

REGULAR MEETING OF THE IRVING CITY COUNCIL
September 6, 2007

The City Council met in regular session in the Council Chambers of the City Hall Complex on September 6, 2007, at 7:00 P.M. The following members were present:

Mayor Herbert A. Gears

Councilmembers

Thomas D. Spink

Beth Van Duyne

Allan E. Meagher

Lewis Patrick

Rose Cannaday

Rick Stopfer

Sam Smith

Joe Philipp

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears recognized the family of Officer Andrew Esparza who died in the line of duty on April 13, 2007. He presented his family with a special proclamation and a sculpture in his memory. Mayor Gears also stated that a memorial had been erected and a street will be named in honor of Officer Esparza.

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Bill Walker, announced that the Poverty and Homeless Coalition will be holding a conference on February 29, 2008, at the South MacArthur Church.

George Stephenson, 2105 Druid Drive, invited all men in Irving to attend the 2nd Annual Christian Men's Day of Prayer to be held at the Calvary Church from 9:30 to 3:00 p.m.

Jan Bodner, Library Service Supervisor for the Irving Public Library, invited everyone to join in the inaugural event of the "One Book, One Irving" program. Sandra Cisneros, author of this year's selection, *The House on Mango Street*, will speak at the Irving Arts Center. Ms. Bodner announced that this event will be on Monday, September 17, 2007 at 7:00 p.m. and will include a book signing at the Carpenter Hall, Irving Arts Center, 3333 N. MacArthur Blvd. This event is free and open to the public she stated.

INVOCATION

The invocation was delivered by Pastor Robert Corser, Joy Chapel, of the City Of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PUBLIC INPUT HEARING

- 1 File No. 9-6-07-332** -- Public Hearing -- Public Input On The 2007-2008 City Of Irving Fiscal Year Budget

Administrative Comments

1. Residents are invited to comment upon City operations and to express their views on how funds should be expended.
2. The 2007-2008 Proposed Budget consists of the following fund groups:
 - a) General Fund (General Government Operation)
 - b) Enterprise Funds (Water & Sewer System, and Municipal Drainage Utility System Funds)
 - c) Internal Service Funds (Garage and Equipment Replacement Funds)
 - d) Capital Improvement (Bond Funds)
 - e) Interest and Sinking Funds
 - f) Trust and Agency Funds (Grants, Insurance, Pensions, etc.)
 - g) Special Revenue Funds (Texas Stadium Funds, Irving Convention and Visitors Bureau, Irving Arts Center and Community Affairs)
 - h) Debt Service Funds

Mayor Gears introduced the item and stated that no one signed up to speak.

City Manager Gonzalez stated that a short video would be shown and a short synopsis was presented on the budget.

- 2 File No. 9-6-07-333** -- Public Hearing -- Public Input On A Proposal To Increase Tax Revenues From Properties On The Tax Roll In The Preceding Tax Year By 9.5%

Mayor Gears introduced the item and stated that no one signed up to speak.

- 3 Resolution No. 9-6-07-334** -- Setting Dates For Public Input Hearings For The 2007-2008 City Of Irving Fiscal Year Budget And A Date For Adoption Of The 2007-2008 City Of Irving Fiscal Year Budget

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

The following registered in opposition, but did not wish to speak.

Jamel Allen, 4073 N. Beltline Road

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

- 4 Ordinance No. 8850** -- Amending Chapter 5 Entitled "Ambulance Service" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, By Increasing Ambulance Fees; Providing Definitions; And Providing A Severability Clause

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

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

- 5 Ordinance No. 8851** -- First Reading -- Setting A New Schedule Of Storm Water Drainage Fees And Exempting State Agencies And Public Institutions Of Higher Education

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

Councilman Spink moved to approve the ordinance as presented. Seconded by Councilman Patrick, the motion was approved by a vote of 8-1, with Councilwoman Van Duyne voting in opposition.

- 6 Ordinance No. 8852** -- First Reading -- Amending Chapter 34A Entitled "Right-Of-Way Management" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Establishing A Franchise Fee On Water, Sewerage, And Refuse Pick Up Service

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

Councilman Philipp moved to approve the ordinance as presented. Seconded by Councilman Meagher, the motion was approved by a vote of 7-2, with the Councilwoman Van Duyne and Councilman Spink voting in opposition.

- 7 Ordinance No. 8853** -- First Reading -- Amending Section 52-1 And 52-3 Of Chapter 52 Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing For New Monthly Water Rates, New Sewer Rates, Providing An Effective Date And Providing A Severability Clause

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

Councilman Meagher moved to approve the ordinance as presented. Seconded by Councilman Patrick, the motion was approved by a vote of 7-2, with Councilwoman Van Duyne and Councilman Spink voting in opposition.

CITY COUNCIL AGENDA

8 City Manager's Report

Goal No. 1: Land Use

Corridor Enhancements – City staff has completed design plans on two corridor enhancement projects and a pocket park. Construction will begin this fall on the pocket park at Grauwlyer Road and MacArthur Boulevard, with expected completion by the end of the year. Construction will begin this winter on the MacArthur Boulevard and Weathered Street corridor enhancement project, with completion next spring. The MacArthur Boulevard and Shady Grove Road corridor enhancement project will be completed in 2008 in preparation for the opening of the North Lake College South Campus.

Goal No. 2: Vibrant Neighborhoods

New Neighborhood Association – The Corporate Communications Department assisted with the formation of a new neighborhood association on Aug. 20. More than 40 residents were in attendance at the general membership meeting. The new neighborhood association includes more than 300 homes and businesses within the boundaries: State Highway 183 to Grauwlyer Road, and Oak Meadow to MacArthur Boulevard. The name of the association will be discussed at the next general membership meeting.

Goal No. 3: Economic Development

Economic Development Partnership Initiatives – The Irving Economic Development Partnership has initiated 10 new recruitment and/or expansion projects since Aug. 1, demonstrating the strength of the Irving-Las Colinas marketplace. The projects ranged from a Fortune 500 company office to a new sushi restaurant. All sub-markets within the city saw activity during this period.

Irving Business Recognition – The *Dallas Business Journal* recognized 19 Irving-based businesses as being the largest Metroplex-based companies. They are ExxonMobil, Kimberly-Clark, Fluor Corporation, Commercial Metals, Flowserve, Zale Corporation, Pioneer Natural Resources, FelCor, CEC Entertainment, Darling International, Carbo Ceramics, Nexstar Broadcasting, EFJ Inc., DG Fastchannel, Thomas Group, Carrington Laboratories, RBC Life Science, Healthaxis, and Integrated Security Systems. Irving is home to more of DFW's largest corporate headquarters than any other city in the Metroplex, except Dallas.

Small Business Incentives – The Irving Economic Development Partnership has met with three businesses that will take advantage of the small business incentive policy adopted in July by the City Council.

Groups in Irving – The Irving Convention and Visitors Bureau welcomed the following groups to Irving: American Society of Civil Engineers (Aug. 18-20); Seattle Mariners Baseball Club (Aug. 22-26); U.S. Department of Homeland Security (Aug. 24-26); The United Methodist Church-General Council on Ministries (Aug. 25-30); Chicago White Sox Baseball Club (Aug. 27-30); Mindful ReThinking Education (Aug. 30-Sept. 3); Dallas Stars (Sept. 1-3); Kansas City Royals Baseball Club (Sept. 2-5); Dallas Securities Traders Association (Sept. 5-9); Heart Rhythm Society (Sept. 5-

6); and Oakland Athletics Baseball Club (Sept. 5-9).

Element Hotel Announcement – Starwood Hotels & Resorts Worldwide Inc. announced an agreement with Irving-based venture investment company Sava Holdings LTD to develop an Element hotel near the intersection of Interstate 635 and Belt Line Road. Inspired by Westin Hotels & Resorts, Element Irving will have 123 guestrooms designed for extended stay, each featuring a full kitchen, contemporary bathroom with oversized spa shower, and the renowned Westin Heavenly Bed. The nature-inspired hotel will have modern touches such as WiFi and an international pantry stocked with everything from Korean kimchi soup to Greek delicacies. Other features include 1,600 square feet of meeting space and an integrated technology center and library. Element Irving breaks ground on Sept. 6, with an anticipated opening in October 2008.

ICVB Director Named Chair-Elect of International Board – Maura Gast, executive director of the Irving Convention and Visitors Bureau, has been elected chair-elect of the 2007-08 Destination Marketing Association International (DMAI) board of directors. The selection of the new officers was ratified during DMAI's 93rd Annual Convention in Pittsburgh, Pa. Next year, Gast is slated to become only the third female board chair in the association's 93-year history.

Goal No. 4: Safe and Secure City

Microchipped Pet Found in Irving – Irving Animal Services picked up a Persian cat after it was reported sleeping on someone's porch for two days. Because the cat had a microchip, Animal Services was able to locate the owner in California. The owner informed them that the cat had been stolen more than a year ago, and it is unknown how the cat ended up in Irving. Susie Williamson, special activities coordinator for Animal Services, will use her frequent flyer miles to fly "Barney" to Sacramento on Sept. 6 to meet his owner. American Airlines has waived the \$80 fee normally charged for carrying a pet on the plane.

Drunk Driving Arrest Initiative – The Irving Police Department joined thousands of other law enforcement and highway safety agencies across the nation in the "Drunk Driving – Over the Limit. Under Arrest" crackdown on impaired driving. This effort, which was organized by the National Highway Traffic Safety Administration, took place Aug. 17 through Labor Day.

Radio System Backup Drill – The Irving Police Department, in collaboration with the Information Technology Department, Tarrant County 9-1-1 District and Grand Prairie Police Department, successfully conducted a full-scale test and drill on Aug. 19 of the communications backup facility and equipment. Such tests are critical to ensure smooth continuation of emergency operations in the event of service interruption at the main communications facility.

Crime Free Multi-Housing Program – Eight new apartment complexes began Phase I training in the Crime Free Multi-Housing Program on Aug. 22. There are currently 29 active properties in the certification process.

Grant Award – Kris Pollard, school resource officer at Bowie Middle School, was recognized by the Texas Excellence in Education Grant Committee of Bowie Middle School for his efforts in providing a safe and secure environment for the students. Officer Pollard received an award of \$500.

Counterfeit Credit Card Operation – As the result of an investigation into a credit card abuse offense at Irving Mall, several other offenses and suspects were identified as being involved in a counterfeit credit card operation with an estimated loss exceeding \$200,000. The Secret Service, several area law enforcement agencies and private sector groups were brought together in an effort

to shut down the operation. The investigation has led to two additional arrests and the seizure of credit card skimming devices, credit card numbers, stolen identifications and the identification of the operation's ring leader. Federal charges of credit card abuse and engaging in organized criminal activity will be filed. The investigation is ongoing.

Irving Teen Court Grant – For the fourth consecutive year, Irving Teen Court has received a \$15,000 grant from the Allstate Insurance Company. The grant money is used by Teen Court to fund anger management and life-skills classes for teen defendants, as well as volunteer recognition events. In 2004, Teen Court received an initial grant in the amount of \$12,000. In 2005, the grant was increased to \$14,000, and for 2006 and 2007 the grant awarded was \$15,000.

National Incident Management Seminar – Fire department members John Bitto and Jason Darrow traveled to Phoenix, Ariz., to attend the National Incident Management Seminar offered by the Phoenix Fire Department. The training provided to these two officers will be used in preparing Irving fire staff to better respond to local emergencies, as well as during multi-jurisdictional disasters.

Citizen's Fire Academy – The 12th class of the Citizen's Fire Academy started on Sept. 4 with a full attendance of 17 people. This program provides in-depth training on fire department functions and is available to persons who live and work in Irving.

Aerial Ladder-Platform Truck – A new 100-foot aerial ladder-platform truck has been delivered to the Fire Department. This unit provides new capability for the department in terms of firefighting and rescue. It will be placed in service at Fire Station No. 9.

Back-to-School Health Fair – More than 250 children received immunizations, along with free backpacks and school supplies, at a special Back-to-School Health Fair on Aug. 25 at Irving Mall. The event was coordinated by the Corporate Communications Department, in collaboration with the Irving Independent School District, Irving Mall, North Lake College, Amerigroup, The Care Van (Blue Cross Blue Shield of Texas), and the Dallas County Health Department. Total event attendance was close to 600 people, including parents and children. Backpacks were donated by Amerigroup.

Administrative Investigation Management Software – Information Technology assisted the Police Department with implementation of new administrative investigation management software. This software will provide police officials with a dynamic tool to collect, manage, track, analyze and report on a wide range of data including internal affairs, use of force, pursuits, accidents, awards, time/attendance, and other data related to employee professionalism, performance and productivity.

Goal No. 5: Diversity

International Fair – Heritage Senior Center is hosting an International Fair from 10 a.m. to 2 p.m. Sept. 8. The event will offer a variety of dance, music, food and displays from many of the diverse cultures represented in Irving. There is no charge to attend, and all ages are welcome.

Bilingual Storytime – The Irving Central Library will hold a special bilingual storytime with Irving Fire Chief Mario Molina at 7:30 p.m. Sept. 13. Children under age 8 must be accompanied by an adult caregiver. No registration is required.

Hispanic Heritage Month – In celebration of Hispanic Heritage Month, the Irving Arts Center will host two exhibitions - "Arte de America Hispana" and "Serie Print Project: 1993-2006." Arte de

America Hispana features culturally rich art from the 2007 Hispanic Yellow Pages contest. The competition challenged local artists to create original works, showcasing the rich and diverse Hispanic heritages found in the Metroplex. The exhibition will be on view in the Focus Gallery from Sept. 6-Oct. 28. The Serie Print Project: 1993-2006 features 31 fine art serigraph prints by Latino/Latina artists from the Coronado Studio in Austin produced from 1993-2006. It will be on view in the Dupree Theater Lobby from Sept. 15-Oct. 28. The exhibit is sponsored by the City of Austin through the Department of Economic Growth and Redevelopment, the Texas Commission on the Arts, the Alice Kleberg Reynolds Foundation and the Puffin Foundation.

Goal No. 6: Effective Communications

New ICTN Programming – Irving Community Television Network (ICTN) has launched a new city magazine show, called “City Source,” to showcase the variety of programs and initiatives being completed by the City of Irving. Courtney Mason serves as producer/director of the program. A new half-hour show airs every two weeks. “City Source” airs on ICTN 1 (Time Warner – Channel 16 and Verizon – Channel 30, or at www.ictn.tv).

Big Brothers Big Sisters School-Based Mentoring – Seventeen city staff members have volunteered to participate in the Big Brothers Big Sisters (BBBS) of North Texas School-Based Mentoring program. A cooperative effort between the City of Irving, BBBS and the Irving Independent School District, employees will be placed with students at either Austin Middle School or Gilbert Elementary in the South Austin Heights area. Participants will work with students for 30-60 minutes each week, two to four times a month, starting later this month. Additional city employees have expressed an interest in participating in the program.

ICTN Airtime Expanded – Irving Community Television Network (ICTN) has expanded its hours on the air with a block of programming that begins at 9 a.m. on ICTN 1 (Time Warner – Channel 16 and Verizon – Channel 30, or at www.ictn.tv). The new hours are 9 a.m. to 4 p.m. Monday through Friday, excluding holidays. ICTN also is planning expansion of programming on all three channels through the use of automated equipment.

Goal No. 7: Cultural, Recreational and Educational Environments

One Book, One Irving – The Irving Public Library will kick off its annual communitywide reading series with Sandra Cisneros at 7 p.m. Sept. 17 at the Irving Arts Center, 3333 N. MacArthur Blvd. Cisneros is author of the classic book, “The House on Mango Street,” this year’s choice for the series. One Book, One Irving encourages everyone to read the same book at the same time to generate dialogue and community-building through a shared experience. Cisneros will be available to meet the public and sign autographs. Her appearance is sponsored by the Friends of the Irving Public Library and made possible through the library’s partnership with the Irving Arts Center.

New Library – The Irving Public Library will soon open a stand-alone 26,000-square-foot Valley Ranch Library at 401 Cimarron Trail. The current leased facility will close Sept. 21 for the transition to the new location. A grand opening celebration is set for 10 a.m. Oct. 6 with a ribbon-cutting ceremony followed by a celebration with refreshments, magic shows, storytimes and other entertainment.

Recreation Center Fall Program Session – The recreation center’s fall classes began Sept. 3. A variety of classes are offered for all age groups, from toddler to senior citizens. Registration will continue to be available throughout the session. After-school programs are currently being offered

at all six recreation centers. Registration is ongoing throughout the school year. The program provides supervised after-school care for children and includes snacks, homework assistance, and recreational games and activities.

YAC Fest – Youth Services will host its annual YAC Fest from 2 to 7 p.m. Sept. 22 at Trinity View Park Adult Softball Complex. The event, for ages 12-18, will offer games, prizes and food, highlighted by the top up-and-coming teenage bands playing in the battle of the bands competition. Admission is free.

25th Annual Ms. Mature Irving Pageant – The 25th Annual Ms. Mature Irving Pageant will be held at 7 p.m. Sept. 28 at Carpenter Performance Hall. The pageant is a gala event and contestants compete in various categories, including talent and formal wear, to determine who will be crowned Ms. Mature Irving for 2007-08. The winner will represent Irving in the Ms. Mature Texas Pageant. The night will include entertainment and food. Mayor Herbert Gears and his wife, Christina, will officially crown the winner. Tickets are available at the Irving Arts Center box office and also the night of the event.

Goal No. 8: Sound Governance

9th Annual Texas Municipal League Conference – John Mayer, IT assistant director of operations, will speak at the Texas Municipal League Annual Conference in Dallas this November. The topic will feature “Optimizing the Citizens’ Technology Experience with Your City: E-Government Programs Beyond the Basics.”

Workers’ Compensation Focus Group – The Human Resources risk division conducted a focus group with various departments to review and obtain feedback on workers’ compensation injury reporting forms, procedures and practices with the assistance of the Human Resources training group. Information gathered will be used by risk management to improve communication and revise reporting methods.

Executive Leadership Forum – Human Resources has scheduled the organization’s initial Executive Leadership Forum for Sept. 28. These forums will be designed to offer senior and executive managers training and development for mastering leadership strategies.

Employee Training – Human Resources will be offering the following employee training events:

- Sept. 7 – The Great Irving Forum (TGIF) – What Do You Mean I Have a Negative Attitude? – Dr. Ann Wildemann will offer attendees constructive ways to deal with people who procrastinate, are hostile, defensive, refuse to accept accountability, blame others and criticize or complain.
- Sept. 11 – The Martial Arts of Assertive Communication – Holding back and lashing out at others does no good. Learn to moderate your own behavior and become a role model to those with whom or for whom you work. The correct choice of assertive communication expands personal growth, increases productivity, and fosters a positive team attitude.

Leadership Development Program – Human Resources will host the graduation event for members of the 2007 Leadership Development Program from 11 a.m. to 2 p.m. Sept. 18 at the Garden and Arts Center.

Resident Survey – A capstone team from the University of Dallas Graduate School of Management will assist the city with revising the Irving Resident Survey questionnaire to align it with the city’s strategic goals. The survey will be mailed to residents in January. Survey results will enhance the city’s ability to gauge the success of the Strategic Plan, and will be used to set budget

priorities and improve the delivery of city services.

Strategic Plan Year-end Update – Residents can visit the city Web site and view the progress that has been made this past year in meeting the city’s 10 strategic goals. A video and year-end update report provides residents with an overview of the accomplishments made in each goal. Log on to www.cityofirving.org, and click on the Strategic Plan link on the left sidebar.

Consolidation of IT Services – The database/GIS division of the Information Technology Department (IT) has been relocated from the Valley View Municipal Complex to the basement of City Hall to promote operational efficiency and assist in overall IT customer service. Other key IT staff will remain in major remote locations such as the Fire and Police departments.

Open Records Requests – The City Secretary’s Office has worked with the City Attorney’s Office to develop updated, centralized procedures for processing open records requests. Included in the procedures are the recent legislative updates for the Public Information Act. The City Secretary’s Office also worked with the Information Technology Department to update the city Web site with information and forms. The City Secretary’s Office and City Attorney’s Office will conduct employee training for this new process. In addition, a procedural binder will be provided for each department. This policy is a result of the City Council’s action in appointing the city secretary as the public information coordinator.

Destruction of Records – The City Secretary’s Office has shredded 88 boxes of paper for Municipal Court, Information Technology, Public Works/Traffic, ICVB, Records Management, Solid Waste Services, Animal Services and Financial Services. Also, approximately 120 pounds of microfilm, tapes and CDs have been destroyed. Records management also has worked with purchasing and the internal auditors in the destruction of expired city credit cards. Also during the month of August, 94 boxes of records were received for storage from Human Resources, Equipment and Building Services, and Water Utilities/ Customer Service.

Goal No. 9: Infrastructure Network

Grauwlyer and Nursery Roads Construction – With the start of a new school year, Public Works/ Engineering staff contacted the Irving Independent School District about the ongoing construction on East Grauwlyer Road between Rose Street and Irving Heights Drive, and on Nursery Road between East Union Bower Road and Holly Street. Two-way traffic will be provided on Nursery Road during construction, but the intersection of Pioneer and Nursery roads will be completely closed until the end of September. Also, East Grauwlyer Road will have one-way traffic in the eastbound direction for the duration of the school year.

Gas Well Leasing – The City of Irving received the \$2 million bonus payment related to the mineral lease of 477 acres of city-owned property along Campión Trails in the Las Colinas area and in the Dallas/Fort Worth International Airport vicinity.

Goal No. 10: Environmentally Sustainable Community

Collaborative Green Building Roundtable – On Aug. 29, Nella McCain and Jerry Sparks attended the second Collaborative Green Building Roundtable hosted by the City of Plano. The purpose of the roundtable is to provide presentations and discussions to assist regional cities in establishing green building programs. The North Central Texas Council of Governments announced its future “sustainable-green” programs and activities, and the City of Frisco discussed the establishment of its green building program. The presentations provide insight for the City of Irving’s

formation of a formal green building program.

Blue Bin Recycling Pilot Program – Solid Waste Services has completed the pilot program allowing residents in the Grauwylers Heights neighborhood to use either an 18-gallon recycling bin and/or the blue recycling bags. The program was a huge success, as the number of homes participating in the curbside recycling program increased from about 15 percent to about 50 percent. Solid Waste Services will evaluate all data from the pilot program, community input, and operational concerns and comments. Based on the findings, city staff will consider possible expansion of the program or other curbside recycling options.

CONSENT AGENDA

The consent agenda, items #9 through #29, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda for individual consideration. There were no requests. Mayor Gears stated that Nadia Black, 807 Camilla, wished to record her support for Item No. 18. **Councilman Stopfer moved to approve the consent agenda, items #9 through #29. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.**

- 9 Resolution No. 9-6-07-335** -- Approving The City Council Meeting Work Session Minutes Of August 15, 2007, And The City Council Meeting Minutes Of August 16, 2007
- 10 Resolution No. 9-6-07-336** -- Authorizing An Agreement Between The City Of Irving/Irving Convention And Visitors Bureau And The Hillier Group Architecture New Jersey, Inc. To Serve As The Master Architect For The Irving Multi-Purpose Meeting Facility And Related Facilities Project (Las Colinas Convention Center Complex, Irving, Texas)
- 11 Resolution No. 9-6-07-337** -- Authorizing The Mayor To Accept, Reject, Alter, Or Terminate A Victim Coordinator Liaison Grant (VCLG) Through The Office Of The Attorney General, To Continue Funding Of The Irving Police Department's Victim Coordinator Liaison Position For A Two Year Period
- 12 Resolution No. 9-6-07-338** -- 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 Total Grant Amount Of \$80,000.00
- 13 Resolution No. 9-6-07-339** -- Authorizing The Emergency Award Of A Contract To Range Ventilation Design, Inc. (RVD) In An Amount Not To Exceed \$225,000.00 For The Replacement Of The Gun Range Ventilation System At The Police Department's Training Academy
- 14 Resolution No. 9-6-07-340** -- 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 \$128,757.50
- 15 Resolution No. 9-6-07-341** -- Approving And Adopting The Tarrant County 9-1-1 District 2007-2008 Annual Budget

- 16 **Resolution No. 9-6-07-342** -- Approving An Interlocal Agreement For Security And Peace Officer Services Between The City Of Irving And The Irving Independent School District (IISD) To Maintain The School Resource Officer Program At IISD Campuses
- 17 **Resolution No. 9-6-07-343** -- Approving An Interlocal Agreement For Security And Peace Officer Services Between The City Of Irving And The Carrollton-Farmers Branch Independent School District (C-FBISD) To Maintain The School Resource Officer Program At C-FBISD Campuses Located In The City Of Irving
- 18 **Resolution No. 9-6-07-344** -- Approving An Interlocal Agreement For Hazardous Waste Between The City Of Irving And Dallas County In The Amount Of \$110,000.00 To Provide A Program In Which Residents Can Properly Dispose Of Household Chemicals.
- 19 **Resolution No. 9-6-07-345** -- Approving An Interlocal Loan Agreement Between The City Of Irving And The North Central Texas Council Of Governments (NCTCOG) To Allow For The Loan Agreement Of A Remote Surveillance Camera System For Enforcement In The Area Of Illegal Dumping
- 20 **Resolution No. 9-6-07-346** -- Authorizing Additional Funding To Fulbright & Jaworski L.L.P. For Advice And Representation In Connection With Texas Stadium And The Convention Center Development
- 21 **Resolution No. 9-6-07-347** -- Approving Amendment No. 1 To A Professional Services Agreement With First Vehicles Services, Inc.
- 22 **Resolution No. 9-6-07-348** -- Awarding A Contract To Municipal Utilities, Inc. For The 2007 Sanitary Sewer Main Replacement, Section II Project
- 23 **Resolution No. 9-6-07-349** -- Approving Addendum No. 2 To The Engineering Services Agreement With Graham Associates, Inc. For The Design Of The 2004 Miscellaneous Drainage Improvements Project
- 24 **Resolution No. 9-6-07-350** -- Ratifying The Emergency Award Of A Contract To Baird, Hampton & Brown, Inc. For Electrical Design Services For The Emergency Replacement Of The Electrical Distribution System And Uninterrupted Power System (UPS) At The Criminal Justice Center Computer Room
- 25 **Resolution No. 9-6-07-351** -- Purchases Funded In The 2006-2007 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years
 - (A) Bids -- Renewal Of Bid With Eagle Transmission For Transmissions Exchange Or Repair For Cars And Pickup Trucks
 - (B) Award -- Approving Award To Metro Fire Apparatus Specialists, Inc. For The Purchase Of Two Fire Pumpers Through The Interlocal Agreement For Cooperative Purchasing With Houston-Galveston Area Council Of Governments
 - (C) Proposal -- Renewal Of Bid With National Reimbursement

Services/Texas Medical Data System, Inc. For Billing And Collection Services For Emergency Medical Services (EMS)

- (D) Award -- Approving Award To Holt Cat For The Purchase Of One Hydraulic Excavator, One Articulated Truck, And One Landfill Compactor Through The State Of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)
- (E) Bids -- Renewal Of Bid With Jadcore, Inc. For Polyethylene Refuse Bags
- (F) Bids -- Renewal Of Bid With Corporate Express For Office Supplies
- (G) Bids -- Annual Bid For Thermoplastic Pavement Marking Materials To Ennis Paint Inc.
- (H) Bids -- Annual Bid For Rectangular Heads, Luminaries, Fuse Holders, Fuses, And Photo Cells For Freeway Lighting To Techline, Inc. And Republic ITS
- (I) Bids -- Renewal Of Bid With Hi-Tech Signals, Inc. For LED Vehicle Traffic Signal And Pedestrian Signal Heads
- (J) Award -- Approving 60-Month Lease Agreements To Xerox Through The Texas Cooperative Purchasing Network (TCPN) For A Color Digital Copier And A High Production Black And White Digital Copier To Be Used In The Print Shop
- (K) Award -- Approving 60-Month Lease Agreement To Pitney Bowes Utilizing The State Term Contract Through The Texas Building And Procurement Commission For A Digital Mailing System To Be Used By The Print Shop

26 Ordinance No. 8854 -- Budget Adjustment To The 2006-2007 Fiscal Year Budget

- I. General Fund
- II. Non-Bond CIP Fund
- III. Economic Development Fund
- IV. Self Insurance Fund
- V. HMO Fund
- VI. Compensated Absences Fund
- VII. Seized Narcotics Fund
- VIII. Convention Center Fund
- IX. IAC General Fund
- X. Donations Fund

27 Ordinance No. 8855 -- First Reading -- Granting A Franchise Renewal To JetTaxi Inc. To Operate A Taxicab Service In The City Of Irving, Texas

- 28 **Ordinance No. 8856** -- First Reading -- Granting A Franchise To Cowboy Auto Leasing, Inc. dba Texas Cab Company, To Operate A Taxicab Service In The City of Irving, Texas
- 29 **Ordinance No. 8857** -- Authorizing The Abandonment Of The Sight Easement Along MacArthur Boulevard On Lot 1, Block A, Garden Isle Addition, 1st Installment, Located At 1100 Garden Isle Avenue

This concludes the consent agenda approving items #9 through 29.

ZONING CASES

- 30 **Resolution No. 9-6-07-352** -- Postponing To September 20, 2007 The Consideration Of An Ordinance Granting S-P-1 (Detailed Site Plan) For A Wireless Telecommunications Tower and Related Uses In Zoning Case ZC07-0030 -- A 0.016 Acre Tract Located At 1403 South Story Road (Southwest Corner Of Shady Grove Road And Story Road) -- Site Acquisition Services, Applicant

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

Councilman Spink moved to approve the resolution as presented. Seconded by Councilwoman Cannaday, the motion was approved by a vote of 9-0.

- 31 **Resolution No. 9-6-07-353** -- Preliminary/Final Plat -- Northgate Valley View 2nd Revision -- A 41.948 Acre Tract Located On The Northeast Corner Of Northgate Drive And Valley View Lane -- Wier & Associates, Applicant

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

The surveyor Ulys Lane, Wier & Associates, 6849 Elm Street, Frisco, Texas, presented the case.

Managing Director Paul Gooch gave a brief presentation noting this is the location of the new city Animal Shelter and Dog Park.

Councilman Spink moved to approve the resolution as presented. Seconded by Councilwoman Cannaday, the motion was approved by a vote of 9-0.

- 32 **Ordinance No. 8858** -- Zoning Case #5637 -- Granting S-P-1 (Detailed Site Plan) For A Wireless Telecommunications Tower And Related Uses -- An Approximately 1.062 Acre Tract Located At 3207 West Pioneer Road -- MetroPCS, Applicant

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

Bill Bowman, 2300 Springnear, Arlington, Texas, presented the case.

The following registered to speak in favor of this item.

Scott Layne, 2621 W. Airport Freeway, Assistant Superintendent, Irving Independent School District.

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

- 33 Resolution No. 9-6-07-354** -- Zoning Case ZC07-0028 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) District Uses -- An Approximately 0.18 Acre Tract Located At 1100 Garden Isle -- Kinh Duc Nguyen, Applicant **(Postponed From The August 16, 2007, City Council Meeting)**

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

The applicant Kinh Duc Nguyen, 1100 Garden Isle, presented the case.

Planning and Development Manager Steven Reed gave a presentation on this item.

The following registered in opposition, but did not wish to speak.

Linda Fisher, 1619 Dale Place

Deborah Fusco, 1806 Dory Lane

Lisa J. Enriquez, 1410 Barbara Drive

Jean McCullough, 1105 E. Grauwlyer

After lengthy discussion, Councilman Patrick moved to approve the ordinance with a stipulation that paved surface be concrete. Seconded by Councilwoman Cannaday, the motion failed by a vote of 4-5, with the following voting in opposition: Councilman Smith, Councilman Meagher, Councilman Philipp, Councilman Spink, and Councilwoman Van Duyne.

- 34 Ordinance No. 8859** -- Zoning Case #ZC07-0032 -- Granting C-N (Neighborhood Commercial) Uses -- An Approximately 4.4 Acre Tract Located At 4500 North Belt Line Road -- Massud Mojra/Nick Ghanbarnejad, Owners/Applicant

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

Planning and Development Manager Steven Reed gave a presentation on this item.

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

- 35 Ordinance No. 8860** -- Zoning Case #ZC07-0035 -- Granting TOD (Transit Oriented Development) District Uses -- An Approximately 14.67 Acre Tract Located On The South Side Of North O'Connor Road, East Of East Las Colinas Boulevard -- Lions Gables Realty, LP And Dallas County Utility And Reclamation District, Applicants

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

Mayor Gears stated that this is a significant Transit Oriented Development in the Las Colinas Urban Center.

Tom Bakewell, Gables Residential, 3500 Maple Avenue, Dallas, Texas, presented the case and illustrations of the development and elevations of the architectural design including a boutique, theater, restaurants, retail and high rise apartments including a main plaza.

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

INDIVIDUAL CONSIDERATION

- 36 Resolution No. 9-6-07-355** -- Approving An Amendment To The Agreement Between The City Of Irving And Comerica Bank In Regard To A Note Purchase And Indemnification Agreement Associated With A Line Of Credit Between Comerica Bank And The McDougal Companies

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

Councilman Meagher left the dais as he will abstain from voting on this item. A conflict of Interest form was filed with the City Secretary's office.

Don Williams, Director of Heritage District Redevelopment, 301 West Irving Boulevard, gave a presentation on this item.

Delbert McDougal, McDougal Company, presented a review of the proposed redevelopment of the Heritage District, i.e., "Olde Town" based upon his ability to acquire property on a volunteer basis.

The following registered to speak in favor of this item:

Dr. Carlton Turner, 2001 Walnut Hill Lane
Garl B. Latham, 2435 Keyhouse Drive

The following registered to speak in opposition of this item:

Carol Wood, 613 Shalamar Place
Mary Chapin, 1013 N. Sleepy Hollow
Pete Fernandez, 1400 Broadmoor Lane
Betty Yarbrough, 204 W. 7th
Norris Wall, 611 Hartin Circle
Tammy Cain Reeves, 500 Tanglewood
Ron Zimmerman, 1020 Cross Bend

