

**REGULAR MEETING OF THE IRVING CITY COUNCIL**  
**February 9, 2006**

The City Council met in regular session in the Council Chambers of the City Hall Complex on February 9, 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

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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There were no organizational service announcements made.

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**INVOCATION**

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

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**PLEDGE OF ALLEGIANCE**

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Councilman Patrick led those present in the pledge.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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Mayor Gears presented a proclamation to the AMBUCS –Yellow Rose Chapter and Irving Chapter. Deidra Early received the proclamation for the AMBUCS Yellow Rose and Joe Edwards received the proclamation for the AMBUCS Irving Chapter.

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**CONSENT AGENDA**

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The consent agenda, items #1 through #16, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda for individual consideration. Mayor Gears announced that item #9 would be dropped from the consent agenda and Item #12 would be pulled. **Councilman Cannaday moved to approve the consent agenda Items #1 through #16, dropping Item #9 and excluding Item #12. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.**

- 1 **Resolution No. 2-9-06-039** -- Approving The City Council Work Session Minutes Of January 25, 2006, And The City Council Meeting Minutes Of January 26, 2006

- 2 **Ordinance No. 8604** -- Calling A Regular Municipal Election To Be Held On Saturday, May 13, 2006, For The Purpose Of Electing City Council Places Four (4), Six (6), And Eight (8), And A Subsequent Run-Off Election, If Necessary
- 3 **Resolution No. 2-9-06-040** -- Preliminary/Final Plat -- Hardrock Estates -- A 9.583 Acre Tract Located At The Southeast Corner Of Pioneer Drive And Hard Rock Road -- JDJR Engineers And Consultants, Inc., Applicant
- 4 **Resolution No. 2-9-06-041** -- Authorizing The Destruction Of Obsolete Records In Accordance With The City Of Irving's Records Management Policy
- 5 **Resolution No. 2-9-06-042** -- Approving A Justice Assistance Grant (JAG) Agreement Between The City Of Irving And Dallas County For FY2006 Justice Assistance Grant Sharing Funds In The Amount Of \$37,057.52
- 6 **Resolution No. 2-9-06-043** -- Approving A Fiscal Agency Agreement Between The City Of Dallas, Dallas County, And The City Of Irving Authorizing The City Of Dallas To Serve As The Fiscal Agent To Administer And Distribute Justice Assistance Grant (JAG) Funds Through The Edward Byrne Memorial Justice Assistance Grant Program
- 7 **Resolution No. 2-9-06-044** -- Authorizing The Mayor To Accept The Texas State Library And Archives Commission (TSLAC) Loan Star Libraries Grant In The Amount Of \$50,435.00
- 8 **Ordinance No. 8605**-- Approving Amendments To The Comprehensive Policy Statement On Local Economic Development And Business Stimulation Incentives Under Chapter 380 Of The Texas Government Code
- 9 **Resolution No. 2-9-06-045** -- Approving An Economic Development Incentive Agreement Between The City Of Irving And DPF Trade Center, LP
- 10 **Resolution No. 2-9-06-046** -- Approving A Professional Services Agreement Between The City Of Irving And Jerry T. Murrish For Accounting Consultative Services On Behalf Of The Financial Services Department In An Amount Not To Exceed \$30,000.00, Including Reimbursable Expenses In An Amount Not To Exceed \$500.00
- 11 **Resolution No. 2-9-06-047** -- Requesting Sign Variance Case No. 06-01 Located At 2400 Oxford Drive -- Mike Nawar Representing Signature Estate Development, Applicant

