

REGULAR MEETING OF THE IRVING CITY COUNCIL
April 6, 2006

The City Council met in regular session in the Council Chambers of the City Hall Complex on April 6, 2006, at 7:00 P.M. The following members were present:

Mayor Herbert A. Gears

Councilmembers

James Dickens

Beth Van Duyne

Allan E. Meagher

Lewis Patrick

Lowell Cannaday

Rick Stopfer

Sam Smith

Joe Philipp

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Brynne Sissom invited all Irving residents to a "paper shredding" event that will be held on April 29, 2006, from 9:00 a.m. until 3:00 p.m.; it is a private/public partnership with Shred Document Destruction Company and the city of Irving and Keep Irving Beautiful.

Lucia Rottenberg announced that the run off election for the primary is going on currently and tomorrow is the last day to early vote. Election day will be held on Tuesday, April 11, 2006 and she provided information on the Republican polling locations.

INVOCATION

The invocation was delivered by Pastor John Eastham, New Beginnings Fellowship Church of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears presented an Irving, Texas High Spirited Citizen Award to Mrs. Roberta Johnson. State Representative Linda Harper-Brown also presented a proclamation from the State of Texas in honor of Mrs. Roberta Johnson.

CONSENT AGENDA

The consent agenda, items #1 through #15, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda for individual consideration. No items were considered separately. Mayor Gears noted that Mr. Don Van Slyke recorded his support for Item #4, but did not wish to speak. **Councilman Stopfer moved to approve the consent agenda Items #1 through #15. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.**

- 1 **Resolution No. 4-6-06-108** -- Approving The City Council Work Session Minutes Of March 22, 2006; The City Council Meeting Minutes Of March 23, 2006; And The Special City Council Meeting Minutes Of March 23 And 24, 2006
- 2 **Resolution No. 4-6-06-109** -- Authorizing The Destruction Of Obsolete Records In Accordance With The City Of Irving's Records Management Policy
- 3 **Resolution No. 4-6-06-110** -- Authorizing The Mayor To Apply For And Accept The Assistance To Firefighters Grant From The U.S. Department Of Homeland Security Federal Emergency Management Agency In The Amount Of \$188,220.00
- 4 **Resolution No. 4-6-06-111** -- Approving An Economic Incentive Agreement Renewal Between The City Of Irving And The Neiman Marcus Group
- 5 **Resolution No. 4-6-06-112** -- Approving A Professional Services Contract With Wiginton Hooker Jeffry, P.C. In An Amount Not To Exceed \$274,600.00 For The Design Of The Cimarron Park Family Aquatic Center
- 6 **Resolution No. 4-6-06-113** -- Authorizing Staff To Negotiate A Professional Services Contract With Architect Jerry Q. Jeffery And Associates For The Renovation And Expansion Design Of The Lively Pointe Youth Center
- 7 **Resolution No. 4-6-06-114** -- Requesting That The Texas Legislature Oppose Any Attempt To Limit City Revenues
- 8 **Resolution No. 4-6-06-115** -- Approving A Contract With HillCo Partners For Legislative Services In An Amount Not To Exceed \$180,000.00 For Representation From April 2006 Through April 2008
- 9 **Resolution No. 4-6-06-116** -- Awarding Contract To Hall-Albert Construction L.P. In The Amount Of \$87,512.00 For The 2006 Sanitary Sewer Replacement, Section I Project