Leland Hallett, 608 16th Street
Gerald Cannon, 1522 Live Oak

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

Cal E. Lavinder, 412 Hawthorne Street
Bobbie Wadley, 2634 Shady Grove Road
Melissa D. Hallett, 608 16th Street
Jeffrey A. Wadley, 2634 W. Shady Grove Road
Gilbert N. Kersey, 3725 W. Cranston Court
Marjorie Hobdy, 3132 Kathy Lane
Tammie G. Henderson, 1906 Finley
Dean Calvert, 2024 Meadow Lark
Arnold Redding Jr. 1509 Balleywood
Debbie Love, 5749 McKay
Robin Saxon, 4125 Spokane Street
Catherine Patrick, 142 N. St. Clair
Sharon Littrell, 1015 Patrick Street
Bobby K. Wright, 1008 Walnut
Anita Calhoun, 105 Santa
Rosie Tigue, 1103 Stella Court
Mark Saxon, 4125 Spokane Street
Leonard D. Mitchell, 2013 Apache Trail
Arthur Miller, 523 Pecan Drive
Deborah J. Schultz, 413 Elizabeth Street
Brandie King, 3704 Valley View Lane #2007
Mollie M. Kolenovsky, 109 E. Ireland
Arnold Kolenovsky, 109 E. Ireland
Nhan Nguyen, 101 Andrea Street
Kevin Nguyen, 2221 Markland
Amy Braning, 1220 Parkrow Place
Maryla Zimmerman, 1020 Cross Bend
Lindy Brown, 2712 Plover Land
Ms. Vee Miller, 2041 Rosebud Drive
Tina Martinez, 2115 Cambridge
Gloria Huddleston, 1300 Willow Court
Cynthia Sharp, 505 Roberts Avenue
Sara Enriquez, 1410 Barbara Drive
Lisa Enriquez, 1410 Barbara Drive
Tim Sutherlin, 920 Northgate Drive
Karen F. Brown, 2010 Cordova Bend
Rhonda Davis, 518 Burnwood
Sandra Wiles,
Megan Riley, 629 Hilltop
Pastor Dennis King, 132 W. Irving Blvd.
Bonnie Secman, 1036 South Blaylock Circle
Kim Kersey, 3725 W. Cranston Court

Sonja Wiles,
Joe L. Galan Jr., 202 E. Irving Blvd.
Gary Tigue, 1103 Stella Street
Becky Henderson, 1906 Finley Road
Charles R. Hanna Jr., 1826 Rindie Street
Shannon Garza, 1523 Trinity View
Michael Wesley Knight, 1523 Trinity View
Joe Watson, 313 S. MacArthur
Michael Baird, 1929 Spanish Trail
Yolanda Gotthardt, 6638 Dupper Drive
James Lambert, 1900 W. Rochelle
Lisa Lambert, 1900 W. Rochelle
Elena Freeman, 132 W. Irving Blvd.
Rev. Dennis Freeman, 132 W. Irving Blvd.
Rebecca Seelye, 201 Larry Drive
William L. Wiles, 1015 S. Britain Road
Merlin House, 132 W. Irving Blvd.
Roxanne Valentine, 110 Senter Valley
Billy Knight, 2013 Black Jack Drive
Beverly Knight, 2013 Black Jack Drive
Terri Harper, 205 Larry Drive
Daniel Sanchez, 1912 Rock Island Road #239
Diane Lavinder, 412 Hawthorne Street
Edith Deal, 3140 Kathy Lane
Robert Parrish, 2317 Woodoak Drive
Edith Austin, 1217 Elby Street
Larry Boyer, 104 E. Seventh Street
Ruby Boyer, 104 E. Seventh Street
Tommy Zinn, 1100 Churchhill
Jimmie Zinn, 1100 Churchhill
Jim Smith, 1701 Collier
Linda Nations, 1524 Hux Court
Thomas L. Rattliff, 2107 E. Irving Blvd
Steve Carns, 200 E. Pioneer
Cecil Patrick, 2832 Alan-A-Dale
Mary Patrick, 2832 Alan-A-Dale

After lengthy discussion, **Councilman Stopfer moved to approve the resolution as presented. Seconded by Councilman Smith, the motion was approved by a vote of 7-1, with Councilman Spink voting in opposition. Councilman Meagher abstained from voting on this item.**

- 37 Resolution No. 9-6-07-356** -- Denying The Request By Atmos Energy Corp., Mid-Tex Division, For A Gas Rate Increase Under The Gas Reliability Infrastructure Program

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

Councilman Philipp moved to approve the resolution as presented. Seconded by Councilman Stopfer, the motion was approved by a vote of 8-1. Councilman Meagher was not present to vote.

APPOINTMENTS AND REPORTS

- 38 File No. 9-6-07-357** -- Appointments To Boards And Commissions -- Irving Advisory Committee On Disabilities And The Animal Services Advisory Committee

Mayor Gears stated that no action would be taken by the Council on this item.

- 39 Resolution No. 9-6-07-358** -- Appointments To Boards And Commissions -- Upper Trinity Regional Water District

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

Councilman Patrick moved that Director of Public Works/Traffic and Transportation Jim Cline be appointed to the Upper Trinity Regional Water District to serve the remainder of a four year term, expiring May 2009. Seconded by Councilman Stopfer, the motion was approved by a vote of 8-0, Councilman Meagher was not present for the vote.

- 40** Committee And Liaison Report/Meetings

There were no reports given.

- 41** Mayor's Report

There was no report given.

- 42** The meeting adjourned at 10:55 p.m.

CITIZEN FORUM

George Stephenson, 2105 Druid Drive, spoke to the Mayor and Council regarding property in South Irving.

Samuel Mensah, 1937 Wild Horse Way, Justin, Texas 7647, invited the Mayor and Council to Ghana In Search of Millennial Vision NPP-USA Congress convention to be held October 19-20, 2007 at the Marriot Hotel-DFW, 8440 Freeport Parkway.

Evangelist/Chief Okeke, 4062 N. Beltline Road #104, also invited the Mayor and Council to the NPP-USA Congress convention that will be held in October.

Michael McPhail, 815 Dixon, addressed the Mayor and Council regarding multi-family housing improvements.

Gerald Cannon, was not present to speak.

ATTEST:

Herbert A. Gears, Mayor

Janice Carroll, TRMC
City Secretary