- 13 Resolution No. 2-9-06-049** -- Awarding Contract To SYB Construction Co., Inc. In The Amount Of \$2,622,438.50 For The Wildwood Drive Street Improvements Project
- 14 Resolution No. 2-9-06-050** -- Approving An Interlocal Agreement Between The City Of Irving And North Central Texas Council Of Governments (NCTCOG) In The Amount Of \$7,146.00 For FY 2006 Administrative And Implementation Assistance For The Regional Storm Water Management Program
- 15 Resolution No. 2-9-06-051** -- Purchases Funded In The 2005-2006 Budget
- (A) Award -- Approving Award To John A. Walker Roofing Co , Inc., For Restoration Of The Metal Roof On The Building Located At 3000 Rock Island Road Through The State Of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard) In The Net Amount Of \$28,712.00 For The General Services Department
  - (B) Award -- Approving Award To Xerox For A 60-Month Lease Of Copiers Through The Texas Cooperative Purchasing Network (TCPN) For Police/Records, Patrol Division, Community Services And Police/Fire Training Academy; Fire/1st Floor; Purchasing Division; Central Library/Administration And Children's Services; City Attorney And Prosecutor's Office; Information Technology; Water Utilities/Administration; Fleet Maintenance; Community Affairs And ICTN In The Net Estimated Amount Of \$60,963.21 For The Period Beginning With A Tentative Installation Date Of March 1, 2006, Through September 30, 2006; \$104,508.36 For The Period Of October 1, 2006, Through September 30, 2007; \$104,508.36 For The Period Of October 1, 2007, Through September 30, 2008; \$104,508.36 For The Period Of October 1, 2008, Through September 30, 2009; \$104,508.36 For The Period Of October 1, 2009, Through September 30, 2010; And \$43,545.15 For The Period Of October 1, 2010, Through February 28, 2011, Subject To Funds Being Appropriated In Fiscal Years 2006-2007, 2007-2008, 2008-2009, 2009-2010 And 2010-2011, To Be Administered By The Financial Services Department/Purchasing Division
  - (C) Bids -- Annual Bid For Mowing/Litter Control For Medians And Parkways, State Highway 183/Belt Line Road Interchanges, Non-Park Building Grounds, Parks And Streetscapes, And TxDOT Rights-Of-Way Awarded To Whitmore & Sons, Inc., And Forest Hills Lawn Service, Inc In The Net Estimated Amount Of \$127,770.49 For The Period Of March 1, 2006, Through September 30, 2006, And \$33,321.72 For The Period Of October 1, 2006, Through February 28, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The Parks And Recreation Department

- (D) Bids -- Renewal Of Bid With Citigroup For The Fleet Fuel Card Program In The Net Estimated Amount Of \$104,000.00 For The Period Of February 9, 2006, Through September 30, 2006, And \$13,000.00 For The Period Of October 1, 2006, Through October 31, 2006 To Be Used By The Police Department

- 16 Ordinance No. 8606** -- Budget Adjustments To The 2005-2006 Fiscal Year Budget
- I. General Fund
  - II. Street Improvement Bond Fund
  - III. Municipal Drainage Utility Fund

This concludes the consent agenda items #1 through #16, excluding item #12.

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- 12 Resolution No. 2-9-06-048** – Approving A Joint Funding Agreement For Water Resources Investigations Between The City Of Irving And The U.S. Geological Survey, United States Department Of The Interior, In An Amount Not To Exceed \$9,000.00 For The Relocation Of Gage 08049500

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

Frances M. Lyons, 10535 MacArthur Boulevard #2079, spoke in favor of this item

**Councilman Dickens moved to approve the resolution as presented. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.**

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#### INDIVIDUAL CONSIDERATION

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- 17 Ordinance No. 8607** -- Public Hearing -- Proposed Designation Of A Commercial/Industrial Tax Abatement Reinvestment Zone No. Forty-Nine (49) Being All That Same 4.00 Acre Tract As Shown In The Walnut Hill Business Park, Sector I.X, Eleventh Installment, An Addition To The City Of Irving, Dallas County, Texas, Recorded In Volume 80030, Page 0740 Of The Deed Records Of Dallas County, Texas

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition. There were no speakers.

Acting City Manager Cash introduced the item.

Don Williams, 3333 N. MacArthur Boulevard, Director of Business Retention and Expansion for the Las Colinas Chamber of Commerce, spoke in favor of Items 16 and 17 concurrently.

**Councilman Philipp moved to approve the ordinance as presented. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.**

- 18 Resolution No. 2-9-06-052** -- Approving A Personal Property Tax Abatement Agreement Between The City Of Irving And Catalina Tempering-Texas, Inc.

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

**Councilman Philipp moved to approve the resolution as presented. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.**

- 19 Ordinance No. 8608** -- Calling A Special Election On May 13, 2006, On The Question Of Designating Texas Stadium As A Sports And Community Venue Project And Authorizing Taxes On Parking, Tickets, And Facility Use Pursuant To Chapter 334 Of The Texas Local Government Code

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

Acting City Manager Cash called on John Boyle, Boyle & Lowry, and L.L.P., to present this item.

