

**REGULAR MEETING OF THE IRVING CITY COUNCIL**  
**July 20, 2006**

The City Council met in regular session in the Council Chambers of the City Hall Complex on July 20, 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

Councilman Joe Philipp was not in attendance.

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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Mayor Gears announced that a Firefighter's ball will be held on October 29, 2006, from 5:30 until 10:00 p.m., this will be an annual event. A coloring contest was held among the children of the firefighters. Mayor Gears presented certificates to the following children: Sarah Morgan, Carlen Payne, Callie Payne and Chris Kowal.

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**INVOCATION**

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The invocation was delivered by Ken Branam, Plymouth Park Baptist Church, 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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There were no proclamations or announcements made.

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**PUBLIC INPUT HEARING**

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- 1 **File No. 7-20-06-238** Public Hearing -- Receiving Public Input On The Proposed Fiscal Year 2006-2007 Action Plan For Use Of Federal Grant Funds Under The Community Development Block Grant (CDBG), HOME Investment Partnerships Grant (HOME), American Dream Down Payment Initiative (ADDI) And Emergency Shelter Grant (ESG) Programs

Mayor Gears introduced the item.

The following addressed the City Council.

Rosa Lopez, 3603 N. Winnetka Ave, Executive Director of Vecino Unidos  
Laura Pietsch, 7105 Meadow Creek, Executive Secretary of the Board of Directors  
for Community Dental Care  
Kimberly Humphries, Development Director of Irving Cares, P.O. Box 177425  
Suzanna Swanson, Director of Nursing Home Ombudsman Senior Citizens of  
Greater Dallas, 1215 Skiles Street  
Captain Matt Trayler, Executive Director of Salvation Army in Irving, 250 E.  
Grauwyler Road  
Sharon Barbosa-Crain, 2608 Alan-a Dale, and a member of the Housing and  
Human Services Board

The following registered their support, but did not wish to speak:  
Stella Rodriguez, Irving Family Advocacy Center, 600 W. Pioneer  
Sandra Duncan, Irving Family Advocacy Center, 600 W. Pioneer  
Richard Scott, Irving Family Advocacy Center  
Erma Vaugh, 1625 Story Road  
Derek Smith, 2200 W. Irving Boulevard  
Jana Barker, 928 Bluebird  
Joanne Smith, Family Outreach of Irving  
Patricia Parker, 1513 W. Shady Grove Road  
Precious Arkansas, 3640 W. Northgate

- 2 Resolution No. 7-20-06-239** -- Approving Fiscal Year 2006-2007 Action Plan For Use Of Federal Grant Funds Under The Community Development Block Grant (CDBG), HOME Investment Partnerships Grant (HOME), American Dream Down Payment Initiative (ADDI) And Emergency Shelter Grant (ESG) Programs

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

**Councilman Cannaday moved to approve the resolution and Action Plan as presented. Seconded by Councilman Smith, the motion was approved by a vote of 8-0.**

- 3 Resolution No. 7-20-06-240** -- Approving Contracts With Human Service Agencies Utilizing Community Development Block Grant (CDBG) Funds And Emergency Shelter Grant (ESG) Funds For Human Service Activities In The Amount Of \$346,163.13

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

**Councilman Cannaday moved to approve the resolution and contracts as presented. Seconded by Councilman Stopfer, the motion was approved by a vote of 8-0.**

### **CONSENT AGENDA**

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The consent agenda, items #4 through #22, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda. There were no request. **Councilman Meagher moved to approve the consent agenda Items #4 through #22. Seconded by Councilman Stopfer, the motion was approved by a vote of 8-0.**

