

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 17, 2014

14-1560

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

PRESENT: [15] Rawlings, Atkins, Alonzo, Griggs, Medrano (*9:22 a.m.), Hill, Caraway (*9:12 a.m.), Callahan (*9:12 a.m.), Davis (*9:34 a.m.), Kadane, Allen, Kleinman, Greyson (*9:12 a.m.), Gates, Kingston (*9:14 a.m.)

ABSENT: [0]

The meeting was called to order at 9:10 a.m.

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

The invocation was given by Brent Brumaster, Executive Director of Souls Harbor.

Councilmember Hill 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 1:39 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**

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 17, 2014

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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14-1561

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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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: Toni Pippins-Poole, 2377 N. Stemmons Fwy.
REPRESENTING: Dallas County Elections Dept.
SUBJECT: Dallas County Voter Registration Day

SPEAKER: Albert Navifar, 15889 Preston Rd.
SUBJECT: Uber

SPEAKER: Regina Imburgia, 5423 W. Goodwin Ave.
REPRESENTING: Activists For Truth
SUBJECT: Fluoride

SPEAKER: Dale Smith, 201 Fran Way
SUBJECT: Revitalization of cable access channels

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Yvette Gbalazeh, 5123 Echo Ave.
SUBJECT: Cite and release

SPEAKER: Ifiok Ekong, 5803 Tremont St.
SUBJECT: Psychiatric/Northstar

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1563

Item 1: Approval of Minutes of the September 3, 2014 City Council Meeting

Councilmember Caraway moved to adopt the minutes of the September 3, 2014 City Council Meeting.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1564

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)

Mayor Rawlings announced the item would be held until later in the meeting and discussed as part of the executive session.

Later in the meeting, Mayor Rawlings called a recess of the city council meeting at 11:51 a.m. as authorized by Section 551.074, Personnel, of the Texas Open Meetings Act to confer with the city attorney on nominee Julia Suarez-Macias to the Permit and License Appeal Board, as well as on the other posted executive session items.

Mayor Rawlings reconvened the city council meeting after the closed session at 1:15 p.m.

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 September 17, 2014.

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

Councilmember Kadane moved to appoint the following:

- Robert A. Walne, Dallas County Resident, to the Reinvestment Zone Fourteen Board (Skillman Corridor); Se-Gwen Tyler, Dallas County Resident, to the Reinvestment Zone Eighteen Board (Maple/Mockingbird); and
- nominees to "individual appointment" positions.

Motion seconded by Mayor Pro Tem Atkins and unanimously adopted. (Medrano, Hill, Caraway, Callahan, Davis, Kingston absent when vote taken)

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

14-6750	CDC	COMMUNITY DEVELOPMENT COMMISSION
14-6751	PLA	PERMIT AND LICENSE APPEAL BOARD
14-6752	RZ14	REINVESTMENT ZONE FOURTEEN BOARD (SKILLMAN CORRIDOR)
14-6753	RZ18	REINVESTMENT ZONE EIGHTEEN BOARD (MAPLE/MOCKINGBIRD)

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- Item 3: A resolution authorizing: **(1)** a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a joint election to be held on Tuesday, November 4, 2014, in an amount not to exceed \$951,000; **(2)** legal advertising in connection with the Tuesday, November 4, 2014 City Special Election, in an amount not to exceed \$100,000; and **(3)** \$5,000 for translation services for publication and posting notices, and security services for City Hall during early voting and other miscellaneous expenditures related to the election - Total not to exceed \$1,056,000 - Financing: Current Funds

The city secretary announced Mayor Rawlings removed agenda items 3, 4 and 5 from consideration; there was no objection voiced.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1566

Item 4: A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Collin County, and various other jurisdictions within Collin County, for the conduct of a joint election to be held on Tuesday, November 4, 2014 - Not to exceed \$4,200 - Financing: Current Funds

The city secretary announced Mayor Rawlings removed agenda items 3, 4 and 5 from consideration; there was no objection voiced.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1567

Item 5: A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Denton County, and various other jurisdictions within Denton County, for the conduct of a joint election to be held on Tuesday, November 4, 2014 - Not to exceed \$10,000 - Financing: Current Funds

The city secretary announced Mayor Rawlings removed agenda items 3, 4 and 5 from consideration; there was no objection voiced.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1568

Item 6: Final reading and adoption of appropriation ordinances for the proposed FY 2014-15 City of Dallas Operating, Grants/Trusts, and Capital Budgets - Financing: This action has no cost consideration to the City

The city secretary stated the item required a record vote.

Mayor Pro Tem Atkins moved to adopt the item and pass the ordinances.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt the item and pass the ordinances:

Voting Yes: [15] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway, Callahan, Davis Kadane, Allen Kleinman, Greyson, Gates, Kingston

Voting No: [0]

The city secretary declared the item adopted.

Assigned ORDINANCE NOS. 29474 AND 29475

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1569

Item 7: An ordinance setting the tax rate at \$0.7970 per \$100 valuation which includes \$0.5646 for general fund and \$0.2324 for debt service, and levying ad valorem taxes for the City of Dallas, Texas for FY 2014-15 - Financing: This action has no cost consideration to the City

The city secretary stated the item required a record vote.

Mayor Pro Tem Atkins moved that the property tax rate be increased by the adoption of a tax rate of \$0.7970, which is effectively a 4.85 percent increase in the tax rate.

Motion seconded by Councilmember Kadane.

Mayor Rawlings clarified for the record *citizens are not "writing a check" to cover the increase.*

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion that the property tax rate be increased by the adoption of a tax rate of \$0.7970, which is effectively a 4.85 percent increase in the tax rate:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Griggs, Medrano, Hill, Caraway, Callahan, Davis Kadane, Allen, Greyson, Gates, Kingston

Voting No: [1] Kleinman

The city secretary declared the item adopted.

Assigned ORDINANCE NO. 29476

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1570

Item 8: Ratify the increase in property tax revenues, resulting from increased property valuations with the same property tax rate as in the prior fiscal year, reflected in the FY 2014-15 budget - Revenue: \$46,916,907

The city secretary stated the item required a record vote.

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Hill.

Mayor Rawlings called the vote on Mayor Pro Tem Atkins' motion to adopt the item:

Voting Yes: [14] Rawlings, Atkins, Alonzo, Griggs, Medrano,
Hill, Caraway, Callahan, Davis Kadane,
Allen, Greyson, Gates, Kingston

Voting No: [1] Kleinman

The city secretary declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 17, 2014

14-1571

Item 9: An ordinance amending Chapters 2, 5A, 6A, 9A, 14, 18, 41A, and 52 of the Dallas City Code to: **(1)** adjust application fees for the abandonment of a public right-of-way; **(2)** adjust registration fees for used car lots; **(3)** adjust registration fees for facilities which emit or have the potential to emit air contaminants; **(4)** adjust the amusement center license fee; **(5)** adjust the annual fee for billiard tables; **(6)** adjust annual license fees for dance halls; **(7)** adjust charges for residential sanitation collection services; **(8)** specify when a disposal service charge under a disposal service contract may be increased; **(9)** adjust the annual license fee for sexually oriented businesses; and **(10)** adjust barricade fees - Estimated Revenue: \$1,699,562

Mayor Pro Tem Atkins moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Hill.

After discussion, Councilmember Callahan moved a substitute motion to adopt the item with the exclusion of subsection (2) [adjust registration fees for used car lots].

Motion seconded by Councilmember Greyson.

After further discussion, Councilmember Callahan withdrew his substitute motion to adopt the item with the exclusion of subsection (2) [adjust registration fees for used car lots].

Councilmember Callahan moved a substitute motion to adopt the item with the exception to not increase subsection (2) adjust registration fees for used car lots..

Following further discussion, Councilmember Greyson moved to withdraw her second to the substitute motion.

Substitute motion died due to lack of a second.

Mayor Rawlings called for a show of hands on Mayor Pro Tem Atkins' motion to adopt the item and pass the ordinance.

By a show of hands, with the majority having been raised in favor, Mayor Rawlings declared the item adopted.

Assigned ORDINANCE NO. 29477

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 17, 2014

14-1572

Item 10: An ordinance amending Chapters 2, 39A, 43, and 51A of the Dallas City Code **(1)** to correct obsolete references to the director of planning, the department of planning, and the urban rehabilitation standards board; **(2)** to create the department of planning and neighborhood vitality; **(3)** to transfer certain planning functions to the department of planning and neighborhood vitality; and **(4)** to make certain semantic, grammatical, and structural changes; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: This action has no cost consideration to the City

Mayor Pro Tem Atkins moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Kleinman.

Mayor Rawlings called for a show of hands on Mayor Pro Tem Atkins' motion to adopt the item and pass the ordinance.

By a show of hands, with all having been raised in favor, Mayor Rawlings declared the item adopted.

Assigned ORDINANCE NO. 29478

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1573

Item 11: Authorize **(1)** position changes; **(2)** approval of civilian salary schedules for fiscal year 2014-15; **(3)** authorize a 4% increase for Police and Fire Uniformed Executives, effective April, 2015; **(4)** Police and Fire uniform salary schedules in accordance with the 2013 Meet and Confer Agreement; and **(5)** the elimination of the following two holidays, Patriot's Day (September 11th) and Cesar Chavez Day (March 31st), will be eliminated and cannot be reinstated - Financing: No cost consideration to the City

Mayor Pro Tem Atkins moved to adopt the item.

Motion seconded by Councilmember Kadane.

Mayor Rawlings called for a show of hands on Mayor Pro Tem Atkins' motion to adopt the item.

By a show of hands, with all having been raised in favor, Mayor Rawlings declared the item adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 17, 2014

14-1574

Item 12: An ordinance amending Chapter 49 of the Dallas City Code to establish and adjust certain rates, charges and fees relating to water and wastewater services for Dallas and customer cities, effective October 1, 2014 (fee list attached) - Estimated Revenue: \$17,424,733

Mayor Pro Tem Atkins moved to adopt the item and pass the ordinance.

Motion seconded by Councilmember Callahan.

Mayor Rawlings called for a show of hands on Mayor Pro Tem Atkins' motion to adopt the item and pass the ordinance.

By a show of hands, all having been raised in favor, Mayor Rawlings declared the item adopted.

Assigned ORDINANCE NO. 29479

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1575

Briefing A: Long Range Water Supply Plan Update

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1576

Briefing B: City Manager Update

- CuSP Briefing Outline

The city manager briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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14-1577

Closed Session

6ES

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

- Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D
- Legal issues regarding Chapter 9C, "Carryout Bags," at the Dallas City Code.
- Union Pacific Railroad Company v. The City of Dallas, Texas, et al.
Cause No. CC-14-01387-D
- City of Dallas v. Fernando Martinez, et al. Cause No. CC-11-05957-B

At 11:51 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.)

- Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D
- Legal issues regarding Chapter 9C, "Carryout Bags," at the Dallas City Code.
*Note: Councilmember Hill requested the minutes reflect she stepped out of the room when the discussion turned to "policy."
- Union Pacific Railroad Company v. The City of Dallas, Texas, et al.
Cause No. CC-14-01387-D
- City of Dallas v. Fernando Martinez, et al. Cause No. CC-11-05957-B.

Personnel (Sec. 551.074 T.O.M.A.)

- Boards and Commissions – Julia Suarez-Macias – Nominee to the Permit and License Appeal Board

Mayor Rawlings reconvened the city council meeting after the closed session at 1:15 p.m. No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
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EXHIBIT C