

REGULAR MEETING OF THE IRVING CITY COUNCIL
September 20, 2007

The City Council met in regular session in the Council Chambers of the City Hall Complex on September 20, 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 presented the High Spirited Citizen Award to John Danish and recognized Mr. Danish's past community involvement with City Council and his participation in several City advisory boards including the Planning and Zoning Commission. Mr. Danish was also commended for his work with the Irving School District and the Arts Center.

Mayor Gears also recognized the management of several Irving multi-family housing complexes that have completed the Crime Free Multi-Housing Program initiated by the Police Department. This three phase program includes training, preventative techniques, and the residents' involvement in crime prevention. Seven complexes received the completion certificate.

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

There were no organizational announcements made.

INVOCATION

The invocation was delivered by Pastor Norris McGill, Antioch Christian Church, of the City Of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PUBLIC INPUT HEARING

- 1 **Ordinance No. 8851** -- Final 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.

The following registered to speak in opposition.

Nancy Wilson, 2911 Bryn Mawr

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

Ken Ewing, 252 Crestview Circle

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

- 2 Ordinance No. 8852** -- Final 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.

The following registered to speak in opposition:

Nancy Wilson, 2911 Bryn Mawr

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

Ken Ewing, 252 Crestview Circle

Councilman Philipp stated that they were voting to increase the sewer rates by 2% and this will lead to an adjustment in bills for citizens, 75% percent of the fee increase will be paid by apartment, commercial and industrial customers who use most of the services.

City Manager Gonzalez also gave a brief presentation on this item.

Director of Public Works/Traffic and Transportation Jim Cline stated that Malcolm Pirnie study will conduct a study on the capital program and the different components that go into the rates.

Councilman Philipp stated that he would be asking the City Manager report quarterly on this progress.

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

- 3 Ordinance No. 8853** -- Final 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 if anyone wished to speak in favor or opposition.

The following registered to speak in opposition of this item:

Nancy Wilson, 2911 Bryn Mawr

The following registered in opposition, but did not wish to speak:
Ken Ewing, 252 Crestview Circle

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

CITY COUNCIL AGENDA

4 City Manager's Report

Goal No. 2: Vibrant Neighborhoods

Apartment Industry Professionals Meeting – An Apartment Industry Professionals meeting was conducted to allow the association team members to present information on the costs to retrofit apartment units for fire sprinklers. There also was discussion regarding Irving's actions on Level 4 apartment properties. The retrofit cost would range from \$10,000-\$12,000 per unit. Association representatives pointed out that average values for Irving apartments run about \$30,000 per unit, or \$60,000 for units in the Las Colinas area. Assuming that the properties are leveraged to 70 percent of their total value, the equity in each unit would be \$10,000 to \$18,000. The association pointed out that the cost of the retrofit is equal to the entire equity in the complex. Furthermore, they contend that the inclusion of such an upgrade would not result in higher rents or occupancies and would not reduce operating costs. City staff will prepare a response to the association information and plans to meet again on this issue in the next couple of weeks.

Trinity Trash Bash – More than 700 volunteers participated in this year's Trinity Trash Bash on Sept. 15. Each volunteer worked an average of four hours. The target area included downtown Irving, from MacArthur Boulevard to Britain Road and Union Bower Road to Sixth Street, and about 100 blocks along West Rock Island Road and Irving Boulevard. Last year, about 10,000 pounds of trash was collected during the event. This included loose trash from streets and drainage ditches coupled with recycling of aluminum and plastics, and shredding of personal documents. The collection weight from this year's event should increase measurably, as household electronics (computers, monitors, printers and TVs) were accepted for recycling.

Recent Demolitions – Three demolitions of properties along heavily traveled corridors have been conducted to help beautify Irving. Two of the demolitions were substandard and deteriorated single-family dwellings that were adjacent to commercial businesses on Irving Boulevard. The third

demolition was a commercial site located on MacArthur Boulevard. All three demolitions were the result of city staff initiating meetings and receiving voluntary compliance on the part of the property owners.

Goal No. 3: Economic Development

Newsmaker Reception – As part of its business retention efforts, the Irving Economic Development Partnership hosted a Newsmaker Reception on Sept. 10 to recognize Irving businesses that had been in the news for either opening a new business or that had a significant business accomplishment during the past quarter. More than 70 business leaders participated in the event at the Irving Arts Center. It included a special viewing of the Smithsonian Institution's "At the Controls" exhibit. Representatives from two of Irving's Fortune 500 companies and the CEO from a Fortune 1000 company were among those in attendance. The reception was funded through the private donations of the economic development investors who support various programs and activities of the partnership.

Residential Realtor Forum – The Irving-Las Colinas Chamber of Commerce hosted its third quarterly Residential Realtor Forum, a panel discussion on transportation in the city. Representatives from the City of Irving, DART and Dallas/Fort Worth International Airport discussed and provided overviews of current and future planned improvements. The forums were initiated this year to facilitate Realtors' discussions with clients who are considering homes in Irving. City Manager's Report September 19, 2007

Fall Leadership Forum – The Irving-Las Colinas Chamber of Commerce's Workforce Enrichment Council is partnering with the DFW Management Staffing Association, the Mid-Cities Human Resources Association and the University of Dallas Graduate School of Management for the Fall Leadership Forum. A luncheon will be held on Oct. 10. The topic will be "What People Want: A Manager's Guide to Building Relationships That Work" and will feature Terry R. Bacon, CEO of Lore International Institute. The event, which will be held at the Las Colinas Marriott, targets human resource professionals, mid-level managers and

Groups in Irving – The Irving Convention and Visitors Bureau welcomed the following groups to Irving: Knights of Columbus District 3 (Sept. 7-10); Dallas Cowboys Football Club (Sept. 8-9); New York Giants Football Club (Sept. 8-9); National Credit Union Administration (Sept. 9-21); AstraZeneca LP (Sept. 10-14); Broadband Properties LLC (Sept. 10-13); Inroads Inc. (Sept. 10-13); 780 Field Artillery Battalion Reunion (Sept. 13-14); 906 Refueling Squadron Annual Reunion (Sept. 13-16); and Torchmark (Sept. 13-14).

Convention Center Project Kickoff – Thirty-four years to the day that Ben Carpenter first unveiled his plans and vision for Las Colinas, the City of Irving and Irving Convention and Visitors Bureau kicked off the development of a convention center and entertainment district project on Sept. 14. Slated to open in late 2009, the facility is the first phase of a mixed-use entertainment complex on a 40-acre tract in the Las Colinas area. Preliminary plans call for a multipurpose center featuring 50,000 square feet of column-free exhibit space, with an additional 40,000 square feet in ancillary meeting space. A study by PricewaterhouseCoopers recommends a facility with flexible space to serve high-end exhibitions, conventions, meetings and other events. Components of phase two of the project include a 300,000-square-foot entertainment venue, 215,000 square feet of restaurants, retail and cinema, and a full-service hotel.

ICVB Receives Service Awards – The Irving Convention and Visitors Bureau (ICVB) has been recognized with service awards by three of the most respected publications in the meetings industry. *Meetings & Conventions* designated the ICVB a 2007 Gold Service Award recipient, while *Successful Meetings* magazine recognized the bureau with its prestigious Pinnacle Award. The ICVB has received the Gold Service Award for 15 consecutive years and the Pinnacle Award four of

the past five years. In addition, the IC_nVB also received the Award of Excellence from *Corporate & Incentive Travel* magazine for the 12th consecutive year.

Goal No. 4: Safe and Secure City

Police Internal Affairs Software – The Police Department has purchased and installed administrative investigations management software to document and report on administrative investigations. It also provides the documenting and reporting on incidents such as use of force, pursuits, motor vehicle collisions and disciplinary actions.

National 911 Day – The Police Department recognized National 911 Emergency Number Day by honoring Dispatcher Camie Meine, a Silent Hero Award winner, and Dispatcher Michelle Cannon, a nominee for Telecommunicator of the Year.

Police Motorcycle Officer Competition – Four Irving police personnel took home awards at the 2007 National Motorcycle Training & Skills Championship held Aug. 22-25 in Frisco. Seventy officers from throughout the nation competed in the overall competition. Officer Steve Plaster placed first in the Road King Intermediate Division; Sgt. Mark Vincent placed first in the Road King Novice Division; Officer_n Jeff Parsons placed second in the Road King Novice Division; and Officer Greg Spivey placed 11th in the Road King Expert Division. City Manager's Report September 19, 2007

Firefighter Entrance Exam – The City of Irving will administer an entrance examination for the position of firefighter on Nov. 10. To take this entrance examination, applicants must register with the City of Irving Human Resources Department by 5 p.m. Sept. 28.

New Emergency Management Inventory – The Office of Emergency Management received a new shower/restroom trailer purchased for \$82,400 by the Metropolitan Medical Response System Homeland Security Grant. This unit provides three showers and six toilets for both men and women, and will be assigned to the Parks and Recreation Department. The trailer is 8 ½ feet wide and 36 feet long, and weighs more than 12,000 pounds. It rides on three axels and has a fully contained water system, including water heaters for showering, and is fully air-conditioned. This vehicle will become part of the regional disaster response inventory.

Fire Department Museum Video – The Fire Department assisted with making a video for a fire department museum in South Carolina. Megavisions Inc. of Irving is producing a video that will be used in a fire engine simulation ride for children. Producer Bill Rogers and his wife, Cheryl, worked with Irving fire crews to videotape a simulated bicycle/car accident.

Driver's Training Programs – Fire Department employees are completing driver's training programs to help keep Irving residents and firefighters safe. This effort is part of an ongoing safety program that focuses on different ways to stay safe.

Fire Safety House Program – With the new school year, the Fire Department is presenting the Fire Safety House program to all Irving third-graders. The purpose of the program is to remind everyone to drive safely, watch out for children, and be aware of all school zones.

Goal No. 5: Diversity

One Book Program: Latino Poetry – The Irving Central Library is holding "Celebrate Latino Music and Poetry" at 2 p.m. Sept. 29 as part of its One Book, One Irving program series. The program will feature spoken word artist Will Richey and friends with musician Gabo Montemayor.

Goal No. 6: Effective Communications

Town Hall Meeting – Residents can hear firsthand about key city projects and initiatives by the City of Irving during a Town Hall meeting set for Sept. 25 at the Irving Arts Center’s Carpenter Performance Hall, 3333 N. MacArthur Blvd. Informational displays will be available from 6 to 7 p.m. followed by a presentation at 7 p.m. The presentation will provide an update on key focus areas such as public safety, code enforcement, non-compliant apartments, neighborhood improvements, economic development initiatives and corridor enhancements. Attendee questions will be answered following the presentation.

Goal No. 7: Cultural, Recreational and Educational Environments

KidsArts Programs – The Irving Arts Center is bringing back two of its KidsArts programs: the High School Afterschool Art Lab and Saturday School. The High School Art Lab is free and open to Irving ISD students currently enrolled in an art class. The program provides students with an opportunity to continue working on their current art class assignments, as well as participate in additional group and individual art projects. The fall session began Sept. 10 and will be followed by a spring session starting Jan. 7. Saturday School provides professional art instruction for children ages 6-14. The program offers four sessions throughout the year. Each session focuses on a new artistic medium including mixed media, sculpture, choral singing, drawing and painting. The first session starts Oct. 6 and meets every Saturday from 2 to 4 p.m. through Nov. 10. City Manager’s Report September 19, 2007

YAC Fest Battle of the Bands – 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.

Northwest Park Family Picnic and Concert – On Sept. 22, Northwest Park will host a neighborhood family picnic and concert. The event will be held from 5:30 to 7:30 p.m. at Northwest Park Recreation Center. Bring lawn chairs and blankets, and enjoy music, free refreshments and games for the children.

Cimarron Park’s ‘Paws for a Cause’ – Animal awareness and adoptions will be held from 9 a.m. to noon Sept. 22 at Cimarron Park. Activities include Ask a Vet, pet fostering and prizes. The program is presented by the Cimarron Park Recreation Center, with support from the Animal Shelter, Irving Humane Society and PetSmart.

Box Car Drive-In – Senter Park will host the Box Car Drive-In event on Sept. 28. Children will create cardboard cars, and then will view a movie projected on a large screen in the gym in their cars. Prizes will be awarded.

25th Annual Ms. Mature Irving Pageant – The 25th Annual Ms. Mature Irving Pageant is set for 7 p.m. Sept. 28 at Carpenter Performance Hall. 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 gala event 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.

One Book Program: Book Discussion – Residents can listen to and join a conversation about “The House on Mango Street” by Sandra Cisneros. The program, a part of the Irving Public

Library's One Book, One Irving series, will be held at 2 p.m. Sept. 30 at the Irving Central Library, 801 W. Irving Blvd.

Goal No. 8: Sound Governance

Employees Participate in Heart Walk – Sixteen employee teams supported the City of Irving's involvement in this year's "Start! Heart Walk 2007" in downtown Dallas. In addition to the fundraising effort in support of the American Heart Association (AHA), city employees walked as a celebration of the city's participation in the AHA Start! program, an ongoing wellness initiative. More than 65 city employees, friends and family members walked the 3-mile course and raised more than \$6,300 to support heart research and educational efforts.

Six Sigma Project – The Irving Police Department has been selected to participate in a Digital Six Sigma Pilot Project sponsored by the Police Executive Research Forum (PERF) and Motorola. Six Sigma is a data-driven problem-solving model centered on process improvement. The Irving Police Department was selected along with two other out-of-state police departments. Police staff selected to participate in the project will receive extensive training from Motorola personnel who are experts in Six Sigma. Human Resources staff will assist with the project. The two-day training will be held Sept. 20-21 at the Irving Arts Center. As part of the training, the Police Department will study its hiring process and officer training program. Once completed, the results will be presented during PERF's annual conference.

Human Resources Training Event – Human Resources will be offering employees a one-hour class on Sept. 25 to address disaster preparedness. It will give employees the basics needed to prepare themselves and their families in the event of a major emergency. These situations could be caused by weather, accidents, terrorism, etc. City Manager's Report September 19, 2007

Allstate Walk for Wellness – Managing Director Cliff Miller and Customer Service Director Pat Nicks represented the City of Irving at the Allstate Insurance Company Texas Walk to Wellness. More than 250 Allstate employees walked a 2-mile course to promote daily walking as an accessible and effective form of exercise.

Goal No. 9: Infrastructure Network

School Traffic Control Signs – Public Works/Traffic Operations performed an annual comprehensive inspection and refurbishment of 1,200 school traffic control signs and crosswalks in preparation of the new school year.

Lake Chapman Update – Since Lake Chapman and Lake Lewisville are both above conservation pool level, water from Lake Chapman cannot be pumped into Lake Lewisville. The city is currently purchasing water from Dallas that would otherwise be spilling over the dam. This has allowed the city not to use its full storage at Lake Chapman, or the water that was previously moved to Lake Lewisville. Current storage at Lake Chapman is 100,628 acre-feet, and the storage at Lake Lewisville is 6,123 acre-feet. Pumping will resume when Lake Lewisville drops below flood stage.

Tax Office Remodel Project – The Equipment and Building Services Department began remodel work in the Information Technology Department, and has several other department remodel projects in the works. The staff recently completed the tax office remodel project. Additional office space was created and aesthetics were improved with the installation of a new glass entry door. Security was heightened with glass inserts in the offices so city staff can easily view who is entering the office area.

Goal No. 10: Environmentally Sustainable Community

Shredding Opportunity – Solid Waste Services is offering a free shredding opportunity for the safe destruction of personal documents. Residents may bring up to two file boxes of paper. This event will be held from 11 a.m. to 2 p.m. Sept. 21 at the O'Connor Plaza recycling drop-off center (northwest corner of State Highway 183 and O'Connor Road). All shredded materials will be recycled.

One Book Program: Smart Living – The Irving Central Library will host Smart Living at 2 p.m. Sept. 22. The free program is being offered by Fran Witte, solid waste programs and marketing supervisor. It will teach residents how to reduce their eco-footprint and live an earth-friendly lifestyle by using the latest energy-efficient innovations and simple tricks to reduce energy and water costs. Smart-living solutions include recycling, backyard composting, rainwater harvesting and home energy tax credits. It is part of the library's One Book, One Irving series.

CONSENT AGENDA

The consent agenda, items #5 through #33, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda for individual consideration. Mayor Gears stated that the following items would be pulled from the consent agenda #6, #7, #9, #11, #15, #16, #26A,B,C, G, J, P,Q, #27 and #33. **Councilman Philipp moved to approve the consent agenda, items #5 through #33 excluding items #6, #7, #9, #11, #15, #16, #26A, B, C, G, J, P, Q, #27, and #33. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.**

- 5 **Resolution No. 9-20-07-362** -- Approving The Special City Council Meeting Minutes Of August 22, 2007; The Special City Council Meeting Minutes Of September 5, 2007; The City Council Meeting Work Session Minutes Of September 5, 2007, And The City Council Meeting Minutes Of September 6, 2007
- 8 **Resolution No. 9-20-07-365** -- Ratifying And Approving The Emergency Purchase Of HVAC Equipment From DMI Corporation For The Replacement Of An Air Conditioning Unit At The Arts Center
- 10 **Resolution No. 9-20-07-367** -- Cancellation Of Texas Stadium Seat Options As Requested By The Dallas Cowboys Football Club, Ltd. For The 2007 Season
- 12 **Resolution No. 9-20-07-369** -- Approving A Managing Services Agreement With Daily Grind, dba Java Me Up, To Provide Coffee Services At The Valley Ranch Library
- 13 **Resolution No. 9-20-07-370** -- Authorizing The City Manager To Execute Proxies And Special Powers Of Attorney For The Election Of Directors To The Las Colinas Association Board Of Directors
- 14 **Resolution No. 9-20-07-371** -- Authorizing Staff To Negotiate An Engineering Services Agreement With Halff Associates, Inc. For The Design Of The Hunter Ferrell Road Water And Sanitary Sewer Main Improvements From Belt Line Road To MacArthur Boulevard Project

- 17 **Resolution No. 9-20-07-374** -- Approving A Contract For Property Acquisition Plus Closing Costs And Relocation Expenses For Property Located At 1120 Senter Road -- Joe W. Hendrix, Property Owner
- 18 **Resolution No. 9-20-07-375** -- Awarding A Contract To SYB Construction Co., Inc. For Conflans Road From Robbie Drive To Dry Branch Emergency Storm Sewer Pipe Repair Project
- 19 **Resolution No. 9-20-07-376** -- Approving An Engineering Services Agreement With Corpro Companies, Inc. For Engineering Services To Evaluate The Status Of The Cathodic Protection System For The Lake Chapman Raw Water Supply Line
- 20 **Resolution No. 9-20-07-377** -- Approving An Engineering Services Agreement With Freese And Nichols, Inc. For A Wastewater Master Plan Update
- 21 **Resolution No. 9-20-07-378** -- Approving An Agreement For Engineering Services With Red Oak Consulting, A Division Of Malcolm Pirnie, Inc. For A Comprehensive Rate Design And Cost Of Service Study.
- 22 **Resolution No. 9-20-07-379** -- Approving An Interlocal Agreement Between The City Of Irving And Dallas County Department Of Health And Human Services For Health Services For FY 2007-2008
- 23 **Resolution No. 9-20-07-380** -- Approving Renewal Of Contract Between The City Of Irving And The University Of Texas Southwestern Medical Center For Continuing Education Services
- 24 **Resolution No. 9-20-07-381** -- Approving Renewal Of Contract Between The City Of Irving And The University Of Texas Southwestern Medical Center For Medical Direction And Quality Assurance Services
- 25 **Resolution No. 9-20-07-382** -- Rejection Of Bid For Demolition Of Buildings And Structures
- 26 **Resolution No. 9-20-07-383** -- Purchases Funded In The 2006-2007 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years
 - (A) Bids -- Award Of Bid To GST Public Safety Supply; C&G Wholesale; USA Patch Co.; Safety And Security International; And Tactical Gear Now, Inc. For Police Department Uniforms
 - (B) Bids -- Renewal Of Bid With Sunbeam Foods, Inc. And Schepps Dairy For Prisoner Food
 - (C) Proposals -- Award Of Proposal To L-3 Communications For The Purchase And Installation Of A Digital In-Car Video System
 - (D) Award -- Approving Renewal Of Software And Hardware Maintenance Agreement To Tyler Technologies-Incode For The Courts Case

Management System

- (E) Bids -- Award Of Bid To Western Data Systems For Trimble GPS Survey Equipment
- (F) Award -- Approving Award To B & C Body Company For The Purchase Of Six Roll-Off Containers Through The Interlocal Agreement For Cooperative Purchasing With Houston-Galveston Area Council Of Governments
- (G) Bids -- Award Of Bid To Roof Management Services, Inc. For Partial Roof Replacement For Lee Park Recreation Center
- (H) Bids -- Award Of Bid To Grand Prairie Ford For A One Ton Cab And Chassis With Utility Body
- (I) Award -- Approving Annual Award For Publication Advertisements Awarded To Dallas Morning News; Daily Commercial Record; Dallas Weekly; MON-The Gazette; El Extra Spanish Language Newspaper; The Irving Rambler; The Irving Journal; And The Korea Daily
- (J) Bids – Renewal Of Bid With McGriff, Seibles & Williams Of Texas, Inc. For Excess Insurance Coverage With Star National Insurance Company
- (K) Award -- Approving Award To The Garland Company, Inc. dba Design Build Solutions, Inc. For The Roof Replacements For North Police Station And North Service Center Through The Texas Building & Procurement Commission (TBPC) Texas Multiple Award Schedule (TXMAS) Local Government Statewide Purchasing Cooperative Program
- (L) Award -- Approving Emergency Award To Water, Earth Solutions & Technologies, Inc. To Recover And Remove Contaminants Remaining From The Removal Of An Underground Fuel Storage Tank Site At The Civic Center
- (M) Bids -- Renewal Of Bid With TDIndustries, LTD For Alarm Systems Monitoring, Annual Testing And Repairs
- (N) Bids -- Renewal Of Bid With Western Paper Co.; Clampitt Paper Company; And Cenveo, Inc. For Paper (Office, Copy And Print Shop)
- (O) Award -- Approving Award To Holt Cat For The Purchase Of A Skid Steer Loader Through The State Of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)
- (P) Proposals -- Renewal Of Proposal With Maloney Strategic Communications For Advertising Agency Representation For The City

Of Irving/Convention And Visitors Bureau

(Q) Proposals -- Annual Proposal For Market Research And Evaluation Program Proposal To Destination Analysts

- 28 Ordinance No. 8855** -- Second Reading -- Granting A Franchise Renewal To JetTaxi Inc. To Operate A Taxicab Service In The City Of Irving, Texas
- 29 Ordinance No. 8856** -- Second Reading -- Granting A Franchise To Cowboy Auto Leasing, Inc. dba Texas Cab Company, To Operate A Taxicab Service In The City of Irving, Texas
- 30 Ordinance No. 8862** -- Amending Article V "Records Management" Of Chapter 2 Entitled "Administration" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, By Declaring Records As Public Property; Providing A Policy For City Records; Designating A Public Records Management Officer And Providing A Records Management Plan; Providing For Record Control Schedules; Destruction; And Preservation Of Records
- 31 Ordinance No. 8863** -- Amending Chapter 6 Entitled "Animal Services" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, By Adding Definitions; Providing Disposition Of Impounded Animals; Providing For Spaying Or Neutering Of Adopted Animals; Requiring Vaccinations; Providing Animal Shelter Fees; And Providing A Severability Clause
- 32 Ordinance No. 8864** -- Authorizing The Abandonment Of A Portion Of A Fifteen Foot Sanitary Sewer Easement Across Lots 23 And 24, Block A, Graff Farms Phase 1B Located On Santa Anita Boulevard

This concludes the consent agenda approving items #5 through 33, excluding items #6, #7, #9, #11, #15, #16, #26A, B, C, J, P, Q, #27, and #33.

- 6 Resolution No. 9-20-07-363** -- Authorizing The Irving Convention And Visitors Bureau (ICVB) To Purchase Advertising Space In The Media

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

The following registered to speak in opposition.

Nancy Wilson, 2911 Bryn Mawr

The following registered in support of this item, but did not wish to speak.

Pam Brown, 1410 Irving Road
Ike Guest, 1209 Cottonwood Valley Drive

Councilman Philipp asked for an explanation on this item.

Executive Director of the Irving Convention and Visitors Bureau Maura Gast gave an explanation on this yearly expenditure.

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

- 7 Resolution No. 9-20-07-364** -- Authorizing The Mayor To Sign A Contract Between The City Of Irving On Behalf Of The Irving Convention And Visitors Bureau (ICVB) And The American Society Of Association Executives (ASAE) For A Marketing Program Corporate Partner Sponsorship

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

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

Pam Brown, 1410 Irvin Road
Ike Guest, 1209 Cottonwood Valley Drive

The following registered to speak in opposition:

Nancy Wilson, 28911 Bryn Mawr

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

- 9 Resolution** – Authorizing The Mayor To Enter Into An Agreement With Dallas County Elections Department To Administer The Regular Municipal Election To Be Held On Tuesday, November 6, 2007

Mayor Gears introduced the item and stated that Councilwoman Van Duyne asked that this item be pulled.

Councilwoman Van Duyne asked if this contract is for the election that will give the Council the ability to increase the hotel tax by 2%.

City Secretary Janice Carroll confirmed that this contract is to administer the election to authorize the imposition of a tax on hotel rooms, parking and entertainment venues.

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

- 11 Resolution No. 9-20-07-368** -- Awarding A Contract To Deer Oaks EAP Services For Employee Assistance Program Services

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

The following registered to speak in opposition:

Nancy Wilson, 2911 Bryn Mawr

Councilman Philipp asked for a report on the number of employees using this program.

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

- 15 Resolution No. 9-20-07-372** -- Approving A Memorandum Of Agreement And Two Partial Termination Of Leases Related To The Sale Of 12.309 Acres Of Texas Stadium Right-Of-Way To The Texas Department Of Transportation For The State Highway 114/Loop 12/State Highway 183 Interchange Improvement Project

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

The following registered to speak on this item:

Joyce Pittman, 1401 Colony, stated that the budget did not reflect the four million dollars as a revenue source.

Mayor Gears stated that this money is not a part of the General Fund but will be used for transportation projects.

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

- 16 Resolution No. 9-20-07-373** -- Approving An "Agreement To Lease" With Trinity East Energy, LLC For Gas Well Drilling And Production Leases On Approximately 439.631 Acres Of City Owned Property And Authorizing The Mayor To Execute Related Oil And Gas Leases

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

The following registered to speak on this item:

Joyce Pittman, 1401 Colony, asked how this revenue will be used as she did not see it reflected in the budget.

Mayor Gears stated that this is the third or fourth lease and they must drill outside of the city. This will be \$1.5 million dollars and this is not used for ongoing expenditures in the budget.

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

26 Resolution No. 9-20-07-383 -- Purchases Funded In The 2006-2007 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years

- (A) Bids -- Award Of Bid To GST Public Safety Supply; C&G Wholesale; USA Patch Co.; Safety And Security International; And Tactical Gear Now, Inc. For Police Department Uniform

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

The following registered to speak on this item:

Nancy Wilson, 2911 Bryn Mawr, asked how many uniforms will be purchased.

City Manager Gonzalez stated that this information would be provided to her.

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

- (B) Bids -- Renewal Of Bid With Sunbeam Foods, Inc. And Schepps Dairy For Prisoner Food

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

Nancy Wilson, 2911 Bryn Mawr stated that Schepps milk is the most expensive, and she would like to know the number of prisoners estimated for this amount.

Mayor Gears stated that this information would be provided to her.

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

- (C) Proposals -- Award Of Proposal To L-3 Communications For The Purchase And Installation Of A Digital In-Car Video System

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

Nancy Wilson, 2911 Bryn Mawr asked what is the price is for each system?

Mayor Gears stated that this information would be provided to her.

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

- (G) Bids -- Award Of Bid To Roof Management Services, Inc. For Partial Roof

Replacement For Lee Park Recreation Center

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

Nancy Wilson, 2911 Bryn Mawr asked if there was a gurantee on the roof?

Mayor Gears stated that the information would be provided to her.

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

(J) Bids – Renewal Of Bid With McGriff, Seibles & Williams of Texas, Inc. For Excess Insurance Coverage With Star National Insurance Company

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

The following registered to speak in opposition:

Nancy Wilson, 2911 Bryn Mawr, asked why we paid a broker and why is the insurance for only \$50,000.000.00.

Councilman Spink stated that broker fees are negotiable and the city can pay but he is also concerned about the amount of insurance

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

(P) Proposals -- Renewal Of Proposal With Maloney Strategic Communications For Advertising Agency Representation For The City Of Irving/Convention And Visitors Bureau

(Q) Proposals -- Annual Proposal For Market Research And Evaluation Program Proposal To Destination Analysts

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

The following registered to speak in opposition:

Nancy Wilson, 2911 Bryn Mawr, asked for an explanation on these costs.