- 10 Resolution No. 4-6-06-117** -- Declaring Property Surplus And Authorizing The Taking Of Bids For The Sale Of 4.3722 Acres Of Land Owned By The City Of Irving Located At 400 Shady Grove Road In Grand Prairie, Texas (Former Police Auto Pound)
- 11 Resolution No. 4-6-06-118** -- Purchases Funded In The 2005-2006 Budget
- (A) Proposals -- Award Of Proposal To CCG Systems, Inc. For The Purchase And Installation Of The Fleet Maintenance Information System In An Amount Not To Exceed \$130,830.00, As Recommended By The General Services Department/Fleet Maintenance Division And Information Technology Department
- 12 Ordinance No. 8624** -- Budget Adjustment To The 2005-2006 Fiscal Year Budget
- I. General Fund
- II. General Fund Non Bond Capital Improvement Program Fund
- III. Garage Fund
- IV. Computer Replacement Fund
- V. Miscellaneous Grant Fund
- 13 Ordinance No. 8625** -- Authorizing The Abandonment Of A 2.5-Foot Portion Of An Existing 15-Foot Underground Public Utility Easement On Lot 14, Block A, Cottonwood Valley, Area LXIV, Located At 2115 Hogan Drive
- 14 Ordinance No. 8626** -- Zoning Case #5594 -- Granting S-P-1 (Detailed Site Plan) For Cellular Telecommunications Tower Uses -- A 1,600 Square Feet Lease Space Located At 6921 North Belt Line Road (Northwest Corner Of Belt Line Road And Cabell Drive) -- Dave Kirk, T-Mobile, Applicant
- 15 Ordinance No. 8627** -- Zoning Case #5606 -- Granting PUD (Planned Unit Development) For S-P-1 (Detailed Site Plan) For R-AB (Restaurant With The Attendant Accessory Use Of The Sale Of Alcoholic Beverages For On-Premises Consumption) Uses -- An Approximately 0.121 Acre Tract Located At 660 Walnut Ridge Drive (South Side Of Walnut Ridge, East Of Walnut Hill Lane) -- Pinky Properties, LP, Applicant

This concludes the consent agenda approving items 1-15.

INDIVIDUAL CONSIDERATION

16 Resolution No. 4-6-06-119 -- Approving The Appointment And Employment Agreement Of Tomas Gonzalez To Serve As City Manager For The City Of Irving

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition.

The following spoke in opposition of this item:

Don Van Slyke, 2617 Castle Street
John T. Mallon III, 512 S. Delaware Street #4
Loren Byers, 918 E. Tanglewood Drive
Sue Richardson, 1521 Belmead Lane
Lucia Rottenberg, 2220 Indian Creek

The following spoke in support of this item:

Margaret Lopez, 3820 Cheyenne Street
Anthony Bond, 4109 W. Northgate #824
Colvin Gibson, 2110 Texas Ash
Ken Boozer, 200 Onetta
Sharon Barbosa-Crain, 2604 Alan-a-Dale
Chris Wallace, 9809 Canyon Crest Circle
C.D. Thomason, 622 Channel Street

Councilman Smith stated that the goal of the search process was to find the best person for the job. He then reviewed the steps followed to reach this goal.

Councilwoman Van Duyne stated that she will be the one "lone voice" against the approval of this resolution. In a prepared statement she clarified that this is not a vote against the chosen candidate. However, she does object to the expenditure of \$30,000.00 to an executive search firm that was not utilized to the City's advantage. Also, Mr. Gonzalez has announced that he will remain with the City of Dallas, and the Council should not change the terms of the contract to entice him to change his announced decision.

Councilman Philipp and Councilman Stopfer explained and defended the process and the outcome of the process.

Mayor Gears clarified that Tommy Gonzalez has until Friday, April 7, 2006 at 5:00 p.m. to accept this contract.

Councilman Smith moved to approve the resolution as presented, approving a management contract to be presented to Tomas Gonzalez as City Manager. Seconded by Councilman Dickens, the motion was approved by a vote of 8-1, with Councilwoman Van Duyne voting in opposition.

APPOINTMENTS AND REPORTS

- 17 **Resolution No. 4-6-06-120** -- Appointments To Boards, Commissions, And Committees a) Irving Convention and Visitors Bureau Board

Councilman Dickens moved that Gail Jackson be appointed to Place 8 on the Irving Convention and Visitors Bureau Board – an unexpired term expiring November 2006. Seconded by Councilman Patrick, the motion was approved by a vote of 9-0.

- 18 City Manager's Report

- Acting City Manager Cash stated that if Mr. Tommy Gonzalez accepts the position as city manager, he pledged the support and commitment of himself as well as the city staff.
- City Offices will be closed on April 14, 2006, for City Spring Holiday, there will be no trash pick up or recycling pick up on this day;
- Libraries will be open on the April 14, 2006 Spring Holiday, but closed on April 16, 2006;
- Week of May 7-13, 2006, is" National Wonder of Water Week", festivities include free food, games, prizes, entertainment, children's activities, and information about water and more, this event will be held at the new Valley View Municipal Complex, 333 Valley View Lane, on Saturday, May 6, 2006, from 10:00 a.m. until 2:00 p.m.
- Pre Opening Tour of the Fluor Corporation new building was held on April 5, 2006;
- Planning and Zoning Commission will be holding a public hearing regarding several proposed amendments to the Zoning Ordinance regarding Code Enforcement issues held on April 17, 2006, at 7:00 p.m. at City Hall;
- Community Fest will be on April 22, 2006, at Senter Park Recreation Center at 901 S. Senter Road from 10:00 a.m. until 3:00 p.m.
- Special Election and General Election will be held on May 13, 2006;
- A meeting for citizen input was held on April 4, 2006, regarding the O'Connor Road Improvement Project and there will be an item on the Public Works Committee agenda on April 26, 2006, at 10:30 a.m.
- Trans Texas Corridor - the city is staying engaged on all the transportation issues relating to the corridor development.

- 19 Mayor's Report

- Mayor Gears congratulated the staff on their work with the Fluor Corporation to assure that their building project was completed timely.

20 Committee And Liaison Report/Meetings

Mayor Gears stated that there will be a Public Works Committee, on April 26, 10:30 a.m. and an Audit & Finance Committee, on April 26, 1:30 p.m.

Councilman Patrick stated that there will be a concert held at the Heritage Senior Center, "The Best of the West" on Friday, April 28, 2006, at 7:00 p.m.; it will feature the Irving Silver Tones Choir and the Lively Heritage Swingers.

Councilman Philipp urged citizens to visit the Arts Center to enjoy an array of interesting exhibits:

21 The meeting adjourned at 8:45 p.m.

CITIZEN FORUM

Anthony E. Bond, 4109 W. Northgate, #824, addressed the Mayor and Council on perceived segregated and inequitable contracting practices. He asked the Mayor and Council to be sure that contracting opportunities are not limited to companies owned by "white" men and women but include minority owned companies.

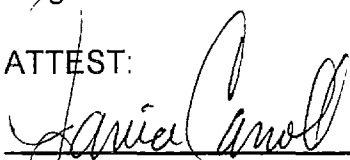
Jack Spurlock, 1516 W. Pioneer, addressed the Mayor and Council regarding people that smoke in public places. He stated that second hand smoke is unhealthy and also causes cancer to those that breathe this smoke. He would like for smoking to be totally prohibited in restaurants and public places in the City.

Jason Watkins, 3809 Double Tree Trail, also addressed the prohibition of smoking in public and stated that the City should address the smoking ordinance as proposed by the Board of Health.

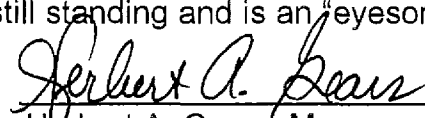
Michael Bolin, 3109 Commonwealth, also addressed the Mayor and Council about the proposed smoking ordinance and the dangers of second hand smoke. He also asked that the synchronization of the traffic signal lights be improved to facilitate traffic flow.

Ken Boozer, 200 Onetta, addressed the Mayor and Council regarding a house located on Kingston that burned last June. It is fenced but it is still standing and is an "eyesore" in the neighborhood.

ATTEST:



Janice Carroll, TRMC
City Secretary



Herbert A. Gears, Mayor

