

REGULAR MEETING OF THE IRVING CITY COUNCIL
July 19, 2007

The City Council met in regular session in the Council Chambers of the City Hall Complex on July 19, 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

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Mark Melane, 9807 Sunrise Drive, Chairman of the Public Safety Committee for Valley Ranch, announced that National Night Out is on August 2, 2007 and invited Council to attend their event.

Teddie Story, 1036 Old Mill Circle, announced that Irving has a wonderful resource called the "Poverty and Homeless Coalition". This was formed after the condemnation of some apartments in Irving and there was not a plan for displaced tenants. She said that she is the Chair of the Emergency Team for two years. If anyone would like to learn more about this organization and how they can help, please call Teddie Story at 972-721-9181.

Owen DeWitt, 8610 Oak Valley, spoke about Kings Manor Apartments his experience in helping five families move out of their apartments. Mr. Dewitt stated that the city staff's assistance was professional and enthusiastic. Mr. Dewitt encouraged the city that as soon as they make a decision to condemn apartments to please let them know so that they can prepare to assist in the relocation.

INVOCATION

The invocation was delivered by Pastor Travis Stanley, Plymouth Park Church of Christ, of the City Of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears recognized residents that are actively involved in their neighborhoods and in the community at large. Mayor Gears stated that the City of Irving is proud of efforts the residents have shown to preserve and protect their neighborhoods. The following recipients were:

Outstanding Volunteer Award

- Kathy Nagel, Irving Lake Association, for her efforts in maintaining the island in her neighborhood
- John Solis, Grauwylers Heights Neighborhood Association, for his many beautification efforts in his area.

Outstanding Office Award

- Joyce Eckles, Grauwylers Heights Neighborhood Association, for serving her area as the Recycling Coordinator.

Outstanding Project Award

- University Hills Homeowner's Association for Deck The Halls - Accepted by: Nell Ann Hunt

Outstanding Newsletter

- Barton Estates Neighborhood Association For The BART Newsletter - Accepted by: Karen Harmon for showcasing the neighborhood's commitment to deliver information to its residence.

Collaboration Award

- Minuteman Press - Accepted by: Sharon Gwartney for supporting the Barton Estates Neighborhood, as a local business, with the publication of the BART Newsletter.

PUBLIC INPUT HEARING

- 1 File No. 7-19-07-275** -- Public Hearing -- Receiving Public Input On The Proposed Fiscal Year 2007-2008 Action Plan For Use Of Federal Grant Funds Under The Community Development Block Grant (CDBG), HOME Investment Partnerships Grant (HOME), American Dream Down Payment Initiative (ADDI) And Emergency Shelter Grant (ESG) Programs

Carole Shlipak, 1500 Colony Dr., Housing Human Services Board, spoke in favor and said this plan meets the needs of Irving on a comprehensive level. She recognized the need for the HHS board to work with City staff on meeting the needs of the sub-standard Multi-Family housing areas and look forward to the year ahead.

Captain Matthew Trayler, Salvation Army, 250 E. Grauwylers Rd., spoke in favor of this item and thanked the Council for their support and funding to the Salvation Army. He described how the social services program has helped people in the community through its CDBG and ESG funding.

Mary Shelton, Family Outreach Center, 600 W. Pioneer Dr., spoke in favor and thanked the HHS and the Council for funding their programs.

Teddie Story, Irving Cares, 1036 Old Mill Circle, spoke in favor and thanked the CDBG/HHS department for their financial support that helps provide temporary

emergency assistance for thousands of needy residents. She described Irving Cares' programs that have been possible in large part due to the funding from the City.

Marcie Inman, Irving Arts Center, 3333 N. MacArthur Blvd., spoke in favor and thanked the HHS Board and the Council for supporting the "Art Jobs" programs for the at-risk youth and look forward to future programming.

Richard Scott, Irving Family Advocacy, 600 W. Pioneer Dr., spoke in favor and expressed appreciation to the Board and Council support in training therapists to provide service to Irving residents.

Diane Piper, 1215 Skiles St., Dallas, spoke in favor of this item and wished to thank the City for funding the nursing home and assisted living facilities in Irving with CDBG funds. She described several aspects of the program and the positive impact it has on the residents of these facilities.

Jana Barker, Brighter Tomorrow, P.O. Box 532151, Grand Prairie, spoke in favor and thanked the Council for their support and confidence in such programs as aiding victims of domestic violence and funding toward the emergency shelter and transitional apartments.

David Schoemaker, 1424 Cottonwood Valley Ct., spoke in favor of funding allocated to the Irving Family Advocacy Center's needs.

Paul Hoffmann, Dental Health Programs, 1400 W. Mockingbird Lane, Dallas, Texas spoke in favor and thanked the Council for funding that supports dental programs for children, teens and seniors and looks forward to being in the new Irving Health Center.

Troy Brown, Big Dogs Youth Organization, 1425 W. Pioneer Dr., spoke in favor and described the math and reading programs that have been funded by the HHS Action Plan.

Debra Squyres, YWCA, 3640 W. Northgate Dr., spoke in favor and expressed her appreciation to the Council for the CDBG funds that support the YWCA's scholarship/childcare program.

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

Lori Costello, Irving Family Advocacy Center, 600 W. Pioneer Drive

Suzanna Swanson, 1215 Kiles Street

Stella Rodriguez, 1919 N O'Connor

Bill Walker, 1401 S. MacArthur Blvd.

