

REGULAR MEETING OF THE IRVING CITY COUNCIL
June 14, 2007

The City Council met in regular session in the Council Chambers of the City Hall Complex on June 14 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

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Jerald Cannon, 1522 Live Oak, announced the community services provided by the Texas Hospital Association for Senior Citizens who are in need of rehabilitation therapy.

INVOCATION

The invocation was delivered by Pastor Isnel Castro representing the House of God Church in the city.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears presented a proclamation for Emergency Medical Services Week and this was accepted by Chief Mario Molina.

Mayor Gears also presented a special recognition to Mammen Glass & Mirror located in the city. State Representative Linda Harper-Brown also presented a proclamation to Mammen Glass & Mirror from the State of Texas. This was in honor of their recognition by the U. S. Chamber of Commerce as one of the seven best small businesses in the United States.

CONSENT AGENDA

The consent agenda, items #1 through #24, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda for individual consideration. It was noted that Item #2 was postponed at the staff's request. The following items were pulled from the consent agenda Items #3, #9, and #14. Item 18 was pulled from the consent agenda and no action will be taken. **Councilman Phillip moved to approve the consent agenda, items #1 through #24 excluding Items #3, #9, #14**

and dropping item #18. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 1 Resolution No. 6-14-07-206** -- Approving The Special City Council Meeting Minutes Of May 23, 2007, The City Council Work Session Minutes Of May 23, 2007, And The City Council Meeting Minutes Of May 24, 2007
- 2 Resolution No. 6-14-07-207** – Postponing the Authorization Of The City of Irving/Irving Convention And Visitors Bureau To Award A Contract To SMG Management To Serve As The Facility Operator For The Multi-Purpose Meeting Facility Project As Unanimously Recommended By The Irving Convention And Visitors Bureau Board Of Directors
- 4 Resolution No. 6-14-07-209** – Requesting the Mayor To Approve The Renewal Of A Satellite Office Rental Agreement
- 5 Resolution No. 6-14-07-210** -- Authorizing The Mayor To Apply For And Accept Grant Funds Through The Fiscal Year 2007 Emergency Management Performance Grant Program (EMPG) Offered By The Governor's Division Of Emergency Management
- 6 Resolution No. 6-14-07-211** -- Approving A Professional Services Contract With Conley Group, Inc. In An Amount Not To Exceed \$22,075.00 For The Design Of The Roof Replacement At Lee Park Recreation Center And To Prepare A Comprehensive Roof Evaluation Report For Senter Park Recreation Center
- 7 Resolution No. 6-14-07-212** -- Authorizing And Directing The Utilization Of An Amount Not To Exceed 75% Of The Funds Otherwise Available For The Purchase Of Texas Stadium Junior Lien Revenue Bonds Pursuant To Tender Offers; Setting The Maximum Amount Of Acceptance Of Tender Offers; Establishing The Method Of Considering Successful Offers; Fixing A Date For The Acceptance Of Tender Offers; Approving Form Of Tender Offers; Directing The Trustee To Advertise For And Seek Tender Offers And The Acceptance Thereof
- 8 Resolution No. 6-14-07-213** -- Approving Settlement Of A Lawsuit With ART Valley Corporation, Valley Ranch Limited Partnership, ART Lake Chateau, Inc., Louis J. Corna, Ronald Akin, Anthony "Cal" Rossi, Jr. And Does 1-10
- 10 Resolution No. 6-14-07-215** – Authorizing Staff To Negotiate A Consulting Agreement Between The City Of Irving And Chiang, Patel & Yerby, Inc. For The Development Of An Environmental Compliance Document Tracking System
- 11 Resolution No. 6-14-07-216** -- Authorizing Staff To Negotiate A Consulting Agreement Between The City Of Irving And Kimley-Horn And Associates, Inc. For The Study Of The South Irving Transit Area
- 12 Resolution No. 6-14-07-217** -- Authorizing Staff To Negotiate An Engineering Services Agreement With Halff Associates, Inc. For Annual Structural Engineering Services
- 13 Resolution No. 6-14-07-218** -- Approving Contract For Property Acquisition In The Amount Of \$925,000.00 Plus Closing Costs Not To Exceed \$10,000.00 --

Approximately 12.305 Acres Located Along Valley View Lane Between Northgate Drive and Walnut Hill Lane -- NVV Partners GP, Inc., Property Owner

- 14 **Resolution No. 6-14-07-219** -- Approving A Contract Of Sale In The Amount Of \$100,000.00 For City-Owned Property To Provide Affordable Housing To A Qualified Applicant -- Property Being Lot 2, Block B Of The Pecan Grove Park Addition Located At 1409 Ronne Drive
- 15 **Resolution No. 6-14-07-220** – Awarding A Contract To Dal-Ec Construction Ltd. In The Amount Of \$897,800.00 For The Carbon Road Pump Station Improvements
- 16 **Resolution No. 6-14-07-221** -- Approving Change Order No. 4 To Archer Western Contractors, Ltd. For the Construction Of The Northgate Pump Station
- 17 **Resolution No. 6-14-07-222**-- Award Of Contract To Jacobs Iron & Metal For The Sale Of Brass Meters In The Net Revenue Amount Of \$75,099.50 As Part Of The Scrap Recovery From The AMR Retrofit Program Implemented By The Public Works Department/ Water Utilities Division
- 18 **File No. 6-14-07-223** -- Awarding A Professional Services Contract To Partida & Associates For Communications Consulting Services In The Net Amount Not To Exceed \$177,090.00
- 19 **Resolution No. 6-14-07-224** -- Purchases Funded In The 2006-2007 Budget
 - (A) Award -- Approving Award To Martin Apparatus, Inc. For The Purchase Of A 100 Foot Ladder Truck Through The Interlocal Agreement For Cooperative Purchasing With Houston-Galveston Area Council Of Governments (H-GAC) In The Net Amount Of \$849,576.00 To Be Used By The Fire Department
 - (B) Bids -- Annual Bid For Park Grounds Maintenance Materials Awarded To Crouch Sand & Gravel, Inc. And Turf Materials Inc. In The Net Estimated Amount Of \$16,470.75 For The Period Of July 1, 2007, Through September 30, 2007, And \$49,412.25 For The Period Of October 1, 2007 Through June 30, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Parks And Recreation Department
 - (C) Bids -- Renewal Of Bid With Taylor's Summit Electrical Ser., Inc. For Electrical Services For The Parks And Recreation Department In The Net Estimated Amount Of \$7,145.00 For The Period Of September 1, 2007, Through September 30, 2007; \$42,875.00 For The Period Of October 1, 2007, Through September 30, 2008; And \$35,730.00 For The Period Of October 1, 2008, Through August 31, 2009, Subject To Funds Being Appropriated In Fiscal Years 2007-2008 and 2008-2009, To Be Used By The Parks And Recreation Department
 - (D) Award – Approving Award To Business Interiors For Office Furniture Through The State Of Texas Cooperative Purchasing Program (TXMAS) In The Net Estimated Amount Of \$15,000.00 For The Period Of July 1, 2007, Through September 30, 2007, And \$45,000.00 For The Period Of October 1, 2007, Through June 30, 2008, Subject To

Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By Various Departments

- (E) Bids -- Annual Contract For Subscription Of On-Line Shared Cataloging To Amigos Bibliographic Council In The Net Estimated Amount Of \$38,209.00 For The Period Of July 1, 2007, Through June 30, 2008, To Be Used By The Libraries Department
- (F) Award – Approving Award To Alpha Data Corporation For The Purchase Of Two Table-Top Selfcheck Machines For The Valley Ranch Library In The Net Amount Of \$39,679.20 Through The Texas Building And Procurement Commission (TBPC) Texas Multiple Award Schedule (TXMAS) Local Government Statewide Purchasing Cooperative Program, As Recommended By The Information Technology And Libraries Departments
- (G) Bids -- Award Of Bid To VeriPRO Construction L.L.C. For The Construction Project To Install Washer-Dryer Connections In Eight Fire Department Buildings In The Net Amount Of \$49,000.00 To Be Administered By The Equipment And Building Services Department
- (H) Proposals – Award Of Proposal To On Target Performance Systems For The Purchase And Installation Of Internal Affairs Professional Standards Software In The Net Amount Of \$27,000.00, As Recommended By The Information Technology And Police Departments
- (I) Proposals – Award Of Proposal To SBS Security For The Purchase Of Spam Filtering And Email Encryption Appliance In The Net Amount Of \$33,848.00, As Recommended By The Information Technology Department
- (J) Proposals – Award Of Proposal To CDW Government Inc For The Purchase Of Itronix Notebooks Procurement For Police, Fire, And The City Marshall's Office In The Net Amount Of \$551,274.80, As Recommended By The Information Technology Department
- (K) Award – Approving Emergency Award To Convergent Technologies LLC For The Replacement Of Closed Circuit TVs, Digital Video Recorders, And Physical Access Security For Municipal Courts In The Net Amount Of \$65,036.11, As Recommended By The Information Technology And Municipal Courts Departments
- (L) Bids -- Annual Bid For Radio Replacement Parts And Equipment To M/A-Com, Inc. In The Net Estimated Amount Of \$8,750.00 For The Period Of July 1, 2007, Through September 30, 2007; \$35,000.00 For The Period Of October 1, 2007 Through September 30, 2008; And \$26,250.00 For The Period Of October 1, 2008, Through June 30, 2009, Subject To Funds Being Appropriated In Fiscal Years 2007-2008 And 2008-2009, To Be Used By The Information Technology Department

- 20 **Ordinance No. 8814** -- First Reading -- Granting A Franchise To G.P.D.A., Inc. dba King Cab Company To Operate A Taxicab Service In The City Of Irving, Texas
- 21 **Ordinance No. 8815** -- First Reading -- Granting A Franchise To Trash Truck Repair dba Triplett Waste Services For Solid Waste Collection Services Pursuant To Chapter 33 Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas
- 22 **Ordinance No. 8807** -- Final Reading -- Adopting Rider 6.1.1.16 - Underground Facilities Cost Recovery Factor Tariff - Proposed Tariff To Implement Electrical Infrastructure Improvements Including Installation Of Underground Wiring
- 23 **Ordinance No. 8816** -- Amending Chapter 8 Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing That A Building Is Dangerous If Inadequately Secured To Prevent Unauthorized Entry By Children, Vagrants Or Other Unauthorized Persons
- 24 **Ordinance No. 8817** -- Amending Chapter 8A Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, To Provide That After Revocation, A Certificate Of Occupancy May Only Be Reissued Upon Request Of The Owner, Correction Of Conditions Giving Rise To The Vio

This concludes the consent agenda items #1 through 24, excluding items 3, 9, 14 and Item #18 was dropped from the consent agenda.

- 3 **Resolution No. 6-14-07-208** -- Approving The Criminal Alien Project Initiative By The Irving Police Department

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

Police Chief Larry Boyd gave an over view of this item utilizing a power point presentation.

City Manager Gonzalez commended Chief Boyd and his staff for their implementation of this program.

The following registered to speak in opposition and in support of implementing the Section 287(g) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA).

Nancy Wilson, 2911 Bryn Mawr
Lucia Rottenberg, 2220 Indian Creek
Don Van Slyke, 2617 Castle
Jacqualea Cooley, 1633 Drexel
Sue Harper, 1117 S. Delaware
George Stephenson, 2105 Druid Drive
Greg Roberts, P.O. Box 540035, Grand Prairie, Texas 75054
Sue Richardson, 1521 Belmead Lane
T. J. Franklin, 404 Clark Street

The following spoke in favor of the CAP Initiative and in support of “legal” immigrants in the City:

Carlos Quintanilla, 421 S. Dwight, Dallas, Teas 75211
Madeline E. States, 415 E. Airport Freeway
Roland Medina, 1600 N. MacArthur
Tom Madrzykowski, 2220 Spanish Trail
Manuel Benavides, 2108 Meadow Glen
Anthony Bond, 4109 W. Northgate #824
Elvia Wallace-Martinez, 500 N. O’Connor Road #13
Rene Castilla, 442 W. Northgate
Luís de la Garza, lives in Farmers Branch
Ceaser Ramirez, lives in the city of Irving
George Rivera, lives in Irving
Ken Boozer, 2000 Onetta
Anna Garcia, 712 Jeff Court
David Gutierrez, 1921 Carl Road

The following registered in opposition and in favor of 287G, but did not wish to speak:

Ashley Walser, 1001 S. Delaware
Erin Perdue, 2001 Meadow Lark
Joseph Clay, 1729 Coral Rock
Emmanuel Lewis Jr., 1909 Anderson Street

There followed lengthy Council discussion.

Councilwoman Van Duyne moved to approve the resolution amending Section I to add the following “and agrees to formalize this relation with a signed Memorandum of Understanding to implement the Federal 287(g) program.” Seconded by Councilman Spink, the motion failed by a vote of 2-7, with the following voting in opposition: Mayor Gears, Councilwoman Cannaday, Councilman Philipp, Councilman Smith, Councilman Stopfer, Councilman Patrick and Councilman Meagher.

Councilman Philipp moved to approve the resolution in support of the Criminal Alien Project Initiative by the Irving Police Department. Seconded by Councilwoman Cannaday, the motion was approved by a vote of 9-0.

9 Resolution No. 6-14-07-214 -- Approving The Articles Of Incorporation And By-Laws For The Irving Local Government Corporation Number 1

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition and stated that Mr. Gordon Sumner, 1617 Land Mark, pulled this item from the consent agenda and asked for an explanation. Mr. Sumner was not present. There were no speakers.

Managing Director David Leininger gave a brief presentation on this item.

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

- 14 Resolution No. 6-14-07-219** -- Approving A Contract Of Sale In The Amount Of \$100,000.00 For City-Owned Property To Provide Affordable Housing To A Qualified Applicant -- Property Being Lot 2, Block B Of The Pecan Grove Park Addition Located At 1409 Ronne Drive

Mayor Gears introduced the item and stated that Mr. Gordon Sumner 1617 Land Mark asked that this item be pulled from the consent agenda and asked for an explanation. Mr. Sumner was not present.

Director of Housing and Human Services Vivian Ballou gave a brief presentation on this item.

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

ZONING CASES

- 25 Resolution No. 6-14-07-225** -- Postponing To June 28, 2007 An Ordinance Amending The Comprehensive Plan To Change The Recommended Land Use From Open Space And Parks/Possible Wetland Mitigation Area To Single Family Detached - Low Density Residential And Granting R-6 (Single Family) District Uses In Zoning Case #5678 -- An Approximately 0.635 Acre Tract Located At The Southwest Corner Of Bolden Road And Nursery Road -- Ash Abraham, Applicant **(Postponed At The May 24, 2007 City Council Meeting)**

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

Jim Dewey, JDJR Engineers, 2500 Texas Drive, representing the applicant, presented the item and asked for a postponement, as the applicant is out of the country.

Councilman Patrick moved that the plat be denied. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 26 Resolution No. 6-14-07-226** -- Resolution -- Postponing To June 28, 2007 The Consideration Of An Ordinance Granting S-P-1 (Detailed Site Plan) For ML-20a (Light Industrial) And Outside Storage Uses in Zoning Case #5681 -- An Approximately 0.713 Acre Tract Located At 1513 Maryland Drive -- C.T. And S., Inc., Applicant **(Postponed At The May 24, 2007 City Council Meeting)**

Mayor Gears introduced the item and stated that the applicant asked for a postponement to the June 28, 2007 City Council meeting.

Councilman Patrick moved to postpone this item to the June 28, 2007 City Council meeting. Seconded by Councilman Smith, the motion was approved by a vote of 9-0.

- 27 Resolution No. 6-14-07-227** -- Postponing To June 28, 2007, The Consideration Of An Ordinance Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family)

District Uses In Zoning Case #ZC07-0002 -- An Approximately 1.63 Acre Tract Located At 3920 Jackson Street -- JDJR Engineers & Consultants, Inc., Applicant

Mayor Gears introduced the item and stated that the applicant wished to postpone this item to the June 28, 2007 City Council meeting.

Councilman Stopfer moved to postpone this item to the June 28, 2007 City Council meeting. Seconded by Councilwoman Cannaday, the motion was approved by a vote of 9-0.

- 28 Resolution No. 6-14-07-228** -- Preliminary/Final Plat -- Lakeview Estates Addition -- A 3.272 Acre Tract Located At 2233 Bolden 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, JRJD Engineering, 2500 Texas Drive#100, was present, but no questions were asked by Council.

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

- 29 Resolution No. 6-14-07-229** -- Preliminary/Final Plat -- Riverside Village Phase 1 -- An Approximately 78.35 Acre Tract Located West Of Riverside Drive And North Of La Villita Boulevard -- Carter & Burgess, Inc., Applicant

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

The applicant Kyle Salesman, Carter And Burgess, 7950 Elmbrook Drive, was present, but no questions were asked by the Council.

