

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 7, 2011

11-2350

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

PRESENT: [15] Rawlings, Medrano, Atkins, Jasso, Griggs, Caraway (*9:05 a.m.),
Hill, Alonzo, Davis, Kadane, Allen, Koop, Greyson (*9:17 a.m.),
Margolin, Hunt (*9:17 a.m.)

ABSENT: [0]

The meeting was called to order at 9:01 a.m.

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

The invocation was given by Douglas Deshotel, Auxiliary Bishop, Dallas Diocese.

Councilmember Kadane 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:

Acting 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.**

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EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
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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: Stephen Benavides, 101 S. Walton St.
SUBJECT: Police brutality/city budget

SPEAKER: Erick Khafre, 7937 Woodshire Dr.
REPRESENTING: The Community
SUBJECT: Police brutality

SPEAKER: Mike Sorrell, 715 Mayrant Dr.
REPRESENTING: Paul Quinn College
SUBJECT: Flow control

SPEAKER: Daisy Gafford, 5931 Roseville Dr.
REPRESENTING: Councilmember Atkins
SUBJECT: Flow control

SPEAKER: Lori Price, 3837 Simpson Stuart Rd.
REPRESENTING: Paul Quinn College
SUBJECT: Flow control

OPEN MICROPHONE – END OF MEETING:

SPEAKER: James Thibodeaux, 7220 S. Westmoreland Rd.
REPRESENTING: Neighborhood Assistance Corporation of America
SUBJECT: Foreclosures

SPEAKER: Johanna Parkinson, 11419 Snow White Dr.
REPRESENTING: Dallas Area Interfaith
SUBJECT: DME Dallas Exchange

SPEAKER: Cheryl Spivey, 535 E. Buckingham Rd., **Richardson, TX**
SUBJECT: Housing

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

SPEAKER: Robert Ceccarelli, 5302 Harry Hines Blvd.
SUBJECT: Homelessness

SPEAKER: Frank Ward, P.O. Box 130694
REPRESENTING: The Trinity Reunion
SUBJECT: Stand fast, season, watch

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

SPEAKER: Otis Fagan, 2247 Scotland Dr.
SUBJECT: Lead in West Dallas

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.
REPRESENTING: R.A.W. (Real American Women)
SUBJECT: Capitalism

At the request of Mayor Rawlings, by general consensus of the city council, the speaker rules were suspended to allow the following individuals to speak:

SPEAKER: Irma P. Hall, 3202 Obannon Dr.
REPRESENTING: CAP program
SUBJECT: CAP program

SPEAKER: Melody Bell, No address provided
REPRESENTING: CAP program

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Item 1: Approval of Minutes of the August 17, 2011 City Council Meeting and the August 22, 2011 Council Budget Briefing

Councilmember Kadane moved to adopt the minutes of the August 17, 2011 City Council Meeting and the August 22, 2011 Council Budget Briefing.

Motion seconded by Councilmember Davis 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 acting 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 September 7, 2011.

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

Mayor Pro Tem Medrano moved to approve the appointments of Chase Evans, Registered Voter, to the Reinvestment Zone Four Board (Cedars Area) and to the Reinvestment Zone Twelve Board (Deep Ellum); Lily Fern Mak, Registered Voter, to the Reinvestment Zone Six Board (Farmers Market) and Reinvestment Zone Ten Board (Southwestern Medical); Michael Serber, Registered Voter, to the Reinvestment Zone Ten Board (Southwestern Medical) and to the Reinvestment Zone Eighteen Board (Maple/Mockingbird) and Herbert Goodman, Registered Voter, to the Reinvestment Zone Twelve Board (Deep Ellum).

Motion seconded by Councilmember Greyson and unanimously adopted.

Mayor Pro Tem Medrano moved to appoint nominees 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 Greyson and unanimously adopted.

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

11-5189	BOA	BOARD OF ADJUSTMENT
11-5190	CPC	CITY PLAN AND ZONING
11-5191	RZ04	REINVESTMENT ZONE FOUR BOARD (CEDARS AREA)
11-5192	RZ06	REINVESTMENT ZONE SIX BOARD (FARMERS MARKET)
11-5193	RZ10	REINVESTMENT ZONE TEN BOARD (SOUTHWESTERN MEDICAL)

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**11-5194 RZ12 REINVESTMENT ZONE TWELVE BOARD (DEEP
ELLUM)**

**11-5195 RZ18 REINVESTMENT ZONE EIGHTEEN BOARD
(MAPLE/MOCKINGBIRD)**

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11-2356

Briefing A: Dallas/Fort Worth International Airport FY2012 Annual Budget

Chris Poinsatte, Executive Vice President – Chief Financial Officer at Dallas/Fort Worth International Airport, briefed the city council on the item.

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Briefing B: 2011 Redistricting: Process Review & Proposed Districting Plan

The city manager briefed the city council on the item.

Councilmember Atkins asked Acting City Secretary Rosa A. Rios to read the following letter into record from Stephen C. Nash Sr., Reverend, Mt. Tabor Baptist Church:

The purpose of this correspondence is to address the pending City of Dallas ordinance allowing an increase in the amount of waste coming to the city-owned McCommas Bluff Landfill and the impact the new ordinance will have on the nearby neighborhoods.

I cannot attend the City Council briefing on September 7; however, I would appreciate it if you would enter this letter into the record.

Mt. Tabor is a community-based church located less than two miles due West from McCommas Landfill on Simpson Stuart Road across the street from another community anchor, Paul Quinn College. We live, work, worship, recreate and go to school here. And we are totally committed to the well-being of the citizens who live in this community.

Although I encourage and invite economic development to Southeast Oak Cliff, and especially in the Simpson Stuart/Highland Hills area, it is ironic that beyond the new University of North Texas Dallas campus and the Dallas Police Department substation, the best opportunity for economic development is a waste dump. But I'm confident that this trash can be recycled into treasure to the direct benefit of the surrounding community.

The community has several key concerns about how the increase in waste coming to the McCommas Landfill will impact our neighborhoods, including but not limited to:

1. Health issues that may arise from the increase of waste;
2. Proactive EPA and other monitoring to trigger early warnings;
3. Ongoing and constant community outreach from the community's point of view;
4. Traffic impact at I-45 and Simpson Stuart Road plus other impacts from new Flow Control;

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5. Defined irrevocable revenue-sharing between City and affected neighborhoods to help spur non-industrial growth such as retail, new housing, infrastructure enhancements and other job producing initiatives;
6. Dedicated beautification funds to plant trees and expand neighborhood green space;
7. A closer review of Texas Commission on Environmental Quality mandated environmental monitoring report, proposed ordinances that impact this project, green conversion plan and all relevant reports, including cash flow projections on anticipated revenues.

I stayed an extra day before departing for our national convention because I wanted to go on record as a devoted advocate for community safeguards. I will continue to work with Paul Quinn College President Michael Sorrell and other community stakeholders to adequately monitor developments on increasing the amount of waste coming to the McCommas Landfill.

I remain prayer that the final outcome of increasing the trash today at the McCommas Landfill serves as an iconoclastic catalyst to help fuel “greener economic development in Southeast Oak Cliff tomorrow.

A landfill is not our first choice but if by the grace of God it provides a true bridge to real, community-compatible, economic development in our long neglected region, we shall embrace the blessings.

May God continue to bless our Mayor, the City Council and the able professionals who are charged with keeping our beloved City of Dallas running.

Respectfully Submitted,

Rev. Stephen C. Nash Sr., PhD
Mts. Tabor Baptist Church Pastor

At the request of Mayor Rawlings, by general consensus of the city council, the speaker rules were suspended to allow the following individuals to speak:

Bill Betzen, 6717 Cliffwood Dr.

Charles R. Rose, 4015 Silverhill Dr., representing Highland Hills Neighborhood Association

Gail Terrell, 1445 Firebird Dr.

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Briefing C: The Green Path for Dallas' Trash

The city manager briefed the city council on the item.

At the request of Mayor Rawlings, by general consensus of the city council, the speaker rules were suspended to allow the following individuals to speak:

Lynne Lueb, 1600 Singleton Blvd., representing NSWMA

Kathy Carlton, 4230 LBJ Freeway, representing Apartment Association of Greater Dallas

David Johnson, 1539 Trail Ridge Dr., representing Gemini Renewable Energy Consultants

Barney Gorey, 2101 Cedar Springs Rd., representing Organic Energy Corporation

Tom Brown, 2301 Eagle Pkwy., **Fort Worth, TX**, representing NSWMA

Rick Losa, 1600 South Railroad, **Lewisville, TX**, representing NSWMA

Clara McDade, 4127 Happy Canyon Dr., representing Highland Hills Community

Juanita Wallace, 1409 S. Lamar St., representing Dallas Branch NAACP

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Briefing D: Dallas Fire-Rescue FY11-12 Proposed Budget

The city manager briefed the city council on the item.

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Item 3: Authorize the City Manager to: **(1)** modify the terms of support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation (2010 allocation) for Wynnewood Seniors Housing located at 1500 South Zang Boulevard for acquisition of a portion of LIHTC improved property (The Parks at Wynnewood), demolition of existing units at the Parks at Wynnewood and new construction of a proposed 140-unit multifamily residential development for low income senior housing (Senior's Project Phase I), by changing the site plan and/or acreage to be used for the 2010 allocation for the Senior's Project Phase I, by working with the City to plan the use of the remaining acreage on the site of The Parks at Wynnewood in two other Phases, by providing the City's local financial support in the form of forgiveness of an existing loan on the Parks at Wynnewood; and **(2)** amend the terms of a housing redevelopment loan provided for The Parks at Wynnewood located at 1910 Argentia Drive to: **(a)** forgive \$850,000 of the current balance of the loan; **(b)** receive a partial payment of \$500,000; and **(c)** amend the terms of the remaining balance of the loan to a five year, 0% interest loan, with all amended terms subject to certain conditions to be negotiated in future definitive agreements and to be considered by City Council in January 2012 - Revenue: \$500,000

The following individual addressed the city council regarding the item:

Inez Gardner-Simpson, 1600 Pratt St.

Councilmember Griggs moved to adopt the item.

Motion seconded by Councilmember Atkins and Councilmember Margolin and unanimously adopted. (Allen, Hunt absent when vote taken)

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SEPTEMBER 7, 2011

Closed Session [**11-2361**]

6ES

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

- Leanne Siri v. City of Dallas, Texas, et al., Cause No. 3:10-CV-0036-M
- City of Dallas v. Kenneth E. Albert et al., No. 07-0284
- Marcus Wood v. Tom Leppert et al., No. 10-14835-M
- Legal issues regarding proposed resource flow control ordinance

At 10:58 a.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.)

- Leanne Siri v. City of Dallas, Texas, et al., Cause No. 3:10-CV-0036-M
- City of Dallas v. Kenneth E. Albert et al., No. 07-0284
- Marcus Wood v. Tom Leppert et al., No. 10-14835-M
- Legal issues regarding proposed resource flow control ordinance

The following item was made a part of the closed session under Attorney Briefings (Sec. 551.071 T.O.M.A.):

Briefing B: 2011 Redistricting: Process Review & Proposed Districting Plan

Mayor Rawlings reconvened the city council meeting after the closed session at 1:17 p.m. No other matters were discussed during the closed session.

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EXHIBIT C