Erma Vaughn, Dallas Urban League

Allison Sharpe, 928 Bluebird

I. Valencia, 928 Bluebird

Beverly J. Wilborn, 600 W. Pioneer

- 2 Resolution No. 7-19-07-276** -- Approving Fiscal Year 2007-2008 Action Plan For Use Of Federal Grant Funds Under The Community Development Block Grant (CDBG), HOME Investment Partnerships Grant (HOME), American Dream Down Payment Initiative (ADDI) And Emergency Shelter Grant (ESG) Programs

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

Councilman Philipp noted the modification statement to the plan related to multi-family initiatives.

Councilman Philipp moved to approve the 2007/08 Action Plan as amended. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 3 Resolution No. 7-19-07-277** -- Approving The Housing And Human Services Board Recommended Community Development Block Grant (CDBG) And Emergency Shelter Grant (ESG) Human Service Agency Funding Allocations As Proposed In The Fiscal Year 2007-2008 Action Plan And Approving Sample CDBG And ESG Agreements

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

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

CITY COUNCIL AGENDA

4 City Manager's Report

City Manager Gonzalez recognized Laurie Kunke for her 15 years of service with the City of Irving and commended her for all of the work she has done as the Director of the newly formed Corporate Communications Department.

Goal No. 1: Land Use

Transit Oriented Development – Lion Gables Realty submitted a zoning change application on June 27, to rezone approximately 14 acres of land in the Las Colinas Urban Center on O'Connor Boulevard across from Williams Square to "Transit Oriented Development." The Water Street project proposes approximately 300,000 square feet of retail, restaurant, office and entertainment uses, and 800 residential units. The application is being reviewed by staff, and is tentatively scheduled to be heard by the City Council on Sept. 6. The project plat was submitted on July 11, and also is being reviewed by staff. Employees from the Planning and Development, Inspections, Public Works, Fire, and Financial Services departments and the City Attorney's Office have been meeting regularly with the project developer, architects and engineers over the past several weeks to review plans and resolve issues in preparation for these submittals.

Goal No. 2: Vibrant Neighborhoods

City Hall First Floor Display Case – During July, the display case on the first floor of City Hall, in front of the Council Conference Room, features code enforcement initiatives. Highlights include volunteer programs; Neighborhood Improvement Program; Community Fest 2007; before and after photos of actual cases and success stories worked by code enforcement officers; and code education material. City Manager Gonzalez stated that relative to Villa Martinique and the fact that the city assessed civil penalties on that land lord and city received a check for \$66,000.00 and the city is working on a plan that would create a fund that will allow this \$66,000.00 to become seed money to help with the relocation of tenants in some instances. On August 2, 2007 council will be receiving two ordinances, one in relation to being able to lien a property if the city causes the land lord to pay for the relocation and the other ordinance will state that anyone that owes the city money will not be able to get a permit. This will give the city a more respectful means of helping these people. The other update is about three apartment complexes that are going to be impacted for not planning their water bill the complexes are Lakes at Hilltop Apartments, Jackson Square Apartments and the Plantation View Apartments; Gary Miller will be working with Teddie Story regarding the relocation of these tenants.

Neighborhood Roundtable – Neighborhood association officers will participate in a Neighborhood Improvements, presented by Managing Director Paul Gooch. Following the presentation, Irving Community Television Network will be on site to videotape attendees who want to talk about the activities and events taking place in their neighborhoods.

Goal No. 3: Economic Development

Job Center – The following series of free Job Center workshops will be presented by the Irving Public Library in July: Resume Workshop – July 24; Interviewing Workshop – July 25; How to Find A Job Online – July 26; and Investigating Companies – July 27

Irving CVB Client Appreciation Luncheon – On June 29, the Irving Convention and Visitors Bureau hosted a local client appreciation luncheon at La Cima. Themed “In the Know... On the Grow,” ICVB Executive Director Maura Gast provided an Irving development overview to more than 70 hoteliers and planners representing companies such as Accenture, Atmos Engery, Coca-Cola Enterprises Bottling Companies, Commercial Metals, Merck, Morgan Stanley, NCH Corporation, Novaris Pharmaceuticals VHA and Zale Corporation

Conference and Events Facility Developments – Together with the City of Irving and Las Colinas Association, the Irving Convention and Visitors Bureau held a series of kick-off meetings with the proposed Irving conference and events facility’s architectural and project management teams. In addition, a contract was signed with SMG to manage the facility upon its completion. SMG, a leader in facility management, marketing and development, will serve as consultant for the facility during its pre-opening phase. A groundbreaking ceremony for the new building will be held Sept. 14.

Groups in Irving – The Irving Convention and Visitors Bureau has welcomed the following groups and organizations to Irving: Chicago Cubs (June 18-21); Texas Center for the Judiciary (June 18-22); Edgell Communications (June 18-20); Houston Astros (June 20-24); Pediatrix Medical Group (June 20-21); Morgan Stanley (June 25-29); Neiman Marcus (June 24-29); BMW of North America (June 25-29); American Legion (June 26-July 2); Kyocera-Mita (June 30-July 1); Dance Revolution (July 4-9); Texas Industrial Vocational Association (July 8-14); Invitrogen (July 8-12); Delta Theta Tau (July 10-15); Gloria Shields All-American Workshops (July 10-14); and Darling Dolls of America (July 12-15).

Goal No. 4: Safe and Secure City

Silent Hero Award – Irving Police Dispatcher Camie Meine has been nominated and selected by the National Emergency Number Association (NENA) as a Silent Hero for Texas for her efforts in going above and beyond the call of duty in her position as a dispatcher. She will be recognized at a ceremony in San Antonio during the week of Sept. 11.