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

- 30 Resolution No. 6-14-07-230** -- Zoning Case #5690 -- Granting S-P-2 (Generalized Site Plan) For C-W (Commercial Warehouse) Uses -- A 3.58 Acre Tract Located At 1635 East Irving Boulevard -- Sharon Barbosa-Crain, Applicant **(Postponed At The May 24, 2007 City Council Meeting)**

Mayor Gears introduced the item and stated that the applicant wished to postpone this item indefinitely.

Councilman Patrick moved to postpone this case indefinitely. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 31 Ordinance No. 8818** -- Zoning Case #5695 -- Granting C-W (Commercial Warehouse) Uses -- A 0.506 Acre Tract Located At 1008 East River Hill Road -- Harman Commercial Services, Applicant

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

The applicant was not present.

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

Kenneth Ewing, 2524 Crestview Circle

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

- 32 Ordinance No. 8819** -- Zoning Case #5701 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) Uses -- A 0.267 Acre Tract Located At 302 West Vilbig Street -- Di Sciullo & Terry, Inc., Applicant

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

The applicant Don Faust, 1505 Boundbrook, gave a presentation on this item.

The following registered to speak in opposition:

Judy Currier, 1821 Collier

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

Kenneth Ewing, 2524 Crestview Circle

Dar Hackbarth, 9128 Cumberland

Jacqualea Cooley, 1633 Drexel

Emmanuel Lewis, Jr., 1909 Anderson Street

Councilman Patrick moved to approve the ordinance as presented. Seconded by Councilman Smith, the motion was approved by a vote of 8-1, with Mayor Gears voting in opposition.

- 33 Resolution No. 6-14-07-231** -- Preliminary/Final Plat -- Caster Estates No. 4, 1st Revision-- A 0.267 Acre Tract Located At 302 West Vilbig Street, Southwest Corner Of West Vilbig Street And Franklin Street -- Di Sciullo & Terry, Inc., Applicant

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

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

Emmanuel Lewis, Jr., 1909 Anderson Street

Dar Hackbarth, 9128 Cumberland

Jacqualea Cooley, 1633 Drexel

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

- 34 Resolution No. 6-14-07-232** -- Zoning Case #ZC07-0001 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) Uses -- An Approximately 2.01 Acre Tract Located At 1225 French Street -- JDJR Engineers & Consultants, Inc., Applicant

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition. He stated a three fourths vote of the entire Council was required to approve this case.

The applicant Jim Dewey, JDJR Engineering, 2500 Texas Drive #100, presented the case.

David Staley, 3435 Finley Road, spoke on the proposed development of this property.

The following registered to speak in opposition:

Barbara Fryrear, 1129 French Street

Manager of Planning and Development Steve Reed explained this is currently zoned for single-family development, but that this request increases the number of homes that can be built on the property.

The following registered in support, but was not present to speak:

Robert Shaw, 917 McCoy Drive

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

Daisy Dillon Harley, 5409 Prince Drive, Lake Dallas, Texas

John Dillon, 1125 French Street

Margaret Dillon, 1125 French Street

After Council discussion concerning the integrity of the neighborhood, **Councilman Meagher moved to deny this case. Seconded by Councilwoman Van Duyne, the motion was approved by a vote of 7-2, with the following voting in opposition: Councilman Philip and Councilman Patrick.**

- 35 Ordinance No. 8820** -- Zoning Case #ZC07-0003 -- Granting S-P-1 (Detailed Site Plan) For Hotel And R-AB (Restaurant Including The Sale Of Alcoholic Beverages For On-Premises Consumption) Uses -- An Approximately 4.965 Acre Tract Located At 110 West John Carpenter Freeway (West Side Of West John Carpenter Freeway, North Of O'Connor Road) -- Wyndham Las Colinas, Applicant

Mayor Gears introduced the item and asked if 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 9-0.

INDIVIDUAL CONSIDERATION

- 36 Ordinance No. 8821** -- Public Hearing -- Proposed Designation Of A Commercial/Industrial Tax Abatement Reinvestment Zone No. 51 Being A 54.30 Acre Tract Of Land Situated In the City Of Irving, Dallas County, Texas, Being A Part Of The Chilton Smith Survey, Abstract Number 1293, The J. C. Read Survey, Abstract Number 1183, And The J. S. Thompkins Survey, Abstract Number 1756, And Being Also Part Of A Tract Of Land Described As Tract II, Parcel A, To James Sowell Company, L.P., As Recorded In Volume 96252, Page 3976, Of The Deed Records Of Dallas County, Texas

Mayor Gears stated that items #36, #37 and #38 are companion items. There were no speakers.

Don Williams, Greater Irving Las Colinas Chamber of Commerce, gave a brief presentation in support of this tax abatement zone and the corresponding agreements.

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

- 37 Resolution No. 6-14-07-233** -- Approving a Real Property Tax Abatement Agreement Between The City Of Irving And Lauth Property Group

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

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

- 38 Resolution No. 6-14-07-234** -- Approving An Economic Development Incentive Agreement With Lauth Property Group For Designation Of "Rebate Eligible" For New Construction At 500 Valley View Lane

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.

- 39 Ordinance No. 8822** -- Providing For The Issuance And Sale Of City Of Irving, Texas General Obligation Bonds, Series 2007, In The Aggregate Principal Amount Of \$27,500,000.00; Awarding The Sale Of Said Bonds; Levying A Tax In Payment Thereof; Prescribing The Form Of Said Bonds; Approving The Official Statement; And Enacting Other Provisions Relating Thereto

Mayor Gears stated that Items #39 and #40 are companion items.

Managing Director David Leininger noted that bids were received and opened today on both bond sales reflected in Items #39 and #40.

Chris Jannings, Senior Vice President, First Southwest gave a brief presentation on the recommended winning bids. He stated that J.P. Morgan Securities, Inc at TIC 4.527654 is the best bid.

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

- 40 Ordinance No. 8823** -- Providing For The Issuance And Sale Of City Of Irving, Texas Waterworks And Sewer System New Lien Revenue Improvement Bonds, Series 2007, In The Aggregate Principal Amount Of \$16,280,000.00; Awarding The Sale Of Said Bonds; Prescribing The Form Of Said Bonds; Approving The Official Statement; And Enacting Other Provisions Relating Thereto

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

Mr. Jannings stated that the recommended bid is Citigroup Global Markets, Inc at TIC 4.632930

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

APPOINTMENTS AND REPORTS

- 41 Resolution No. 6-14-07-235** -- Selection Of Mayor Pro Tem And Deputy Mayor Pro Tem By The City Council

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

Councilman Patrick moved that Councilman Allan E. Meagher serve as Mayor Pro Tem and that Councilman Rick Stopfer serve as Deputy Mayor Pro Tem. Seconded by Councilman Smith, the motion was approved by a vote of 9-0.

- 42 Resolution No. 6-14-07-236** -- Appointments To Boards And Commissions -- Hospital Authority Board

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

Councilman Patrick moved that Phillip McCrory be reappointed to the Irving Hospital Board to serve a two year term expiring June 2009. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 43 Resolution No. 6-14-07-237** -- Appointments To Boards And Commissions -- Housing And Human Services - Place 5, Term Expiring November 2007

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

Councilman Smith moved to appoint Robert Moon to Place 5 – an unexpired term expiring November 2007. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.

- 44 Resolution No. 6-14-07-238** -- Re-Appointment To The Dallas Area Rapid Transit Board Of Directors And The Dallas Area Rapid Transit Board Of Directors Aggregated Position, Currently Represented By John Danish And Randall Chrisman, Respectively, For A Two Year Term Expiring July 1, 2009

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

Councilman Patrick moved that John Danish representing the City of Irving, and Randall Chrisman, representing Carrollton 80% and Irving 20% , both be reappointed to the Dallas Area Rapid Transit Board for two year terms expiring July 2009. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.

- 45** City Manager's Report
- City Manager Gonzalez stated that Acting City Attorney Charles Anderson is not in attendance due to the illness of his son and asked that the Council keep him and his family in their thoughts.
- 46** Committee And Liaison Report/Meetings
There were no reports given
- 47** Mayor's Report
There was no report given.
- 48** The meeting adjourned at 12:05 p.m.

CITIZEN FORUM

Betty Yarbrough, 204 W. 7th Street, addressed the Mayor and Council regarding the animal shelter, and commended Manager Fred Sanderson.

Jerald Cannon, 1522 Live Oak, was not present to speak.

Lucia Rottenberg, 2220 Indian Creek, spoke about water conservation and asked that the City Of Irving start a program.

ATTEST:

Herbert A. Gears, Mayor

Janice Carroll, TRMC
City Secretary