John Boyle, 4201 Wingren #100, reviewed the ordinance calling this election.

The following registered their support, but did not wish to speak.

John Burke, 2920 W. Shady Grove #302

**Councilman Patrick moved to approve the ordinance as presented. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.**

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## APPOINTMENTS AND REPORTS

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- 20 Ordinance No. 8609** -- Appointment Of An Alternate Municipal Court Judge

Mayor Gears introduced the item and stated that Donald G. Davis be appointed as an Alternate Municipal Court Judge.

**Councilman Stopfer moved to approve the ordinance as presented. Seconded by Councilman Dickens, the motion was approved by a vote of 9-0.**

**21** Resolution -- Appointments To Boards, Commissions, And Committees

There were no appointments made.

**22** City Manager's Report

- Parks and Recreation received the 2005 Texas Arts and Humanities Award for the program titled *Voices of Civil Rights - Martin Luther King*,
- The Trail Guide, a joint effort between the Parks and Recreation Department and Community Affairs, and done by our in-house printing team;
- Full funding of the seven million dollar DART Grant Agreement was awarded, he acknowledged former City Manager Steve McCullough and Current Director of Public Works and Traffic and Transportation Jim Cline for their work with this project;
- The Brimer Bill Election is very important to the City of Irving and the citizens, as the Council wants to fulfill the promise that was made in the early sixties that no general fund tax money will be used for this facility.

**23** Mayor's Report

- Mayor Gears stated that originally DART asked for a full funding agreement of five hundred million dollars, which was an extremely high amount for them, but Acting City Manager Sandy Cash, Former City Manager Steve McCullough and Director of Public Works/Traffic and Transportation Jim Cline insisted that they ask for seven hundred million. This means that by the year 2011 the City Of Irving will have light rail going out to the DFW Airport through the Las Colinas Urban Center. This is a very significant accomplishment

**24** Committee And Liaison Report/Meetings

Councilman Philipp stated that the Audit/Finance Committee has started its budget work for next year's budget.

He encouraged all citizens to take the time to go to the Arts Center and enjoy many theater and visual arts activities.

- People, Places and Images displayed through February 28, 2006
- Realism In Print displayed through May 28, 2006
- ISD Student Art Work will be displayed from March 4, 2006 until April 16, 2006

25 The meeting adjourned at 7:44 p.m.

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**CITIZEN FORUM**

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Perry Gilbert, 200 Saint Durney Ct, spoke against the future light rail station at North Lake College; he stated that the quality in this neighborhood would be ruined by this proposed rail station.

Ron Adams, 3937 Timberidge, spoke against the current ordinance regulating amusement machines as it is outdated. He also passed a letter out to the Mayor and Council.

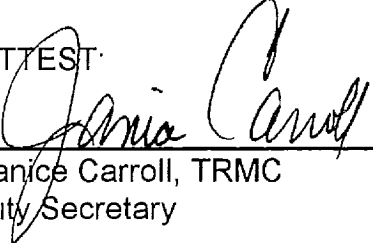
Nancy Wilson, 2911 Bryn Mawr Drive, Irving Citizens Group, spoke about the new animal services ordinance that was passed at the last Council meeting. She provided to the Council her suggestions.

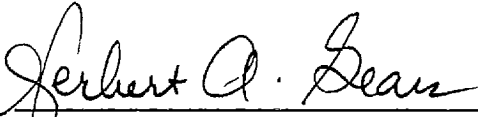
Sue Harper, 1117 S. Delaware, addressed the Mayor and Council regarding vacant and abandoned property and how it impacts the community.

Jackie Garza, 1502 Rindie Street, Irving Citizens Group, spoke about illegal immigration problems within the City of Irving.

Anthony Bond, 4109 W. Northgate #824, thanked the following Councilmen Lewis Patrick, Mayor Gears and James Dickens for being part of the City Wide Dialogue for racial reconciliation. He stated that the City of Irving is not in compliance with the U.S. House Bill 2300, in his opinion.

ATTEST:

  
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Janice Carroll, TRMC  
City Secretary

  
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Herbert A. Gears, Mayor