Voice-Over Internet Protocol (VOIP) Study – The Irving Police Department, along with Bexar County and Greater Harris County, have been selected by Tarrant County 911 to be a test site for a company that is working on enhancing VOIP 911 services. This service will assist with relaying misrouted 911 calls to the appropriate public safety answering point.

Narcotics Arrests –The Irving Police Narcotics Unit recently investigated reports of narcotics trafficking at a location on the west side of town. With assistance from the Drug Enforcement Administration, five suspects were arrested and five ounces of methamphetamine, with a street value of \$11,000, were seized. Several of the suspects were Irving residents, and all of them had prior arrests; some for crimes involving violence.

Cell Phone Examination Equipment – The Police Department has purchased a Logicube Celldek, a device used to extract text messages and photographs from cell phones and PDAs. Within two weeks of the equipment's arrival, it was vital in gathering evidence for a large-scale forgery/identity theft ring.

Arson Investigation Division – Fire Prevention Specialist James Malone Jr. graduated from the North Central Texas Council of Government's Basic Police Training Academy after a rigorous program of instruction. He is now a certified law enforcement officer, and will be using his new skills as part of the Fire Department Arson Investigation Division.

Texas Book Festival Health Summer Educational Series – Dr. Ella Daly, a psychiatrist from UT Southwestern Medical School, presented the latest information on depression and its clinical manifestation in adults and children during a special series on July 7. Her presentation focused on the long-lasting negative effects of people with untreated depression, and the early warning signs that should be recognized. This presentation covered the importance of early screening for depression in all families, regardless of socio-economic status. This presentation was the first of the Texas Book Festival Health Summer Educational Series that will conclude with a health fair on July 28. This educational series is a collaborative effort between the Irving Public Library, Corporate Communications

and several local health organizations servicing Irving residents.

Tow Vehicle – In conjunction with Emergency Management, the Fire Department is ordering a new tow vehicle to be used in hauling the emergency decontamination trailer. Funding for the vehicle was made available through a grant from the federal government.

Hazardous Materials Training – Fire Department personnel are attending training to certify staff as hazardous materials technicians. These individuals are members of the department's Haz-Mat Team, one of only three such teams in Dallas County. This team responds throughout the county to test and identify spills of dangerous chemicals, and ensure that the scene is made safe for the public and other emergency workers.

National Night Out – On Aug. 7, neighborhoods across Irving will turn on their porch lights for National Night Out, an annual, nationwide event designed to promote neighborhood safety. During the past few years, Irving has averaged between 25-35 National Night Out neighborhood events. The Irving Police Department is encouraging residents to organize events on a neighborhood level so they can get to know their immediate neighbors. Irving residents may contact the Irving Police Department's Crime Prevention Unit to register a block party.

Daily Crime Reports – The Police Department is expanding its efforts to better inform residents and the business community. In addition to the Daily Crime Summary, which is provided via e-mail each weekday, the department has increased the amount of information made available through www.crimeweb.net. Residents can subscribe to this free service to receive notices of crime alerts and neighborhood meetings.

Red Light Camera Enforcement – More than 350 red light warnings were issued at the intersections of Belt Line/Pioneer roads and O'Connor Road/Lane Street during the 30-day test and warning period. Four additional red light camera installations are expected to be operational during July: State Highway 114 at State Highway 161; State Highway 161 at Gateway Road; Belt Line Road at State Highway 183; and Irving Boulevard at Loop 12.

Goal No. 5: Diversity

Health Fair – The East Branch Library is holding a free health fair on July 28 as the final program for its Spanish-language health education series. The fair and prior programs in the series have been made possible through collaboration with Corporate Communications and a grant from Texas Book Festival.

Leyendo Juntos – The East Branch Library is hosting a Leyendo Juntos (Reading Together) program on July 28, thanks to an ongoing relationship with Telemundo 39. Families are invited to bring their children to listen to Spanish-language stories read by Telemundo 39 news anchor Miguel Amanté.

TGIF Series – The Nruthya Shakti Indian Dance Troupe performed July 13 for city employees at the Irving Central Library Auditorium. Founded in 1990, the Nruthya Shakti Dance Troupe has performed Indian folk dancing for civic groups, colleges and many other audiences. The TGIF program is organized by the Human Resources Department to

promote and support diversity in the community.

Goal No. 6: Effective Communications

Meet and Greet the Troops – Recognized Pat Nicks for her efforts in coordination the city and all the departments that showed their patriotic spirits - in More than 45 city staff members, friends and family welcomed troops home from Iraq as they arrived at DFW International Airport on July 5-6 as part of the military's rest and recuperation program. The city contingency greeted the soldiers with flags, signs, cheers, handshakes, water, refreshments and many heartfelt thank-yous. City Manager Tommy Gonzalez was joined by staff members from the following departments: City Secretary's Office, Convention and Visitors Bureau, Inspections, Fire, Library, Police, and Public Works. The ICVB brought snacks and the City Manager's Office provided water to the soldiers; the remaining food was donated to the USO for use in their lounge. Mr. Gonzalez also recognized AMBUCS in what they do when a soldiers returning from duty, they are honor them by taking them to lunch and giving them a flag as a nice token.

Goal No. 7: Cultural, Recreational and Educational Environments

One Act Play Competition – Parks and Recreation will host the annual One Act Play Competition at 7 p.m. July 20 at the Irving Arts Center Carpenter Performance Hall. The competition features one-act plays performed by children ages 6-15. Throughout the summer, participants rehearse their respective plays and create backdrops/props to prepare for their performance on the big stage. All participants receive medals; and awards are given to the best play, and best male and female actors. The Show Biz Kids will perform during intermission.