- 4 **Resolution No. 7-20-06-241** -- Approving The City Council Work Session Minutes Of June 28, 2006; The City Council Meeting Minutes Of June 29, 2006; And The Special City Council Meeting Minutes Of July 7, 2006
- 5 **Resolution No. 7-20-06-242**-- Authorizing The Mayor To Accept Funding From The Office Of The Governor, Criminal Justice Division, For A Victims Of Crime Act (VOCA) Grant In The Amount Of \$60,992.00
- 6 **Resolution No. 7-20-06-243** -- Approving A Texas Traffic Safety Program Grant Agreement Between The City Of Irving And The State Of Texas, Acting By And Through The Texas Department Of Transportation, For A Selective Traffic Enforcement Program (STEP) Grant In The Amount Of \$10,000.00
- 7 **Resolution No. 7-20-06-244** -- Authorizing Reimbursement Payment In The Amount Of \$868,117.73 To The Hines Las Colinas Land Limited Partnership For Capital Infrastructure Improvements Within The LaVillita Development As Previously Authorized Through A Developer Reimbursement Agreement By Irving City Council Resolution No. 11-21-02-445 And Assigned To Hines Las Colinas Land Limited Partnership By The Las Colinas Land Limited Partnership (LCLLP)
- 8 **Resolution No. 7-20-06-245** -- Authorizing Reimbursement Payment In The Amount Of \$26,696.27 To The Las Colinas Lofts, LP (Lofts) For Capital Infrastructure Improvements Along The Lake Carolyn Promenade Previously Authorized Through A Developer Reimbursement Agreement With Las Colinas Lofts, LP By The Irving City Council On December 1, 2005
- 9 **Resolution No. 7-20-06-246** -- Requesting Permit For Housemoving Case #G0604-0100 To Move A Single Family Dwelling From 510 East Second Street To 1114 Edmondson Drive -- Robert H. Power, Applicant

- 10 **Resolution No. 7-20-06-247** -- Approving A Professional Services Contract With Museum Arts, Inc. In An Amount Not To Exceed \$289,000.00 For The Conversion Of The Historic Masonic Lodge Into The Final Phase Of The Bear Creek Museum At The Jackie Townsell Bear Creek Heritage Center
- 11 **Resolution No. 7-20-06-248** -- Approving A Settlement In *AUI Contractors, L.P. vs. City of Irving* For Damages Caused By Construction Delay During The Grauwlyer Road/Railtran Project
- 12 **Resolution No. 7-20-06-249** -- Awarding A Contract To McMahon Contracting, L.P. In The Amount Of \$1,523,843.70 For The Sunset Drive And Pecan Drive Improvements Project
- 13 **Resolution No. 7-20-06-250** -- Approving Change Order No. 1 To SYB Construction Co., Inc. In The Amount Of \$127,363.70 For The Adah And Bryn Mawr Water And Sewer Replacement Project
- 14 **Resolution No. 7-20-06-251** -- Approving Change Order No. 1 To KPOST Company In The Net Amount Of \$70,474.00 For Texas Stadium Roof Coating And Repairs
- 15 **Resolution No. 7-20-06-252** -- Authorizing Staff To Negotiate An Environmental Services Contract With Enercon Services, Inc. For Gas Well Inspections
- 16 **Resolution No. 7-20-06-253** -- Approving Addendum No. 2 To The Architectural Services Agreement With Larsen Dye Associates Architects In The Amount Of \$12,500.00 For Additional Architectural/Engineering Services For The Briery Road Service Center Master Plan Update Phases I And II
- 17 **Resolution No. 7-20-06-254** -- Purchases Funded In The 2005-2006 Budget
  - (A) Bids -- Award Of Bid To ICx New Heights Corporation For The Purchase Of A Sky Watch Trailer In The Net Amount Not To Exceed \$69,000.00 To Be Used By The Police Department
  - (B) Bids -- Award Of Bid To Stryker For Powered Ambulance Cots In The Net Amount Of \$55,392.00 To Be Used By The Fire Department
  - (C) Bids -- Annual Bid For Medical Supplies To Bound Tree Medical, LLC, Moore Medical LLC; Matrix Medical, A Henry Schein Co.; Emergency Medical Supply; QuadMed, Inc.; And PMI Progressive Medical International In The Net Estimated Amount Of \$13,889.42 For The Period Of August 1, 2006, Through September 30, 2006, And \$69,447.04 For The Period Of October 1, 2006, Through June 30, 2007, Subject To Funds Being Appropriated In Fiscal Year

2006-2007, As Recommended By The Fire Department

- (D) Proposals -- Approving Award Of A Professional Services Contract To Arcus Public, A Division Of Arcus, LLC. For The Fire Chief Recruitment Process In An Amount Not To Exceed \$32,000.00
- (E) Award -- Approving Award To HOLT CAT For The Purchase Of A Track Dozer Through The State Of Texas Local Government Statewide Purchasing Cooperative Agreement, Texas Area School Boards (BuyBoard), In The Net Amount Of \$539,898.00 For The Public Health And Environmental Services Department
- (F) Award -- Approving Award To Insituform Technologies, Inc. For The Purchase Of Cured In Place Pipeline Rehabilitation Services For The Delaware Creek 24-Inch Sanitary Sewer Interceptor Through The State Of Texas Local Government Statewide Purchasing Cooperative Agreement, Texas Area School Boards (BuyBoard), In The Net Amount Of \$444,541.25 For The Water Utilities Department
- (G) Bids -- Award Of Bid To Sam Pack's Five Star Ford For The Purchase Of Five (5) Over One-Ton Trucks In The Net Amount Of \$267,341.00, To Be Used By The Water Utilities Department
- (H) Bids -- Annual Bid For Fiberglass Manholes To Metro Valve & Pipe In The Net Estimated Amount Of \$5,059.25 For The Period Of July 20, 2006, Through September 30, 2006, And \$25,296.25 For The Period Of October 1, 2006, Through July 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The Water Utilities Department
- (I) Bids -- Renewal Of Bid With Big City Crushed Concrete, L.P. And Earth Haulers, Inc. For Road Maintenance Materials In The Net Estimated Amount Of \$17,352.50 For The Period Of September 1, 2006, Through September 30, 2006, And \$190,887.10 For The Period Of October 1, 2006, Through August 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The Public Works and Transportation Department/Streets Division And Water Utilities Department
- (J) Bids -- Annual Bid For Park Grounds Maintenance Materials To Earth Haulers, Inc.; Sunbelt Vacuum Service, Inc. Subsidiary Sunbelt Materials; Red Dog Track, Inc.; And Crouch Sand & Gravel, Inc. In The Net Estimated Amount Of \$13,263.62 For The Period Of July 20, 2006, Through September 30, 2006, And \$31,281.38 For The Period Of October 1, 2006, Through June 30, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The Parks And Recreation Department

- (K) Bids -- Annual Bid For Traffic Paint To Apollo Coating Technologies, Inc. In The Net Estimated Amount Of \$16,588.00 For The Period Of July 20, 2006, Through September 30, 2006, And \$22,739.75 For The Period Of October 1, 2006, Through July 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The Public Works And Transportation Department/Traffic Division
- (L) Bids -- Annual Bid For Heavy Equipment Maintenance - Part 2 To Continental Equipment Company, LP, Future Equipment Co., And Conley Lott Nichols Of Texas, Inc. In The Net Estimated Amount Of \$19,500.00 For The Period Of July 20, 2006, Through September 30, 2006, And \$70,500.00 For The Period Of October 1, 2006, Through May 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The General Services Department/Fleet Maintenance Division
- (M) Bids -- Annual Bid For Parts And Repair Service For Refuse Trucks To Equipment Southwest, Inc. In The Net Estimated Amount Of \$10,000.00 For The Period Of August 1, 2006, Through September 30, 2006, And \$50,000.00 For The Period Of October 1, 2006, Through July 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The General Services Department/Fleet Maintenance Division
- (N) Bids -- Annual Bid For Automobile And Truck Parts To Midway Auto Supply And Harlow Filter Supply, Inc. In The Net Estimated Amount Of \$11,000.00 For The Period Of August 1, 2006, Through September 30, 2006, And \$44,000.00 For The Period Of October 1, 2006, Through July 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The General Services Department/Fleet Maintenance Division
- (O) Bids -- Renewal Of Bid With Irvtex Automotive Sales II, L.P dba Westway Ford, And Grand Prairie Ford For Parts And Repair For Ford Automobile And Light Trucks In The Net Estimated Amount Of \$12,500.00 For The Period Of September 1, 2006, Through September 30, 2006, And \$137,500.00 For The Period Of October 1, 2006, Through August 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The General Services Department/Fleet Maintenance Division
- (P) Bids -- Renewal Of Bid With Dial Lubricants, Inc., Jack Ray & Sons Oil Co., Inc., And Chemsearch, A Div. Of NCH Corp For Lubricants And Solvents In The Net Estimated Amount Of \$2,174.40 For The Period Of September 1, 2006, Through September 30, 2006, And \$54,914.00 For The Period Of October 1, 2006, Through

August 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, To Be Used By The General Services Department/Fleet Maintenance Division