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

Pam Brown, 1410 Irvin Road
Ike Guest, 1209 Cottonwood Valley Drive

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

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

27 Ordinance No. 8861 -- Budget Adjustment To The 2006-2007 Fiscal Year Budget

- I. General Fund
- II. Non-Bond CIP Fund
- III. Economic Development Fund
- IV. Senter Park Recreation Center Fund
- V. HOME Investment Partnership Grants Fund

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

Nancy Wilson, 2911 Bryn Mawr, asked that the adjustments be identified.

Mayor Gears stated that the information would be provided to her.

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

33 Ordinance No. 8865 – Amending Article XVI “Automated Traffic Signal Enforcement” of Chapter 21 Entitled “Motor Vehicles And Traffic” Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing Officers, Procedures, Liability, And Penalties For The Enforcement Of Said Article

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

Nancy Wilson, 2911 Bryn Mawr Drive asked for an explanation on monetary gain?

Mayor Gears stated that this information would be provided to her.

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

ZONING CASES

34 Resolution No. 9-20-07-384 -- Relaxing The Policies Of The City Of Irving Comprehensive Plan That Prohibit New Residential Development In Areas Subject To Noise Impacts Of 65 DNL Or Greater From Dallas/Fort Worth International Airport When Development Applications Include Requirements For Noise Attenuation Construction Techniques, Avigation Easements And Notice To Purchases Of The Airport Proximity

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:

Nancy Wilson, 2911 Bryn Mawr

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

- 35 Resolution No. 9-20-07-385** -- Zoning Case #ZC07-0030 -- Granting S-P-1 (Detailed Site Plan) For A Wireless Telecommunications Tower -- A 0.016 Acre Tract Located At 1403 South Story Road (Southwest Corner Of Shady Grove Road And Story Road) -- Site Acquisition Services, Applicant **(Postponed At The September 6, 2007, City Council Meeting)**

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

Manager of Urban Development Steven Reed stated that the applicant has asked for a four week postponement.

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

Pam Brown, 1410 Irvin Road

Councilman Stopfer moved to postpone this item for four weeks. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.

- 36 Ordinance No. 8866** -- Zoning Case ZC07-0037 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) Uses -- An Approximately 0.17 Acre Tract Located At 201 West 12th Street -- Juana DelCarmen Benavides, Owner/Applicant

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

Juana Benavides, 201 W. 12th Street was present, and Maria Vasquez translated for the applicant.

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

Nancy Wilson, 2911 Bryn Mawr

Urban Manager of Development Steve Reed gave a presentation on this item

After lengthy discussion, Councilman Patrick moved to approve the ordinance with the stipulation that an additional bedroom window be added. Seconded by Council Stopfer, the motion failed by a vote of 4-5, with the following voting in opposition: Councilman Smith, Councilman Spink, Councilman Meagher, Councilwoman Cannaday, and Councilwoman Van Duyne.

Councilman Stopfer moved to approve the conversion back to a garage with existing setback. Seconded by Councilwoman Van Duyne, the motion was approved by a vote of 9-0.

INDIVIDUAL CONSIDERATION

- 37 Resolution No. 9-20-07-386** -- Approving An Economic Development Incentive Agreement With Broder Brothers For Rebate Of Taxes Paid On "Freeport" Inventory
Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition. There were no speakers.

John Bonnot, Irving Economic Development Partnership, Greater Irving Las Colinas Chamber of Commerce presented this item.

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

APPOINTMENTS AND REPORTS

- 38 Resolution No. 9-20-07-387** -- Appointments To Boards And Commissions -- Irving Advisory Committee On Disabilities

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

Councilman Stopfer moved to appoint Beverly Fuqua to Place One and Stephen Booher to Place Seven, both being unexpired terms expiring November 2007 on the Irving Advisory Committee on Disabilities. Seconded by Councilman Smith, the motion was approved by a vote of 9-0.

- 39** Committee And Liaison Report/Meetings

There were no committee or liaison reports given.

- 40** Mayor's Report

There was no report given.

- 41** The meeting adjourned at 8:45 p.m.

CITIZEN FORUM

Mary Chapin, 1013 N. Sleepy Hollow, was not present to speak.

Betty Yarbrough, 204 W. 7th, spoke to the Mayor and Council regarding abuse to animals.

ATTEST:

Herbert A. Gears, Mayor

Janice Carroll, TRMC
City Secretary