Summer Games – Parks and Recreation will host the annual summer games competition July 23-Aug. 3. Summer games consist of competitions in 10 sporting events. The participating co-ed teams represent each recreation center. The youth division consists of ages 11-14, and the teen division consists of ages 15-18. The week of July 23 is for individual competitions to include chess and checkers, table tennis, tennis, bowling and soccer skills. The week of July 30 is designated for team events to include softball, volleyball, dodgeball and basketball. Winners receive gold, silver and bronze medals. All participants receive complimentary T-shirts, lunch and transportation to the various event sites.

10th Annual North Texas Guard Games – Mayor Pro Tem Allan Meagher welcomed contestants and judges to Irving as the city played host to the 10th Annual North Texas Guard Games June 29-30 at the Heritage Aquatic Center and Senter Park Swimming Pool. This marked the second time the City of Irving has hosted the event. Twenty-seven teams (a total of 162 participants) represented 16 cities from across Texas, including the defending champions from The Woodlands. The games consisted of seven events designed to test the skills of the participants in first aid, rescue techniques and fitness/agility. Irving featured two teams in the competition, with team "Where the Wild Things Guard" finishing second overall. Team members included Christine Atteberry, B.J. Borougerdi, Gabe Pena and Roshonda Streck. The team also won individual events in the obstacle course and in the first aid competition, while finishing second in the scanning

competition.

Harry Potter Day – The Central Library’s children’s department is holding Harry Potter Day on July 21 to celebrate the release day for J.K. Rowling’s final Harry Potter book. A cover-to-cover reading will begin at 10 a.m. Early shoppers can bring their own books if they would like to read-along. The library also will screen movies, give prizes to those who come dressed in a Hogwarts costume, and present “magical” craft activities during intermissions. The library also has developed a Harry Potter program just for teens, The Hogwarts Hunt, which is designed to be an interactive scavenger hunt.

Irving Arts Center Exhibits – Four new exhibits opened in July at the Irving Arts Center, including “At the Controls: The Smithsonian National Air and Space Museum Looks at Cockpits”; “Metro-Entrances: Paintings by Sebastian C. Varghese”; “7th Annual Art Connection Members’ Show”; and “2007 KidsArts/Kids’ Works.” The exhibit “At the Controls” features the Arts Center’s first borrowed artifacts from the Smithsonian Affiliates Program: nametags from astronauts Michael Baker, John Baha, Carl Meade, Story Musgrave and Norm Thagard.

Goal No. 8: Sound Governance

Resident Inquiries Addressed – For the months of May and June, the Corporate Communications Department responded to 331 inquiries. More than 185 inquiries were completed through the inquiry system, and 143 were immediately addressed. The primary concerns consisted of high grass/ weeds, outside storage, street and sidewalk repair, animal services, and waste services (trash and brush/bulky waste pick up). Residents who initiate concerns are provided regular updates about how and when the issue is being addressed. Mr. Gonzalez also recognized Susan Rose for the incredible job she does in responding to citizens.

Adopt-A-Friend – The Information Technology Software Services Team, along with Animal Services, will conclude the purchase process for a new animal shelter management system called Adopt-A-Friend from Island Business Group. The Adopt-A-Friend software will provide Animal Services with powerful tools to address day-to-day functions such as shelter record keeping, animal awareness and animal adoptions. These functions are currently being tracked manually. The scheduled completion date for this project is Oct. 1.

Public Agency Retirement System – City staff has successfully implemented the Public Agency Retirement System for part-time and temporary employees, effective July 1. This program is already saving the city more than four percent of the payroll cost for part-time and temporary employees

Human Resources Training – Human Resources offered the following employee training events this past week: Leadership Series Module “Conflict Resolution Strategies for Managers”; “Managing Up!” – how to become a more effective performer in the eyes of your leader; and “Improving Personal Productivity” – basic steps to organizing, planning and prioritizing. Mr. Gonzalez recognized Janet Robinson for leading these efforts.

Goal No. 9: Infrastructure Network

Lake Chapman Update – Thanks to the recent rainfall, Lake Chapman is now full and the storage has reached capacity (100,628 acre-feet). The water surface elevation has increased to 441.6 feet as of July 12, which is 1.6 feet above conservation level. This compares to the water surface elevation on June 21, which was 433.64 feet, or 6.36 feet below conservation level. Mr. Gonzalez announced that the city is back to level 1, which is voluntary water conservation.

Capital Improvement Program Activity – For the first nine months of this fiscal year, Public Works has expended \$19.3 million on water, sanitary sewer, paving and drainage projects as authorized by the City Council.

Goal No. 10: Environmentally Sustainable Community

Brush and Bulky Waste Collection – Solid Waste Services implemented weekly brush and bulky waste collection almost one year ago, and this service enhancement has been well received by residents. The current spring/summer season has posed a challenge due to above-normal rainfall, which has boosted growth and generated more tree trimming. The severity of some of the storms has caused several areas of town to remove large trees. Also, many trees throughout the city are currently suffering from a webworm infestation, which has necessitated the removal of a large numbers of trees and/or branches. These factors have increased our normal brush and bulky waste collection program, and collections are currently running a little behind schedule. Staff is doing all it can to meet the needs of customers, and appreciates the patience and understanding of our residents.

Environmental Management System (EMS) Forum – City employees Fran Witte, recycling supervisor; Dennis King, environmental compliance supervisor; and Karen Siddall, drainage program coordinator, attended a three-day EMS Forum for Local Governments June 26-28. The forum was hosted by the Environmental Protection Agency, Texas Commission for Environmental Quality, North Central Texas Council of Governments, and the City of Dallas, and it educated participants on how to develop an environmental management system for the City of Irving.

Washer-Dryer Connections – Equipment and Building Services has started a construction project to add washer-dryer connections at various fire buildings. Historically, the Fire Department has used an outside company to provide towel and linen service for all 11 fire stations. Due to the price increase for the service, it was determined that the city could save money and time by purchasing linens and not having to wait on a vendor to provide the service, paperwork, invoicing, etc. It is expected that the project will pay for itself in two to three years, and will offer continued savings in future years. The project also will provide better service for fire personnel. The project cost is \$49,000, and should be completed by the end of September.

CONSENT AGENDA

The consent agenda, items #5 through #20, 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 Item 15E, would be

pulled and no action would be taken. **Councilman Spink moved to approve the consent agenda, items #5 through #20, excluding item 15E. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.**

- 5 **Resolution No. 7-19-07-278** -- Approving The City Council Meeting Work Session Minutes Of June 27, 2007, And The City Council Meeting Minutes Of June 28, 2007
- 6 **Resolution No. 7-19-07-279** -- Renewing A Contract With Deloitte & Touche LLP In The Amount Of \$256,439.00 For The Fiscal Year 2006-2007 Annual Financial Audit
- 7 **Resolution No. 7-19-07-280** -- Ratifying The Loan Purchase And Sale Agreement Between The City Of Irving And Comerica Bank For A \$3.5 Million Bank Line Of Credit Loan Facility For Landbanking
- 8 **Resolution No. 7-19-07-281** -- Approving Change Order No. 2 To The Initial Master Agreement With ADMI, Inc. For Project Management/Owner's Representation Services In The Master Plan Development Phase Of The Multi-Purpose Facility And Related Facilities Project
- 9 **Resolution No. 7-19-07-282** -- Establishing A Reasonable Limit On The Amount Of Time City Personnel Are Required To Spend Without Recovering Costs When Producing Copies For A Requestor Pursuant To Section 552.275 Of The Texas Government Code, The Texas Public Information Act
- 10 **Resolution No. 7-19-07-283** -- Authorizing The Mayor To Sign An Escrow Agreement Between The City Of Irving And Kroger Company In The Amount Of \$44,563.11 For The Construction Of An Eight-Inch Water Line Along State Highway 183 Between Carl Road And Chemsearch Boulevard
- 11 **Resolution No. 7-19-07-284** -- Authorizing The Mayor To Execute An Agreement Between The City Of Irving And Kimley-Horn And Associates, Inc. For Transportation Analysis Services In The Las Colinas Urban Center
- 12 **Resolution No. 7-19-07-285** -- Change Order No. 1 To The Contract With IESI TX Corporation In The Net Estimated Revenue Amount Of \$320,625.00 For The Period Of July 19, 2007, Through September 30, 2007, And Renewal Of Contract In The Net Estimated Revenue Amount Of \$1,425,000.00 For The Period Of October 1, 2007, Through September 30, 2008, For The Sale Of Capacity At Hunter Ferrell Landfill
- 13 **Resolution No. 7-19-07-286** -- Amendment No. 1 To Parker And Marks, P.C. To Change The Ending Date From June 30, 2007, To June 30, 2008, And Increase Collection Fees From 15% To 20% For Delinquent Tax Collections To Be Administered By The Economic Development And Financial Services Department
- 14 **Resolution No. 7-19-07-287** -- Cancellation Of Certain Items On Sedans, Pickup Trucks, And Vans With Prestige Ford For Eleven Vehicles

15 Resolution No. 7-19-07-288 -- Purchases Funded In The 2006-2007 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years

- (A) Award -- Approving Award To Caldwell Country Chevrolet And Dallas Dodge For The Purchase Of Two Police Vehicles Through The Interlocal Agreement For Cooperative Purchasing With Houston-Galveston Area Council Of Governments In The Net Amount Of \$54,065.00 To Be Used By The Police Department
- (B) Proposals -- Renewal Of Proposal To Huguley Assessment Center For Health And Fitness Services For The Irving Police Department In The Net Estimated Amount Of \$41,000.00 For The Period Of October 1, 2007, Through September 30, 2008; And \$41,000.00 For The Period Of October 1, 2008, Through July 20, 2009, Subject To Funds Being Appropriated In Fiscal Years 2007-2008 And 2008-2009, As Recommended By The Police Department
- (C) Award -- Approving Award To Dallas County Institute Of Forensic Sciences Utilizing Southwest Institute Of Forensic Sciences (SWIFS) For Toxicological, Forensic, Environmental, And Physical Evidence Analysis In The Net Estimated Amount Of \$310,000.00 For The Period Of October 1, 2007, Through September 30, 2008, And \$310,000.00 For The Period Of October 1, 2008, Through September 30, 2009, Subject To Funds Being Appropriated in Fiscal Years 2007-2008 and 2008-2009, To Be Used By The Police Department
- (D) Award -- Approving Award To Philpott Motors For The Purchase Of A Decon Tow Vehicle Cab And Chassis Through The State Of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard) In The Net Amount Of \$109,334.38 To Be Used By The Fire Department
- (E) **File No. 7-19-08-289** -- Award -- Approving Award To Martin Apparatus, Inc. For The Purchase Of Two Fire Pumpers Through The Interlocal Agreement For Cooperative Purchasing With Houston-Galveston Area Council Of Governments In The Net Amount Of \$838,748.00 To Be Used By The Fire Department **(This item was dropped from the Consent Agenda).**
- (F) Proposals -- Renewal Of Proposal With The Wagner Group, dba Management Scientists II For Police And Fire Promotional And Entrance Examinations In The Net Estimated Amount Of \$21,375.00 For The Period Of August 1, 2007, Through September 30, 2007, And \$64,125.00 For The Period Of October 1, 2007, Through July 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Human Resources Department
- (G) Bids -- Annual Bid For Cement, Portland Type I, To Texas Industries,

Inc. In The Net Estimated Amount Of \$8,085.00 For The Period Of August 1, 2007, Through September 30, 2007, And \$24,255.00 For The Period Of October 1, 2007, Through July 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Public Works Department/Streets Division

- (H) Bids -- Annual Bid For Concrete To Redi Mix Concrete In The Net Estimated Amount Of \$253,070.00 For The Period Of October 1, 2007, Through September 30, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Public Works Department/Streets Division
- (I) Bids -- Renewal Of Bid With CrafcO Texas, Inc. For Asphaltic Concrete In The Net Estimated Amount Of \$2,167.00 For The Period Of September 1, 2007, Through September 30, 2007, And \$23,833.00 For The Period Of October 1, 2007, Through August 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Public Works Department/Streets Division
- (J) Bids -- Renewal Of Bid With Crouch Sand & Gravel, Inc.; T S & G, LLC; And Big City Crushed Concrete For Road Maintenance Materials - Part Two In The Net Estimated Amount Of \$2,664.50 For The Period Of September 1, 2007, Through September 30, 2007, And \$29,313.02 For The Period Of October 1, 2007, Through August 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Public Works Department/Streets Division
- (K) Bids -- Renewal Of Bid With Big City Crushed Concrete, L.P. And Earth Haulers, Inc. For Road Maintenance Materials In The Net Estimated Amount Of \$17,352.50 For The Period Of September 1, 2007, Through September 30, 2007, And \$190,887.10 For The Period Of October 1, 2007, Through August 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Public Works Department/Streets And Water Utilities Divisions
- (L) Bids -- Annual Bid For Asphalt Patching Materials Awarded To Austin Asphalt, LP; APAC-Texas, Inc.; And P² Emulsion Plants, L.L.C. In The Net Estimated Amount Of \$12,870.61 For The Period Of September 1, 2007, Through September 30, 2007, And \$140,377.18 For The Period Of October 1, 2007, Through August 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Public Works Department/Streets And Water Utilities Divisions
- (M) Bids -- Renewal Of Bid With KONE, Inc. For Elevator Maintenance And Repair In The Net Estimated Amount Of \$3,130.00 For The Period Of August 1, 2007, Through September 30, 2007, And \$34,430.00 For The Period Of October 1, 2007, Through July 31, 2008, Subject To

Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By
The Equipment And Building Services Department And Public Works
Department/Water Utilities Division

- (N) Bids -- Annual Bid For Potable Water Disinfectant To DPC Industries In The Net Estimated Amount Of \$38,880.00 For The Period Of August 1, 2007, Through September 30, 2007, And \$194,400.00 For The Period Of October 1, 2007, Through July 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Public Works Department/Water Utilities Division
- (O) Bids -- Renewal Of Bid With Kinloch Equipment & Supply, Inc. For Equipment Maintenance For Street Sweepers And Sewer Flushing Machines In The Net Estimated Amount Of \$5,000.00 For The Period Of September 1, 2007, Through September 30, 2007, And \$50,000.00 For The Period Of October 1, 2007, Through August 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Equipment And Building Services Department/Fleet Maintenance Division
- (P) Proposals -- Renewal Of Proposal With DFW Group, Inc. For Risk Assessment For Rehabilitation Projects In The Net Estimated Amount Of \$2,700.00 For The Period Of September 1, 2007, Through September 30, 2007, And \$26,050.00 For The Period Of October 1, 2007, Through August 31, 2008, Subject To Funds Being Appropriated In Fiscal Year 2007-2008, To Be Used By The Housing And Human Services Department

16 Ordinance No. 8832 -- Budget Adjustment To The 2006-2007 Fiscal Year Budget

- I. General Fund
- II. Community Development Block Grant Fund
- III. Water and Sewer Non-Bond CIP Fund
- IV. Irving Convention and Visitors Bureau Building Fund

17 Ordinance No. 8833 -- First Reading -- Granting A Franchise To 5 Star Transportation, Inc. dba Taxis Fiesta To Operate A Taxicab Service In The City Of Irving, Texas

18 Ordinance No. 8814 -- Final 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

19 Ordinance No. 8815 -- Final 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

20 Ordinance No. 8834 -- Amending Chapter 41 Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Entitled "Water And Sewer Systems",

Renaming Article VIII And Implementing Revisions To The Chapter In Accordance With The Sanitary Sewer Overflow Agreement With TCEQ Including Modifying The Frequency For The Maintenance Of Grease Traps And Other Collection Devices And Requiring The Addition Of Sampling Pots

This concludes the consent agenda approving items #5 through 20.

ZONING CASES

- 21 Ordinance No. 8835** -- Zoning Case #5698 -- Granting PUD (Planned Unit Development) For S-P-1 (Detailed Site Plan) For R-AB (Restaurant Including The Sale Of Alcoholic Beverages For On-Premises Consumption) Uses -- An Approximately 4,500 Square Foot Tract Located At 8150 North MacArthur Boulevard, Suite 190 -- Shinsei, LLC, Applicant

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

The applicant Bill Lao, Owner and General Manager of Shinsei, LLC, 8150 N. MacArthur Boulevard Suite 190, briefly presented the case.

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

- 22 Ordinance No. 8836** -- Amending The Comprehensive Plan To Change The Recommended Land Use From Light Commercial To Single Family Detached -- Low Density Residential And Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) District Uses In Zoning Case #5704 -- An Approximately 25.5 Acre Tract Located At 4600 And 4602 West Rochelle Road -- USF Bestway, Applicant

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

Sharon Barbosa-Crain, 2608 Alan-a-Dale, representing the applicant presented the case and reviewed the 13 stipulations recommended by the city staff. After Council discussion, the motion to approve included the following stipulations to be placed on the site plan.

1. Note 2 should be revised to read: All paving surface materials shall be concrete and meet the minimum standards and specifications of the City of Irving.

2. Note 6 should be revised to read: All single family units shall be provided with a 2 car (minimum) garage.
3. Note 7 should be revised to read: A minimum of 50% of the required front and side yard areas adjacent to any street shall be covered with grass, ground cover or other natural vegetation.
4. Note 10 should be revised to read: Exterior wall surfaces, exclusive of doors and windows, shall be a minimum of 80% brick or stone.
5. Note 12 should be revised to read: All rights of way and driveways to be approved by the Public Works Department.
6. Note 13 should be revised to read: Residential driveway access to Rochelle Road shall not be permitted.
7. Note 14 should be revised to read: Developer shall provide full disclosure to all potential purchasers of housing units in this development regarding airport and City of Irving Police/Fire Training Center proximity, and that the property is subject to an avigation easement.
8. Note 15 should be revised to read: A sign shall be posted in a conspicuous location until all lots have been initially sold to homeowners advising all buyers that the property is subject to an avigation easement as a result of the airport proximity, and that the property is adjacent to the City of Irving Police/Fire Training Center.
9. Note 16 should be revised to read: Building construction shall comply with Appendix L – Aircraft Noise Attenuation Requirements – of the International Building Code (as amended). In addition, all residential construction will require a minimum outdoor to indoor noise level reduction of 30 decibels. An avigation easement will be provided by plat on all lots within this development and will be tied to the deed of each lot to ensure disclosure to subsequent buyers.
10. Note 17 should be revised to read: A Homeowner's Association shall be established for the maintenance of the screening fences and the common areas within this development. Lot 41, Block B and Lot 1, Block E shall be designated on the subdivision plat as common area lots to be maintained by the Homeowner's Association. Lot 41, Block B shall be improved with a sidewalk, gated entryways and light fixtures at both the front and the back for security purposes, and shall be no wider than 12 feet wide. Lot 1, Block E shall be improved as a park area.
11. An additional note should be added stating: 7 ft. tall (minimum) masonry screening walls shall be provided along the Rochelle Road frontage of the property, along the eastern boundary of the property, and along the common property line between the residential lots on Block B and the future parking area shown on Lot 56, Block B as shown on the site plan, and constructed at the time of installation of the streets. The

screening wall along the eastern property line of Lot 56, Block B may be constructed at the time of the installation of the streets, or at the time of development as a parking area. The screening walls shall not be constructed within sight easements, and are subject to approval by the Inspections and Public Works Departments.

12. The site plan should be revised to remove the median opening on Rochelle, and a note shall be added stating: Any median opening on Rochelle is subject to approval by the Public Works Department at the time of platting, at which time construction plans for such median opening will be required to be submitted by the developer. All expenses related to construction of the median opening shall be the responsibility of the developer.
13. The site plan should be revised to show a 7 ft. tall (minimum) masonry screening wall along the eastern property line of Lot 56, Block B to a point 25 ft. from the property line along Rochelle.

The following registered to speak in opposition of this item:

Sandy Lancaster, DFW Airport, P.O. Box 619428, DFW Airport, Texas 75261

The following registered to speak in favor of this item:

Syedy Latheef, 1222 Hidden Ridge #2090
Ahmed Elmalky, 1218 Hidden Ridge #2073
Salim Shikh, 1328 Hidden Ridge #1131
Ugas Jillaoin, 3028 Sun Valley Court
Jallar Edhi, 2448 Kent Drive
Ali Laqman, 4308 Rainier Street

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

Imran Syed, 11813 N. O'Connor Road #123
Musa Su, 4244 W. Northgate Drive #378
Jaszeer Mohammed, 814 N. Royal Lane #251
Zia Hammeedmasoor, 3990 Spring Road #628
Mohamoud Farah Egal, 2303 Cambridge Drive
Syed Muzammic Aleem, 1206 Hidden Ridge #2027
Naveed Shariff, 1222 Hidden Ridge #2088
Abdul Shah,
Asif Akbar, 4813 N. O'Connor #126
Abdul Mohammed, 4427 Rainer Street # 230
Khasm Shalk, 4627 Rainer Street
Tofayal Ieroz, 6665 N. MacArthur Blvd.
Mohammed Owais, 4137 W. Northgate Drive
Atheequr Syed, Shah J. Shaik, 1318 Hidden Ridge #3110
Muhemmed Marik, 2416 Kent Drive
Muhammed Shaphy, 4219 N. O'Connor Road

Mohammed Jafer Haneef, 2539 Kent Drive
Dawood Jameel, 312 W. Rochelle #204
Mohammed Azam Khan, 2511 Kent Drive
Samiunnabi Hossain
Aslam Sherule, 3509 W. Walnut Hill Lane #1001
Munir Moghal, 10161 Ridge Hollow Trail
Mohammed A. Muteer, 4329 Anneley Lane
Zubair Kazi, 4382 Annesley Lane
Mujahid Mohammed, 4362 Annesley Lane
Mohammed Riyaz Khan, 3615 W. Walnut Hill Lane #2080
Imram Khan, 4337 Annesley Lane
Syed Abdyagabm 4357 Annesley Lane
Asif Ahmed, 4318 Annesley Lane
Shoaib Khalid, 2556 Kent Drive
Riyaz Shahk, 2519 Kent Drive
Gerald Cannon, 1522 Live Oak

Councilman Philipp moved to approve the case with the 13 additional stipulations. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.

- 23 Ordinance No. 8837** -- Zoning Case #ZC07-0016 -- Granting R-6 (Single Family) Uses -- An Approximately 0.995 Acre Tract Located At 1624 And 1628 Voirin Road - - DiSciullo & Terry, Inc., Applicant

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

The applicant Don Foust, 1505 Benbrook, presented the case.

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

INDIVIDUAL CONSIDERATION

- 24 Ordinance No. 8838** -- Approving Amendments To The Comprehensive Policy Statement On Local Business Stimulation Incentives (Chapter 380 Policy)

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

Don Williams, Director of Heritage District Redevelopment Greater Irving Las Colinas Chamber of Commerce, 301 W. Irving Boulevard addressed the changes in the policy.

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

- 25 Ordinance No. 8839** -- Public Hearing -- Proposed Designation Of A Commercial/Industrial Tax Abatement Reinvestment Zone No. 52 Being A 50.6198 Tract Of Land In The William Irby Survey, Abstract No. 867, Situated In The City Of

Irving, Texas, Being Lot 1, Block A, Of The Kroger Addition, As Recorded In Volume 88185, Page 4127, Plat Records, Dallas County, Texas

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

Don Williams, Director of the Heritage District Redevelopment, 301 W. Irving Boulevard, gave a brief presentation in support of this.

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

- 26 Resolution No. 7-19-07-290** -- Approving A Real Property Tax Abatement Agreement Between The City Of Irving And Kroger Texas L.P. On Behalf Of Its America's Beverage Division

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 Philipp, the motion was approved by a vote of 9-0.

- 27 Ordinance No. 8840** -- Public Hearing -- Proposed Designation Of A Commercial/Industrial Tax Abatement Reinvestment Zone No. 53 Being A 8.0 Acre Tract Of Land Situated In The E. J. Goodwin Survey, Abstract No. 538 In The City Of Irving, Dallas County, Texas, And Being All Of Walnut Hill Business Park, Section XII, Phase II, 18th Installment

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

John Bonnot, Director of Economic Development with the Irving Economic Development Partnership, 5221 N. O'Connor Blvd, gave a brief presentation in support of this.

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

- 28 Resolution No. 7-19-07-291** -- Approving A Real Property Tax Abatement Agreement Between The City Of Irving And Equastone High Pointe L.P. And Health Management Systems, Inc.

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

John Bonnot, Director of Economic Development with the Irving Economic Development Partnershi, 5221 N. O'Connor, gave a brief presentation in support.

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

- 29 Resolution No. 7-19-07-292** -- Authorizing Reimbursement Payment In The Amount Of \$55,013.32 To Canal Side Lofts, Ltd. For Capital Infrastructure Improvements Along The Lake Carolyn Promenade As Previously Authorized Through A Developer Reimbursement Agreement With Canal Side Lofts, Ltd. By The Irving City Council On May 26, 2005, And As Favorably Recommended Forward By The Tax Increment Finance (TIF) District Board Of Directors At Their June 2007 Meeting

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

- 30 Resolution No. 7-19-07-293** -- Authorizing Reimbursement Payment In The Amount Of \$104,175.73 To The Las Colinas Lofts, LP (Lofts) For Capital Infrastructure Improvements Along The Lake Carolyn Promenade As Previously Authorized Through A Developer Reimbursement Agreement With Las Colinas Lofts, LP By The Irving City Council On December 1, 2005, And As Favorably Recommended Forward By The Tax Increment Finance (TIF) District Board Of Directors At Their June 2007 Meeting

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

- 31 Resolution No. 7-19-07-294** -- Authorizing Reimbursement Payment In The Amount Of \$1,529,940.15 To Hines Las Colinas Land Limited Partnership For Capital Infrastructure Improvements Within The La Villita Development As Previously Authorized Through A Developer Reimbursement Agreement By The Irving City Council On November 21, 2002, And Assigned To Hines By Las Colinas Land Limited Partnership (LCLLP) To Hines Las Colinas Land Partnership And As Favorably Recommended Forward By The Tax Increment Finance (TIF) District Board Of Directors At Their June 2007 Meeting

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

- 32 Resolution No. 7-19-07-295** -- Approving An Economic Development Incentive Agreement With Siemens Postal Automation For Rebate Of Taxes Paid On "Freeport" Inventory

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

The following registered in favor to speak in favor of this item.

John Bonnot, Director of Economic Development Partnership, 5221 N. O'Connor Boulevard

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

APPOINTMENTS AND REPORTS

- 33** Committee And Liaison Report/Meetings
Mayor Gears announced that the Community Services Meeting will be held on July 25, 2007, at 11:00 a.m.
- 34** Mayor's Report
There was no report given.
- 35** The meeting adjourned at 9:15 p.m.

CITIZEN FORUM

George Stephenson, 2105 Druid Drive, addressed the Mayor and Council regarding the Code enforcement issues in South Irving.

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

Chief Okeke, 4062 N. Beltline Road #104, spoke to the Mayor and Council regarding the harassment that he is receiving from the Irving Police Department. He also stated that he has applied for jobs in the City of Irving, and he has never heard back from the city regarding his application for a position.

ATTEST:

Herbert A. Gears, Mayor

Janice Carroll, TRMC
City Secretary