- (Q) Proposals -- Renewal Of Proposal With The Wagner Group, dba Management Scientists II For Police And Fire Promotional And Entrance Examinations In The Net Estimated Amount Of \$21,375.00 For The Period Of August 1, 2006, Through September 30, 2006, And \$64,125.00 For The Period Of October 1, 2006, Through July 31, 2007, Subject To Funds Being Appropriated In Fiscal Year 2006-2007, As Recommended By The Human Resources Department

- 18 Ordinance No. 8670** -- Budget Adjustments To The 2005-2006 Fiscal Year Budget
- I. General Fund
  - II. Water And Sewer System Fund
  - III. Historic Preservation Fund
  - IV. Criminal Justice Grant Fund
  - V. Section 108 Guarantee Loan Fund
- 19 Resolution No. 7-20-06-255** -- Withdrawing The Consideration Of Amending The Comprehensive Plan To Change The Land Use Recommendation Of The Comprehensive Plan From "Light Commercial" To "Single Family Attached, Medium-Density Residential" And Granting S-P-2 (Generalized Site Plan) For R-TH (Townhouse) Uses In Zoning Case #5608 -- An Approximately 14.0 Acre Tract Located On The South Side Of Rochelle Road, Between State Highway 161 And Esters Road -- ShelCan, L.P., Applicant (**Postponed From The May 18, June 15, And June 29, 2006, City Council Meetings**)
- 20 Ordinance No. 8671** -- Repealing Ordinance No. 7834 That Granted S-P-1 (Detailed Site Plan) For R-AB (Restaurant With Attendant Accessory Use Of The Sale Of Alcoholic Beverages For On-Premises Consumption) To Reinstate The Previous S-P-2 (Generalized Site Plan) For C-C (Community Commercial) And FWY (Freeway) Uses In Zoning Case #5628 -- An Approximately 0.1412 Acre Tract Located At 5910 North MacArthur Boulevard, Suite 121 -- Triplet's 1, Ltd., Applicant
- 21 Ordinance No. 8672** -- Zoning Case #5630 -- Granting 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 0.054 Acre Tract Located At 831 North Belt Line Road (West Side Of North Belt Line Road Between Pioneer Drive And Conflans Road) -- John C. Danish, Applicant

- 22 Ordinance No. 8673** -- Zoning Case #5635 -- Granting S-P-2 (Generalized Site Plan) For C-N (Neighborhood Commercial) Uses -- An Approximately 3.5603 Acre Tract Located At 500 South MacArthur Boulevard/1125 West Sixth Street (Northeast Corner Of MacArthur Boulevard And West Sixth Street) -- John C. Danish, Applicant

This concludes the consent agenda approving items #1 through 22.

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## ZONING CASES

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- 23 Ordinance No. 8674** -- Zoning Case #5621 -- Granting S-P-2 (Generalized Site Plan) For R-7.5 (Single Family) And Garage Apartment Uses -- An Approximately 0.297 Acre Tract Located At 1411 French Street -- Donald And Karen Elliott, Applicant

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

The applicant Donald Elliott, 1411 French Street, presented the case.

C.D. Thompson, 622 Channel, asked how many people would be living in the house and if there would be more vehicles parked at the home.

The applicant Mr. Elliott stated that there are no changes.

**Councilman Dickens moved to approve the case as presented. Seconded by Councilman Cannaday, the motion was approved by a vote of 8-0.**

- 24 Ordinance No. 8675** -- Zoning Case #5623 -- Granting S-P-1 (Detailed Site Plan) For R-AB (Restaurant Including The Sale Of Alcoholic Beverages For On-Premises Consumption) Uses Including Retail, Dance And Exhibit Hall, And Indoor Storage -- An Approximately 4.81 Acre Tract Located At 101 North Rogers Road -- Silverado Ranch, Applicant (**Postponed From The June 29, 2006, City Council Meeting**)

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

Bob Power, Attorney at Law, 1311 W. Irving Blvd. representing the applicant presented the case.



The following spoke in opposition:

Carol Wood, 613 Shalamar Place  
Randy Boatright, 3400 Hacienda  
David Lambert, 3821 Double Tree  
David Hill, 802 Paula  
Karen Boozer, 2000 Onetta Drive  
Steven Hill, 802 Paula  
Steven Bunt, 502 Crest Ridge Court  
Barbara Walsh, 644 E. Arawe Circle  
Scooter Walsh, 644 E. Arawe Circle  
Clyde DeLoach, 1205 Ichabod Court  
Frances Hollinghead, 3038 Saint Lo  
Sharon A. Scrivner, 400 Towne Cove  
Jessi Frenzel, 3017 Cody Street  
Elizabeth Stephens, 410 E. 6<sup>th</sup> Street  
Arnold Martin, 424 E. Northgate  
Sue Richardson, 1521 Belmead Lane  
Bobby Raper, 633 W. Arawe Circle  
Patricia Potts, 315 E. Oakdale  
Phil Brown, 1410 Irvin Road

The following spoke in favor of this item:

Don Van Slyke, 2617 Castle  
Tom Madrykowski, 2220 Spanish Trail  
Chris Scarborough, 4344 N. Colony Blvd, The Colony, Texas  
William D. Baley, 1517 N. MacArthur  
Brock Scott, 104 Hapsbury Court  
Dalvin Hampton, 817 6<sup>th</sup> Street  
Warren Cohen, 948 Valley View Drive  
Sharon Gwartney, 925 Cross Bend  
Karen Lovin, 208 Santa Fe Trail #2022

The following registered in opposition of this item, but did not wish to speak:

Tammy Meyers, 1932 Spanish Trail  
Gary Meyers, 1932 Spanish Trail  
Horace Meyers, 3513 Bob-o-Link  
Pam Trimble, 1117 Glen Loch Drive  
Curtis Trimble, 1117 Glen Loch Drive  
Whitney Trimble, 1117 Glen Loch Drive  
Gloria Howard, 1602 Belmead Lane  
James Howard, 1602 Belmead Lane  
A. Joe White 513 McCoy  
Elena Blake, 812 Murl Drive  
Janell Cornelius, 2616 Helmet  
John Snipes 2318 W. 11<sup>th</sup>

Priscilla Snipe 2318 W. 11<sup>th</sup>  
Karen Harmon, 717 Lexington Drive  
N. Lambert 717 Lexington Drive  
Ahmed Hussein, 3017 Cody Street  
Abdu Rahman Hussein 3017 Cody Street  
Mohamoud Farah Edal 2303 Cambridge Drive  
Debra Romanick Baldwin, 913 S. Glenvista  
Sheri & Kevin Byerry 1819 Post Oak Drive  
Gerald Faret, 1308 Mosswood  
John Monroe, 807 Canelia Court  
Oscar Ward, 608 Farine Drive  
Brenda Williams, 124 Crandall Road  
Kerry Williams, 124 Crandall Road  
Carolyn Carey, 2505 W. Newton Circle  
Reba Lawson, 3101 Williamsburg  
Stacey Martin, 1503 Irvin Road  
Kaye Ward, 608 Farine Drive  
Clint D. Thomas Jr., 622 Channel  
Loren Byers, 918 E. Tanglewood  
A.B. Scott, 104 Hapsburg Court  
Hubert Parks, 2526 Hines  
Regenia Geyer, 3424 Cavalier Court  
Michael Geyer, 3424 Cavalier Court  
Pam Brown, 1410 Irvin Road  
Tim Suterlin, 920 W. Northgate Drive  
Vicky Suterlin, 920 W. Northgate Drive  
Sara Judy Carriere, 1821 Collier  
Richard Carriere 1821 Collier  
Claudine Lindsey, 1925 Franklin  
Evadee Stricklin, 1925 Franklin  
Marion White, 513 McCoy  
Beca DeLoach, 1205 Ichabod Court  
John Kuykendall, 704 Bowman  
Robert Mathena, 11613 Meadow Valley  
Horace Meyers, 3513 Bob-O-Link  
Whitney Trimble, 1117 Glen Loch  
Curtis Trimble, 1117 Glen Loch  
Pam Trimble, 1117 Glen Loch  
Betty & Ray Yarbrough, 204 W. 7<sup>th</sup>  
Karen Farris, 1308 Mosswood Lane  
Pat Pachnick, 435 Pecan Drive  
Ken Pachnick, 435 Pecan Drive  
James Schane, 1113 S. Delaware  
James Hollinhead, 3038 St. Lo  
Scott Walsh, 1725 Caddo Drive  
Melanie Walsh, 1725 Caddo Drive

Mario A Nandin, 111 Collins Drive

The following registered in favor of this item, but did not wish to speak:

Raymond Guiartney, 925 Crossbend  
Barry Gann, 1520 John Smith  
Mason Parish Adams, 910 Olde Towne Drive  
Daniel Parish, 910 Olde Towne  
Patrick A. Mallon, 2512 Willow Lane  
Ashley Walser, S. Delaware Apt 4  
John T. Mallon III, 512 S. Delaware Street #4  
Sally Moore, 605 Carlisle  
Brandi Parnow, 10422 Robindale Drive, Dallas, Texas 75238  
Arnold Sanchez, 4126 Victoria Street  
Eric Linder, 3217 Mockingbird Lane, Dallas, Texas 75205  
Barbara T. Linder, 33440 PCH, Malibu, CA 90265  
Lisa J. Enriquez, 1410 Barbara Drive  
Tommy McGar, 2200 Dear Ridge, Venus, Texas  
Thomas Osen, 6465 Sudbury Way, N. Richland Hills, Texas 76180  
Vance Boueltlow, 1020 N. Britian  
Arnulfo Sanchez, 920 Sywan Creek, Lewisville, Texas 75067  
Josh Sanchez, 1325 San Antone, Lewisville, Texas  
Leo Thuderhorse, 2307 Misty Ridge Circle #275, Arlington, Texas 76011  
Jennifer Valangdonek, 920 Sylvan Creek, Lewisville, Texas 75067  
Eric M. Kellner, 5733 MacRae Street, Haltom City, Texas 76148  
Sandra Clarkson, 781 Webb Place, Cedar Hill, Texas 75104  
Bobby Connelly, 126 E. Kaufman Street, Richardson, Texas 75081  
Santiago Olvera, 401 Ouida Road  
William Hunt, 9809 Walnut Hill Drive  
Donette Young, 2200 Deer Ridge, Venus, Texas 76084  
S. Bouchilloe, 50 Kelly Circle  
Sam Clarkson, 781 Webb Place, Cedar Hill, Texas 75104  
Lincoln Jones, 4267 S. Cresthaven, Dallas, Texas 75209  
Whitney Clarkson, 781 Webb Place, Cedar Hill, Texas 75104  
Jeannie Lane, 2740 Quail Valley  
Jerry Max Lane, 2740 Quail Valley  
Gregory Troin, 7825 McCallum Blvd., Dallas, Texas  
Alexandra Dubois, 7151 Gaston Ave #908  
Christopher Ayalya, 1004 Meadow Creek #3132

Mayor Gears announced that a petition against the zoning case has been presented to the Council this evening.

After lengthy Council discussion, **Councilman Meagher moved to approve the zoning case for site plan zoning with all stipulations, but excluding the restaurant/alcohol zoning designation. Seconded by Councilman Smith, the**

**motion was approved by a vote of 6-2, with the following voting in opposition:  
Councilman Dickens and Councilman Patrick,**

- 25 Ordinance No. 8676** -- Amending The Comprehensive Plan To Change The Land Use Recommendation Of The Comprehensive Plan From "Light Commercial" To "Single Family-Attached, Medium Density Residential" And Granting S-P-2 (Generalized Site Plan) For R-TH (Townhouse) Uses In Zoning Case #5634 -- An Approximately 14.101 Acre Tract Located On The North Side Of Walnut Hill Lane At Esters Road -- JDJR Engineers & Consultants, Inc., Applicant

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

Jim Dewey, JDJR Engineers and Consultants, Inc. 2500 Texas Drive, representing the applicant presented the case.

**Councilman Patrick moved to approve the case as presented. Seconded by Councilman Dickens, the motion was approved by a vote of 8-0.**

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#### INDIVIDUAL CONSIDERATION

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- 26 Resolution No. 7-20-06-256** -- Confirming The Appointment Of Michael Evitts As Acting Chief Of The Irving Fire Department

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

City Manager Tommy Gonzalez commended the retiring Fire Chief Paul White for the excellent level of leadership and service that he provided to the City of Irving for the past three and one half years with the City.

**Councilman Patrick moved to approve the resolution as presented. Seconded by Councilman Cannaday, the motion was approved by a vote of 8-0.**

- 27 Resolution No. 7-20-06-257**-- Approving A Personal Property Tax Abatement Agreement Between The City Of Irving, Fremont Investment And Loan, And Trinet Corporate Partners II, L.P.

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

**Councilman Dickens moved to approve the resolution as presented. Seconded by Councilman Smith, the motion was approved by a vote of 8-0.**

**28 Resolution No. 7-20-06-258-- Approving The City Of Irving's Strategic Plan**

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

City Manager Tommy Gonzalez introduced the plan and Mayor Gears reviewed each goal and the strategy/action items under each goal.

**Councilman Smith moved to approve the resolution and plan as presented. Seconded by Councilman Cannaday, the motion was approved by a vote of 8-0.**

**29 Ordinance No. 8677 -- Accepting The Bid Proposal By The Irving Community Development Corporation For The Purchase Of City-Owned Property Located At 4103 West Pioneer Drive To Provide Affordable Housing And Authorizing The Mayor To Execute A Special Warranty Deed Upon Receipt Of The Consideration Stated In The Bid Proposal**

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

**Councilman Patrick moved to approve the ordinance as presented. Seconded by Councilman Dickens, the motion was approved by a vote of 8-0.**

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**APPOINTMENTS AND REPORTS**

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**30 Resolution No. 7-20-06-259 -- Appointment To The Dallas County Utility And Reclamation District Board Of Directors**

Mayor Gears introduced the item.

**Councilman Dickens moved to appoint William Lokey to serve the remainder of a term of office expiring October, 2009 on the Dallas County Utility and Reclamation District Board. Seconded by Councilman Patrick, the motion was approved by a vote of 8-0.**

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

There were no appointments made.

**32 City Manager's Report**

City Manager Gonzalez presented the following written report.

### **Projects/Activities Updates**

**West Nile Virus** – The city has received notification of its first confirmed human case of West Nile virus. The resident lives in the 75061 zip code in South Irving. Environmental health officials have sprayed areas near the resident's home. This is not the first case of human West Nile virus in Dallas County, and three more cases were announced Tuesday. Residents are encouraged to use precautions to avoid mosquito bites. Irving public health officials use active surveillance for mosquito-borne illnesses. Each week, up to 10 sites are chosen for overnight mosquito trapping. Trapped female mosquitoes are shipped to the state health department laboratory in Austin to be tested for all known mosquito-transmitted viruses. City staff also responds to resident concerns, treats standing water to kill juvenile mosquitoes, and monitors the trapping results of other Dallas County cities. As per the Centers for Disease Control and Prevention protocol, the City of Irving conducts mosquito spraying operations when one or more of the following public health conditions becomes known:

1. When mosquito trap counts exceed a preset number.
2. When a trap sample is positive for West Nile virus.
3. When a suspected human case of West Nile virus is reported.
4. When a confirmed human case of West Nile virus is reported.

Residents experiencing significant mosquito activity should report this information to Irving's mosquito hot line at (972) 721-3755.

**ERCOT Power Warning** – The State Operations Center and the Electric Reliability Council of Texas (ERCOT) have notified cities around the state this week that exceptionally high electricity demand, driven largely by the record high temperatures, could lead to power shortages during peak afternoon and early evening hours. Monday's demand for electricity was a record 62,396 megawatts, which is close to the reported maximum capacity of 67,000 megawatts. ERCOT, which manages the state's power grid, has strongly urged consumers to reduce electricity use and declared a "yellow" conservation alert.

**Lively Pointe Renovation** – Residents have the opportunity to review the proposed schematic plans for the expansion and renovation of the Lively Pointe Youth Center. The meeting is set for 6:30 p.m. Thursday, July 20, in the center's large activity room. Plans call for construction to start sometime next summer.

**Brush Collection** – We will enhance our residential services starting July 31 by offering curbside collection of brush and bulky items on a weekly basis. This change represents a significant service level increase from the current monthly collection schedule. Brush and bulky items will be picked up on the same day as a resident's recyclables. An informational brochure was delivered to each household explaining

the service enhancement, and the item also has been publicized via *City Spectrum*, ICTN and the local newspapers.

**Water Contingency Plan** – The city continues to operate under Stage 2 water restrictions as part of the Water Management Plan. Water customers are responding well to the restrictions, and have been notified of the time changes to the watering schedule. We see no immediate relief to the existing drought conditions, and Water Utilities continues to monitor our water reserves on a daily basis.

