

**IRVING CITY COUNCIL**  
**WORK SESSION**  
**October 17, 2007**

The Irving City Council met in work session October 17, 2007. The following members were present:

**Mayor**

Herbert A. Gears

**Council members**

Thomas D. Spink  
Lewis Patrick  
Rose Cannaday  
Rick Stopfer  
Sam Smith  
Joe Philipp  
Allan Meagher  
Beth Van Duyne

Mayor Gears called the meeting to order 12:10 pm.

- 1 DISCUSSION:** Regular Agenda  
The Council reviewed the agenda and the following directions were noted.
- 1** City Manager's Report  
City Manager Gonzalez deferred the report to the regular meeting.
- 7** Resolution -- Purchases Funded In The 2007-2008 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years  
Councilman Meagher requested additional information concerning item H.  
(H) Award -- Approving Award To Media Rushworks LLC For The Purchase And Installation Of Video/Audio Production Equipment In The Council Chambers  
Corporate Communications Director Laurie Kunke explained that cameras will be installed and this will eliminate the need for camera set up and the portable control center.
- 10** Ordinance -- Zoning Case #CZ07-0030 -- 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 Acquisitions Services, Applicant  
Senior Planner Kenneth Bloom presented the case.

Councilman Philipp suggested the tower be placed in a park area to enhance the public spaces and to check with the applicant on options.

Staff agreed to provide color maps of this location to the Council at the regular Council meeting.

- 11** Ordinance -- Amending The Comprehensive Plan From "Multi-Family - High Density Residential" To "Retail" And Granting S-P-2 (Generalized Site Plan For C-C (Community Commercial) And Car Wash Uses With Airport/State Highway 161 Overlay District In Zoning Case #ZC07-0045 -- An Approximately 9.52 Acre Tract Located At The Southeast Corner Of State Highway 161 And Walnut Hill Lane -- CSE Commercial Real Estate, Applicant

Senior Planner Kenneth Bloom presented the case.

Councilman Philipp noted his concern with the possible concrete coverage on the property.

The Council discussed the uses allowed in this zoning district and the options that the Council had.

Urban Development Manager Steven Reed noted that the landscaping requirements depend on the lot design and the determined land use; he also stated that the proposed zoning change is an improvement in the current zoning on the property.

The Council noted their concerns regarding the unknown specified land use and lot design and stated their reluctance to proceed without clarification.

- 18** Resolution -- Suspending The Atmos Energy, Mid-Tex Division, Requested Gas Rates Increase For Ninety Days, Pursuant To Gas Utility Regulatory Act § 103.022

Mayor Gears requested an explanation.

Assistant City Attorney Rodney Adams stated that the City is joining a coalition of cities to study this request and present the cities' position at the hearing before the state.

- 19** Committee And Liaison Report/Meetings

City Manager Tommy Gonzalez introduced the new Chief Financial Officer Max Duplant.

Councilman Stopfer reminded the Council of the Planning and Development Committee meeting next Tuesday and reported on the Washington DC trip that several council members attended and thanked the staff for their efforts.

Public Works Director Jim Cline clarified the levy guidelines within the city.

Councilman Smith announced a Community Service Committee meeting to be held on November 5, 2007 at 11:30 am.

Mayor Gears noted the Irving ISD bond election will be held on November 6, 2007 and early voting will begin next week. He stated the need for the city to support the school district and its students and encouraged everyone to vote.

**2 DISCUSSION: Building and Standards Update**

Building and Standards Commission Attorney Matthew Boyle and Chairman Bob Bridges presented an update and answered questions from the Council. Mr. Boyle described the duties of the commission as a quasi-judicial body and defined the civil penalties and the commission's options.

Councilman Philipp questioned the commission's policy on imposing civil penalties and noted his support in assessing those fines when appropriate due to the amount of staff time required in each case.

Chairman Bob Bridges stated that the purpose of the fines is to bring the property into compliance more than a punitive punishment and stated that penalties are imposed on a case by case basis.

Deputy City Attorney Brenda McDonald clarified the staff's formulation for the civil penalty recommendations submitted to the commission.

The Council thanked the commission and acknowledged their hard work.

**3 DISCUSSION: Criminal Alien Program Crime Statistical Update**

Police Chief Larry Boyd presented a status report on the 24/7 Criminal Alien Program. He noted that the crimes identified in this program range from felonies to traffic citations. He noted that racial profiling has not been an issue in the program. He clarified that the police officers continue to do what they have always done as they enforce the law. It is the jail staff that makes contact with the Immigration and Customs Enforcement Agency (ICE) as they process the detainees. Chief Boyd did clarify that the officers have the discretion to determine if a person has adequate identification and that can be determined with documents other than a state issued drivers license or state issued identification card.

The Council commended the Chief and his department for their professional implementation of this program and confirmed their support.

Councilwoman Van Duyne asked what the number of deportees that were from Irving was.

Chief Boyd stated that this information will be provided at a later date to the Council.

Councilman Meagher questioned the number of repeat deportees, who had been deported then came back a second time and was arrested again.

Chief Boyd stated that currently nine cases have come through the CAP twice.

**4 DISCUSSION: Veterans Memorial Update**

Managing Director Paul Gooch introduced Mike Freeze with MESA Architects. Mr. Freeze described the overall plan of the veterans' park which will include a memorial garden and donor walls.

Councilman Smith asked if the design included seating.

Mr. Freeze stated that seating will be available throughout the park.

Managing Director Paul Gooch noted that construction is set to begin in the summer of 2008 and completed within nine to twelve months.

The Council agreed with the design and timetable.

**5 DISCUSSION: Emergency Management**

Emergency Management Coordinator Pat McMaken presented the emergency management process. The presentation included a description of the potential hazards, defined the duties of the Mayor and City staff, and noted the process of communication with the community through publications and media.

Mayor Gears requested the training video be available on the city's website for all to view.

City Manager Tommy Gonzalez requested the training materials be available to all Council interested in certification.

Councilman Patrick asked if the emergency management team interacted with the Irving ISD.

Emergency Management Coordinator Pat McMaken stated that the team works continuously with the school district, especially on pandemic management.

Councilman Philipp questioned what the methods of alerting the general public were and requested the team explore better ways to communicate with the schools.

Emergency Management Coordinator Pat McMaken described the outdoor warning system as well as the notifications to schools through dispatch.

City Manager Tommy Gonzalez and Information Technology Director Hong Sae described the reverse 9-1-1 system and an emergency plan that is being developed for businesses in the area.

**EXECUTIVE SESSION**

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 2:45 p.m.

- 6 Litigation: Pacific Manor v. City of Irving; Pacific Manor v. Building and Standards Commission
- 7 Litigation: 1923 Senter Street

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 2:58 p.m.

The meeting adjourned at 2:59 p.m.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary