Zion Baptist Church.

Councilmember Allen 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, Mayor Rawlings announced the meeting adjourned at 2:56 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

The annotated 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

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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 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: Richard Sheridan, 3022 Forest Ln.  
SUBJECT: JFK/RFK Jr./The unspeakable truths

SPEAKER: Sandra Crenshaw, 1431 Quartet St.  
SUBJECT: Simpson Stuart Rd. (PDD)

SPEAKER: Clara McDade, 4127 Happy Canyon Dr.  
SUBJECT: Simpson Stuart Rd. (PDD)

SPEAKER: Mike Smotherman, 1523 Emma Dr.  
SUBJECT: Simpson Stuart Rd. (PDD)

SPEAKER: Subrina Brenham, 6621 La Grange Dr.  
SUBJECT: Simpson Stuart Rd. (PDD)

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Mata Yemen, Private  
SUBJECT: Police harassment

SPEAKER: Herbert Wilborn, 3200 Deepwell Rd., Balch Springs, TX  
SUBJECT: Creator says give it back

**OPEN MICROPHONE – SPOKE IN THE LAST 30 DAYS:**

SPEAKER: William Hopkins, 2011 Leath St. (handout provided)  
SUBJECT: City attorney/RSR Lead

SPEAKER: Kermit Mitchell, 5659 Marblehead Dr. (handout provided)  
SUBJECT: Dallas Convention Center Hotel

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**OPEN MICROPHONE – SPOKE IN THE LAST 30 DAYS:**

(Continued)

SPEAKER: LaKolya London, 1873 Mockingbird Ln.

SUBJECT: Corruption in Dallas, Texas

SPEAKER: Deloris Phillips, Not Provided (handout provided)

REPRESENTING: Human dignity/Humanity

SUBJECT: Racism/corruption/911

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Item 1:           Approval of Minutes of the October 2, 2013 City Council Meeting and  
                          October 7, 2013 Special Called City Council Meeting

Councilmember Caraway moved to adopt the minutes of the October 2, 2013 City Council Meeting and October 7, 2013 Special Called City Council Meeting.

Motion seconded by Mayor Pro Tem Atkins 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)

The city secretary distributed a report showing all nominations and re-nominations received for city board and commission appointments for the 2013-2015 board term, with term ending September 30, 2015, updated through OCTOBER 16, 2013.

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

Councilmember Kadane moved to appoint the following:

- Johnny L. Clark to the Civil Service Board; Joel Maten, Real Estate Developer Commercial Properties Experience, and Mike Birrer, General Public/Historic Preservation Experience, to the Landmark Commission; Gene Hargrove, Registered Voter, to the Reinvestment Zone Fourteen Board (Skillman Corridor) and Reinvestment Zone Eighteen Board (Maple/Mockingbird); and Joseph G. Hernandez, Registered Voter, to the Reinvestment Zone Fifteen Board (Fort Worth Avenue);
- nominees to "individual appointment" positions; and
- Gloria Tarpley as Vice-Chair to the City Plan and Zoning Commission.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

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

13-6590	BOA	BOARD OF ADJUSTMENT
13-6591	CPC	CITY PLAN COMMISSION
13-6592	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
13-6593	CSB	CIVIL SERVICE BOARD
13-6594	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
13-6595	LMC	LANDMARK COMMISSION
13-6596	MLB	MUNICIPAL LIBRARY BOARD
13-6597	PAR	PARK AND RECREATION BOARD
13-6598	RZ14	REINVESTMENT ZONE FOURTEEN BOARD (SKILLMAN CORRIDOR)
13-6599	RZ15	REINVESTMENT ZONE FIFTEEN BOARD (FORT WORTH AVENUE)
13-6600	RZ18	REINVESTMENT ZONE EIGHTEEN BOARD (MAPLE/ MOCKINGBIRD)
13-6601	SDF	SOUTH DALLAS/FAIR PARK DEVELOPMENT FUND BOARD
13-6602		BOARD OFFICERS

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Item 3: A resolution appointing Warren M. S. Ernst, as City Attorney for the City of Dallas effective October 16, 2013, and authorizing the City Attorney contract.

Councilmember Hill moved to appoint Warren M. S. Ernst as City Attorney of the City of Dallas for a two-year term effective October 16, 2013, and authorize the interim city manager to execute the contract between the City and Warren M. S. Ernst for his services as City Attorney with an amendment to Paragraph (b) of Section III (Page 2) of the contract to read as follows:

- City agrees to increase this base salary and/or other benefits of Warren M. S. Ernst in amounts and to the extent that the City Council may determine on the basis of a salary and performance review made at least by the City Council meeting with the City Attorney after a report and recommendation by a committee of ~~the Mayor, Mayor Pro Tem, and Deputy Mayor Pro Tem~~ appointed by the Mayor, the initial review to take place one year from October 16, 2013.

Motion seconded by Councilmember Davis.

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

Mayor Rawlings declared the motion adopted on a divided vote, with Deputy Mayor Pro Tem Alonzo voting "No."

Following further discussion, Councilmember Griggs moved to reconsider the previous vote on the item to allow Deputy Mayor Pro Tem Alonzo to make a substitute motion.

Motion seconded by Councilmember Greyson and unanimously adopted.

Councilmember Hill restated her original motion.

Motion seconded by Councilmember Davis.

Deputy Mayor Pro Tem Alonzo moved a substitute motion to adopt the item as initially presented to provide for the committee to comprise of the Mayor, Mayor Pro Tem and Deputy Mayor Pro Tem.

Motion seconded by Councilmember Greyson.

Deputy Mayor Pro Tem Alonzo requested a record vote.

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Councilmember Gates asked Deputy Mayor Pro Tem Alonzo if she would accept a friendly amendment to add two (2) additional council members to the committee who shall be appointed by the Mayor.

Deputy Mayor Pro Tem Alonzo accepted the friendly amendment as part of her motion.

Councilmember Greyson, who seconded the substitute motion, also accepted Councilmember Gates' friendly amendment.

Mayor Rawlings stated the vote would be taken by a show of hands; there was no objection voiced to his statement.

Mayor Rawlings called for a show of hands on Deputy Mayor Pro Tem Alonzo's substitute motion to adopt the item as initially presented to provide for the committee to comprise of the Mayor, Mayor Pro Tem and Deputy Mayor Pro Tem and incorporate the friendly amendment to add two (2) additional council members who shall be appointed by the Mayor.

By a show of hands, Mayor Rawlings declared the substitute motion to adopt the item as initially presented to provide for the committee to comprise of the Mayor, Mayor Pro Tem and Deputy Mayor Pro Tem and incorporate the friendly amendment to add two (2) additional council members who shall be appointed by the Mayor failed.

Mayor Rawlings then called for a show of hands on Councilmember Hill's original motion to appoint Warren M. S. Ernst as City Attorney of the City of Dallas for a two-year term effective October 16, 2013, and authorize the interim city manager to execute the contract between the City and Warren M. S. Ernst for his services as City Attorney with an amendment to Paragraph (b) of Section III (Page 2) of the contract to read as follows:

- City agrees to increase this base salary and/or other benefits of Warren M. S. Ernst in amounts and to the extent that the City Council may determine on the basis of a salary and performance review made at least by the City Council meeting with the City Attorney after a report and recommendation by a committee of ~~the Mayor, Mayor Pro Tem, and Deputy Mayor Pro Tem~~ appointed by the Mayor, the initial review to take place one year from October 16, 2013.

By a show of hands, Mayor Rawlings declared the motion adopted.

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Briefing A: Review of the 83<sup>rd</sup> Session of the Texas Legislature and FY 2013-14  
Lobbying Contracts Renewal

Councilmember Hill and Larry Casto, Lobbying Attorney, briefed the city council on the item.

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Briefing B: 2014 City Calendar

The interim city manager briefed the city council on the item.

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Briefing C: The Connected City Design Challenge - Trends in Urban Design

The interim city manager briefed the city council on the item.

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Closed Session

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

- Claim filed by Glenda Anderson, Claim No. 12-00002.

At 11:47 a.m., in the temporary absence of Mayor Rawlings, Mayor Pro Tem Atkins announced the closed session of the city council authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matter:

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

- Claim filed by Glenda Anderson, Claim No. 12-00002.

Mayor Rawlings, having returned to the meeting, reconvened the city council meeting after the closed session at 1:08 p.m. No other matters were discussed during the closed session.

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EXHIBIT C