**Animal Services Enhancements** – Work continues on the enhancement of the city's animal services program, as endorsed by the City Council on May 31. Of the 24 projects identified in the plan, 11 are completed, eight are in various stages of completion, and the remainder will be initiated within the next two months. Examples of completed projects are:

- Hired a part-time veterinarian to provide primary medical care to impounded animals as needed.
- Installed waterless hand-sanitizer stations in the cat room and dog kennel areas.
- Implemented a new "red card" hold system to minimize the opportunity for an unsatisfactory outcome (inappropriate euthanasia or inappropriate adoption) for animals impounded at the shelter.
- Implemented 11 specific departmental policies and weekly employee training meetings to ensure consistent public service.
- Purchased sanitizable, non-absorbent dog beds, and pet cleaning and grooming equipment.
- Started conducting comprehensive weekly inspections of the shelter by public health management.
- Began conducting daily self-inspections (morning, noon and prior to 8:30 p.m.) of entire shelter to ensure that animals have adequate water, food and a clean cage.
- Expanded the minimum time that owner-released pets are being held to allow residents the opportunity to "change their minds."

**Downtown Irving Sparkles** – A group of volunteers, city staff and the Greater Irving-Las Colinas Chamber of Commerce are pooling their expertise to organize a spruce-up of commercial property along Irving Boulevard, from Nursery to Britain roads. Some of the projects include removal of bulk waste; sweeping and striping parking lots and streets; window washing; and exterior paint. Anyone interested in participating with this project is encouraged to contact Teresa Adrian in Code Enforcement. The project will begin Sept. 16 and is scheduled to be completed by Oct. 21.

**Code Enforcement Initiative** – In the early fall, teams of city staff and residents will start neighborhood reviews of residential neighborhoods to identify code violations. These reviews are in response to input provided in the last Resident Survey

regarding concerns about neighborhood conditions. Standing on sidewalks and public right-of-way, "surveyors" wearing vests will identify code violations observed on private properties as well as some conditions in public areas (curbs, streets and sidewalks). That information will be entered into palm pilots obtained through grant money and shared with all responsible parties, who will be given an opportunity to make corrections. City staff will return to the area several months later to re-evaluate the neighborhoods. Comparison maps and data will be generated in order to track improvements that have been made since the initial assessment.

### **Recognitions/Awards**

**KTB Board Member** – Bob Horton, Keep Irving Beautiful program administrator, has been elected to the Board of Directors of Keep Texas Beautiful. He has served as Irving's program administrator since 2000.

### **Upcoming Events/Activities**

**Neighborhood Roundtable** – July 25, 7 p.m., Council Conference Room. This meeting with neighborhood association officers will feature speakers Fran Witte on the recycling/Blue Bag Buddy program and Officer Roberta Cline on neighborhood and resident services provided by the Irving Police Department.

**9<sup>th</sup> Annual Transportation Summit** – Aug. 8-11, The Westin Dallas Fort Worth Airport. Hosted by the City of Irving, this annual summit brings elected officials and industry experts together to discuss every mode of transportation and other issues affecting highways, transit, high-speed rail, seaports, aviation, security, safety and financing.

**Special Library Exhibit** – Aug. 18-Sept. 29, Irving Central Library. "Forever Free, Abraham Lincoln's Journey to Emancipation" examines Lincoln's efforts to abolish slavery during the Civil War and includes reproductions of rare historical documents, period photographs, engravings, lithographs and cartoons. The free exhibit is funded by a grant from the National Endowment for the Humanities.

**Citizen's Police Academy** – starts Aug. 29, 7 to 10 p.m. This 11-week program gives residents a behind-the-scenes look of the Police Department. The free program is open to Irving residents ages 18 and older.

#### **33 Mayor's Report**

There was no report given.

#### **34 Committee And Liaison Report/Meetings**

There were no reports given.



35 The meeting adjourned at 10:35 p.m.

**CITIZEN FORUM**

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Clare Morris, 8605 Forest Glen Drive, member of the Irving Animal Shelter Reform Group, gave an update on the staff improvements that have been made since the \$75,000 was authorized by the Council for specific animal shelter improvements.

Betty Yarbrough, 204 W. 7<sup>th</sup>, member of the Irving Animal Shelter Reform Group, also addressed the Mayor and Council regarding the animal shelter improvements that have been made by the city staff.

*Herbert A. Gears*

Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary

