

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 15, 2007

07-2270

CITY COUNCIL BRIEFING  
CITY COUNCIL CHAMBER  
CITY HALL, ROOM 6ES  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar,  
Davis, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

ABSENT: [0]

The meeting was called to order at 9:08 a.m.

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

The invocation was given by Reverend Mark Sikes, Holy Trinity Seminary of Dallas.

The Mayor 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 5:19 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Assistant 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.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 15, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
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EXHIBIT B

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2271

Special Presentations

At the beginning of each briefing meeting of the city council a time is set aside for the mayor to recognize special individuals or groups, to read mayoral proclamations, to confer honorary citizenships, and to make special presentations.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2272

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: Rhonda Chew, 3119 Alaska Ave.  
SUBJECT: City lots with overgrown grass & weeds

SPEAKER: Harry DeMarco, 8160 San Benito Way  
REPRESENTING: HDS Clothing Company  
SUBJECT: No response law

SPEAKER: Eric Farrington, 1801 Cottonwood Valley  
REPRESENTING: Farrington & Farrington Investments LLC  
SUBJECT: Taxes and demolition lien – 2720 Kiest Blvd.

SPEAKER: Judy Murry, 3135 Nandina Dr.  
REPRESENTING: Alta Mesa  
SUBJECT: Neighborhood conditions

**ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:**

SPEAKER: Ozumba Lnuk-X, 4106 Vinyard Dr.  
SUBJECT: Dallas Police Officer, Code Compliance and DA's Office

SPEAKER: Mike Buehler, 8909 Pine Forest Drive, **Rowlett, TX**  
REPRESENTING: Dallas Firefighter's Association  
SUBJECT: Dallas Fire-Rescue Management and Efficiency Study

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2273

Item 1: Approval of Minutes of the August 1, 2007 City Council Meeting.

Councilmember Neumann moved to approve the minutes.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL  
AUGUST 15, 2007

07-2274

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)

There was no consideration of appointments to boards and commissions.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2275

Item 3: An ordinance amending Chapter 32, "Parks and Water Reservoirs," of the Dallas City Code to prohibit the construction, maintenance, or improvement of, or the expenditure of funds for, certain roadways within the Trinity River levees and to provide for enforcement of the ordinance by suit for injunctive or declaratory relief and penalties not to exceed \$500 - Financing: No cost consideration to the City

**Note:** If Agenda Item No. 3 does not pass, Council will consider Agenda Item No. 4.

Councilmember Hunt requested the Mayor to allow citizens who signed up on item 3 to speak:

There being no objection by the city council, the Mayor allowed the following citizens to address the city council regarding the item.

Gay Hopkins, 6030 Monticello Ave.  
Joanne Rhone, 5821 Vickery Blvd.  
Campbell Read, 5839 Monticello Ave.  
Betty Withers, 4025 Inwood Rd.  
Michael Malouf, 5423 McCommas Blvd.  
Sally Garcia, 5623 Anita St.  
Brandon Helms, 1900 Elm St.  
Mary Warren, 4312 McKinney  
Frank Roby, 3618 Gragmont Ave., representing The Dallas Chamber of  
Commerce  
Calvin Bluit, 6326 Old Fox Rd., representing The Dallas Black Chamber of  
Commerce  
Mark Spence, 2227 Irving Blvd.  
Nathan Morey, 811 N. Bishop Ave.  
Alan Walne, 10020 Cariba Trail, representing Trinity Common Foundation  
Richie Sheridan, 3002 Forest Lane, representing Citizens of Dallas  
Bob Darroozet, 4518 Fairway, representing Trinity Association

No further action was taken on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2276

- Item 4: An ordinance ordering a special election to be held in the City of Dallas on Tuesday, November 6, 2007, on the question of adopting an ordinance amending Chapter 32, "Parks and Water Reservoirs," of the Dallas City Code to prohibit the construction, maintenance, or improvement of, or the expenditure of funds for, certain roadways within the Trinity River levees and to provide for enforcement of the amendments by suit for injunctive or declaratory relief and penalties not to exceed \$500 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Donna Halstead, 9508 Fieldcrest Dr., representing Dallas Citizens Council  
Chris Langmeyer, 4622 Maple Ave., representing The Great Dallas Hispanic Chamber of Commerce

Mayor Pro Tem Garcia moved to approve the ordinance.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2277

Item 5: 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 6, 2007 on the question of adopting an ordinance amending Chapter 32, "Parks and Water Reservoirs," of the Dallas City Code to prohibit the construction, maintenance, or improvement of, or the expenditure of funds for, certain roadways within the Trinity River levees and to provide for enforcement of the amendments by suit for injunctive or declaratory relief and penalties not to exceed \$500 - \$25,000 - Financing: Current Funds

Councilmember Rasansky moved to approve the resolution.

Motion seconded by Councilmember Koop and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2278

Item 6: 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 6, 2007 on the question of adopting an ordinance amending Chapter 32, "Parks and Water Reservoirs," of the Dallas City Code to prohibit the construction, maintenance, or improvement of, or the expenditure of funds for, certain roadways within the Trinity River levees and to provide for enforcement of the amendments by suit for injunctive or declaratory relief and penalties not to exceed \$500 - \$25,000 - Financing: Current Funds

Councilmember Rasansky moved to approve the resolution.

Motion seconded by Councilmember Koop and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2279

Item 7: 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 6, 2007, in an amount not to exceed \$800,000, and **(2)** an increase in appropriations in the amount of \$800,000 in the City Secretary's Office Elections' budget to cover costs associated with the November 6, 2007 City Special Election on the question of adopting an ordinance amending Chapter 32, "Parks and Water Reservoirs," of the Dallas City Code to prohibit the construction, maintenance, or improvement of, or the expenditure of funds for, certain roadways within the Trinity River levees and to provide for enforcement of the amendments by suit for injunctive or declaratory relief and penalties not to exceed \$500 - Total not to exceed \$800,000 - Financing: Contingency Reserve Funds

Councilmember Rasansky moved to approve the resolution.

Motion seconded by Councilmember Koop and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2280

Item 8: A resolution authorizing the Mayor to: **(1)** appoint an Ad Hoc City Council canvassing committee to review the returns of the November 6, 2007 special election on the question of adopting an ordinance amending Chapter 32, "Parks and Water Reservoirs," of the Dallas City Code to prohibit the construction, maintenance, or improvement of, or the expenditure of funds for, certain roadways within the Trinity River levees and to provide for enforcement of the amendments by suit for injunctive or declaratory relief and penalties not to exceed \$500; and **(2)** submit a canvass report to the City Council. The review and approval of the canvassing committee report has been tentatively scheduled for Wednesday, November 14, 2007 - Financing: No cost consideration to the City

The Mayor announced the following Councilmember's will serve as chair and members of the Ad Hoc City Council Canvassing committee to review the returns of the November 6, 2007 special election:

Mayor Pro Tem Elba Garcia, chair  
Councilmember Angela Hunt  
Councilmember Tennell Atkins  
Councilmember Vonciel Jones-Hill (Alternate)

Councilmember Rasansky moved to approve the resolution.

Motion seconded by Councilmember Koop and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2281

Briefings: A. Dallas/Fort Worth International Airport FY 2007-08 Budget 102 Revenue and Expense Fund

Jeffrey P. Fegan, Chief Executive Officer and Christopher A. Poinatte, Executive Vice President of the Dallas/Fort Worth International Airport, briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2282

Briefings: B. Water Utilities: Overview and Proposed FY08 Budget

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2283

Briefings: C. Dallas Fire-Rescue Management & Efficiency Study

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2284

Briefings: D. Sanitation Services Department FY 2007-08 Budget

The item was not briefed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

AUGUST 15, 2007

07-2285

Closed Session

6ES

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

- City of Dallas v. Greg Abbott, Attorney General of Texas, Cause No. D-1-GV-07-000284; and The Dallas Morning News, L.P. v. City of Dallas, Cause No. 06-06607-J
- Albert, et al. v. City of Dallas, Cause No. 199-697-94;  
Arredondo, et al. v. City of Dallas, Cause No. 199-1743-99;  
Barber, et al. v. City of Dallas, Cause No. 199-624-95;  
Willis, et al. v. City of Dallas, Cause No. 199-200-95;  
Martin, et al. v. City of Dallas, Cause No. 1-95-506;  
Parker, et al. v. City of Dallas, Cause No. 1-05-107;  
and Dora Saucedo-Falls et al. v. City of Dallas, Cause No. DV-03-06498-L
- Love Terminal Partners, LP, et al. v. City of Dallas, et al., Appeal No. 05-07-00383; Love Terminal Partners, LP, et al. v. City of Dallas, et al., Cause No. 06-10182-E (consolidated with Cause No. 06-11650-E); Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Civil Action No. 3:06-CV-1279-D; Small Community Airlines, Inc. v. City of Dallas, et. al., Cause No. 07-02540-E; and the acquisition of certain leasehold interests at Dallas Love Field with addresses of 7701 and 7777 Lemmon Avenue, including the exercise of eminent domain if necessary
- Atmos Energy Gas Corporation, Mid-Tex Division Gas Cost Review, Railroad Commission of Texas Docket No. 9732

Real Property Deliberations (Sec. 551.072 T.O.M.A.)

- The acquisition of certain leasehold interests at Dallas Love Field with addresses of 7701 and 7777 Lemmon Avenue, including the exercise of eminent domain if necessary

At 12:02 p.m. the Mayor 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:

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

07-2285

Page 2

Closed Session

6ES

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

- City of Dallas v. Greg Abbott, Attorney General of Texas, Cause No. D-1-GV-07-000284; and The Dallas Morning News, L.P. v. City of Dallas, Cause No. 06-06607-J
- Albert, et al. v. City of Dallas, Cause No. 199-697-94; Arredondo, et al. v. City of Dallas, Cause No. 199-1743-99; Barber, et al. v. City of Dallas, Cause No. 199-624-95; Martin, et al. v. City of Dallas, Cause No. 1-95-506; Parker, et al. v. City of Dallas, Cause No. 1-05-107; and Dora Saucedo-Falls et al. v. City of Dallas, Cause No. DV-03-06498-L
- Love Terminal Partners, LP, et al. v. City of Dallas, et al., Appeal No. 05-07-00383; Love Terminal Partners, LP, et al. v. City of Dallas, et al., Cause No. 06-10182-E (consolidated with Cause No. 06-11650-E); Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Civil Action No. 3:06-CV-1279-D; Small Community Airlines, Inc. v. City of Dallas, et. al., Cause No. 07-02540-E; and the acquisition of certain leasehold interests at Dallas Love Field with addresses of 7701 and 7777 Lemmon Avenue, including the exercise of eminent domain if necessary
- Atmos Energy Gas Corporation, Mid-Tex Division Gas Cost Review, Railroad Commission of Texas Docket No. 9732

The Mayor reconvened the city council after the closed session at 2:47 p.m. No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL

WEDNESDAY, AUGUST 15, 2007

EXHIBIT C