

REGULAR MEETING OF THE IRVING CITY COUNCIL
February 7, 2008

The City Council met in regular session in the Council Chambers of the City Hall Complex on February 7, 2008, 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

There were no organizational or service announcements made.

INVOCATION

The invocation was delivered by Pastor William H. Few, Memorial Baptist Church of the City of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears presented proclamations to AMBUCS, Jack Spulock and Bob Silver accepted on behalf of the two chapters, Irving Chapter and Yellow Rose Chapter.

Mayor Gears and Fire Chief Mario Molina recognized the following citizens for their heroic actions in extreme conditions: Daniel Walsh, Valerie Ruiz, Claudia Silva and Pauline Sutherland.

CITY COUNCIL AGENDA

1 City Manager's Report

Chris Wallace, President /CEO of the Greater Irving Las Colinas Chamber of Commerce, gave a presentation on Strategic Goal No. 3: Economic Development.

City Manager Tommy Gonzalez gave a report on the other strategic goals.

Strategic Goal No. 2: Vibrant Neighborhoods

Broken Windows Workshop – Code Enforcement hosted a Broken Windows Workshop on Jan. 26. Drew Diamond facilitated an overview of the Broken Windows Theory, demonstrating how Code Enforcement violations in a neighborhood are directly related to crime. He also conducted a problem-solving exercise using the SARA (Scan/Analyze/Respond/Assess) Model to help attendees learn to solve problems in a quick and easy collaborative fashion. Approximately 50 employees were in attendance including representatives from the following departments: Code Enforcement, Police, Fire, City Attorney's Office, Library, Housing and Human Services, Contract Administration, Planning and Inspections, and Solid Waste Services. Building and Standards Commission members attended as well.

Neighborhood Roundtable – The first Neighborhood Roundtable of the year will be held at 6:30 p.m. Feb. 26 at City Hall, 825 W. Irving Blvd., in the First Floor Council Conference Room. Residents will learn how the city is working to help reduce crime and increase its presence in Irving neighborhoods through the joining of the Code Enforcement and Police departments. Participants also will be provided with a safety update and will have an opportunity to ask questions. The quarterly Neighborhood Roundtables, hosted by the Corporate Communications Department, allow neighborhood association officers to learn about city initiatives and what other residents are doing to enhance their neighborhoods.

Neighborhood Grants – City staff from Housing and Human Services, Parks and Recreation, Public Works, Library, and Code Enforcement are lending their expertise to the Corporate Communications Department on Feb. 15 to help review applications for neighborhood grants. The Community Partnership Fund provides grants between \$250 and \$1,500 to neighborhood groups annually. The fund supports projects that foster a spirit of community and renew the concept of what it means to be a good neighbor.

Strategic Goal No. 3: Economic Development

Informational Meeting for Olde Towne Project – Irving residents and business owners are invited to attend an informational meeting about the Olde Towne project planned for the downtown area. The meeting is set for 9 a.m. Feb. 8 at Receptions on the Main, 109 S. Main St. A presentation by developer Delbert McDougal of McDougal Companies will update the public on the redevelopment plan for the area. Attendees will have the opportunity to ask questions following the presentation.

Parker Group Locating in Irving – Parker Group, an industry-leading company in the healthcare services field, has leased 65,796 square feet in the Urban Towers for its corporate headquarters. Parker Group consists of a third-party administration company, a proprietary PPO network, a utilization review company, a technology services company and, most recently, an organization that provides primary care medical services at the workplace.

Anheuser-Busch Consolidating in Las Colinas – Anheuser-Busch Inc. has signed a 12,242-square-foot lease at Las Colinas Tower II and will take possession of the space in March. This will serve as a new regional headquarters for the company. Approximately 40 personnel will relocate from Houston and St. Louis to the North Texas region.

Irving Unemployment Rates – Texas' unemployment rate rose from 4.2 percent to 4.5 percent in December despite the addition of 18,600 jobs. Irving's unemployment rate was 3.8 percent, up from 3.7 percent in November. It is about the average rate of unemployment experienced during 2007.

State of the City Event – Mayor Herbert Gears presented his State of the City Address on Jan. 29 to a sold-out crowd of more than 600 residents and business leaders. The outlook for Irving is extremely positive: crime is at its lowest recorded rate, more than \$4 billion of new transit-oriented development is moving forward, the city has four finalists for the Best Real Estate Deals of 2007, the Best Economic Coup of 2007 was RIM's relocation of its U.S. headquarters to Irving, and North Lake College is opening a new campus in South Irving. The annual event is hosted by the Greater Irving-Las Colinas Chamber of Commerce.

Strategic Goal No. 4: Safe and Secure City

Public Input Meeting on Dog Park – Irving residents are invited to attend a public input meeting at 6 p.m. Feb. 11 regarding the design and development of a dog park. The meeting will be held in conjunction with the Parks and Recreation Advisory Board meeting at City Hall, 825 W. Irving Blvd., in the First Floor Council Conference Room. The city has designated \$325,000 for the development of a dog park to be built at the site of the new animal shelter planned for Valley View Lane, between Northgate Drive and Walnut Hill Lane. All interested residents are encouraged to attend to review and provide comments on the proposed plans. The dog park is projected to be ready for use by summer 2009 in conjunction with the opening of the new animal shelter.

Irving Citizens' Police Academy – The Police Department will begin its next Citizens' Police Academy on March 11. Irving Citizens' Police Academy is an educational program designed to provide the public with a working knowledge of the Police Department's personnel and policies. Program details are available at www.irvingpd.com. The class has limited seating and those interested are encouraged to submit applications as soon as possible.

Apartment Disorder Operation – In the continuing effort to reduce crime and disorder occurring in and around apartment complexes, the Police Department conducted a disorder operation in the areas of Nursery Road, Sixth Street and Estrada Parkway on Jan. 19. The operation resulted in 107 total contacts, 24 arrests and 22 citations issued.

Blood Drive – The Police Department will host a blood drive for Carter Blood Care from 8 a.m. to 4 p.m. Feb. 15 in the Patrol Briefing Room of the Criminal Justice Center, 305 N. O'Connor Road.

Employees Attend Firefighting School – The Fire Department has three new members who began firefighting school on Feb. 4. Jason Bates, Sven Haterius and Steven Saffel will complete a rigorous basic firefighter course, as well as a five-week EMT school prior to being assigned to a fire station.

Medical Studies – Irving paramedics are participating in two medical studies along with hospitals and EMS providers nationwide. The studies are designed to look at patient care in the field and to follow patient outcomes based on patient care provided by paramedics.

Animal Services Volunteer Class – Irving Animal Services conducted another volunteer class in January and now has five new graduates, including the first junior volunteer. Trained volunteers assist the shelter in finding good homes for adoptable animals. Irving Animal Services hosts a volunteer training class the second Saturday of each month from 10 a.m. to noon. Contact Animal Services at (972) 721-2256 for registration information.

Tethering Ordinance Presentation – Fred Sanderson, animal services manager, gave a presentation about Irving's new tethering ordinance for the Texas Animal Shelter Coalition in Lewisville. Nearly 50 members representing 20 animal welfare organizations were present. There

has been much interest and many questions from area cities since Irving adopted its tethering ordinance in November.

Strategic Goal No. 5: Diversity

Storytelling Around the World – The Storytelling Around the World program continues in February with two free programs featuring African-American storytelling. The Southwest Branch Library, 2216 W. Shady Grove Road, will showcase the storytelling skills of Esther Malone at 4:30 p.m. Feb. 15, and the Valley Ranch Library, 401 Cimarron Trail, will feature Melody Bell at 6:30 p.m. Feb. 21. Storytelling Around the World is a program series designed to bring tales from different cultures to Irving children. It is made possible by a grant from Texas Reads, a program administered by the Texas State Library and Archives Commission to promote reading and literacy within local communities.

Reaching Our Spanish-Speaking Audiences (ROSA) Workshop – Thirteen Irving Public Library managers and supervisors attended the ROSA workshop, a professional development program provided by the Texas State Library and Archives Commission and Webjunction's Spanish Language Outreach Program on Jan. 22 at the Irving Central Library Auditorium. This professional development program equips library staff with knowledge and resources to reach out to community Spanish speakers and increase their access to technology.

DCET Conference – The City of Irving is co-sponsoring a Youth in Crisis Spanish Conference at 9 a.m. Feb. 16 at Irving Bible Church, 2435 Kinwest Parkway. Youth in Crisis is a nonprofit program that provides guidance to youth and families to prevent family violence, and drug and alcohol addiction. The event will feature Spanish author and speaker Carlos Cuauhtémoc Sánchez and bilingual musician Tony Melendez. Advance tickets are \$25 for adults and children ages 10 and older. Tickets will cost \$30 at the door. For more information, call (972) 669-5031 or (972) 669-5036 (Spanish).

Strategic Goal No. 6: Effective Communications

Downloadable Audio Books – The Irving Public Library now offers a wide selection of digital audio books, consisting of popular titles, classics, non-fiction, children and teen titles, for tech-savvy customers. With a valid library card, customers can check out and download titles to a personal PC, transfer to an MP3 player, and burn many titles to CD. The service is free, easy-to-use, and available anytime, anywhere. Call (972) 721-2606 to learn more or visit www.cityofirving.org/library.

Business Exchange Days – Mayor Herbert Gears, Councilman Rick Stopfer and 19 city employees participated in this year's Business Exchange Day. A cooperative effort of the Greater Irving-Las Colinas Chamber of Commerce and the Irving ISD, Business Exchange Day allows teachers to select topics specific to their classes and have speakers from the world of business, government and education address those topics. Representing 12 city departments, the following employees spoke to classes at The Academy of Irving ISD, MacArthur High School and Irving High School: Charles Anderson (City Attorney's Office), Laura Anderson (City Attorney's Office), Rodney Bergeron (Police), James Fairbairn (Police), Homer Garza (Information Technology), Maura Gast (ICVB), James Hallum (Police), Jan Hart (Library), David Leininger (City Manager's Office), David Mallette (Inspections), Mario Molina (Fire), Les Moore (Police), Clark Nethers (Police), Diana Soto (Municipal Court), Kristin Spivey (Police), David Springob (Public Works), Cathy Whiteman

(Corporate Communications), Scott Witt (Police), and Fran Witte (Solid Waste Services). In addition, the Fire Department conducted 32 programs in Irving ISD schools during the month of January for a total attendance of 279 students.

Web Site Updates – Information Technology and Corporate Communications have implemented the first phase of the video on demand project, which included a Web page that contains 60 high-end digital media files focusing on the city's eight key focus areas. New encoder hardware also has enhanced the Webcast of ICTN Channels 1 and 2, which has resulted in uninterrupted Internet broadcasts. The third ICTN channel will be added to stream media in the near future.

IT Training User Forum – Information Technology will offer its first Training User Forum for city staff on Feb. 28. The input received from the forum will help IT assess the type of computer and software training that needs to be offered for employees. Discussion topics, which focus on customer service, will include the value of existing classes, what additional classes are needed, why certain classes are not offered, and other topics. This user forum is open to all city employees.

Strategic Goal No. 7: Cultural, Recreational and Educational Environments

Bear Creek Freedom Settlement Museum – The City of Irving will open the Bear Creek Freedom Settlement Museum at the Jackie Townsell Bear Creek Heritage Center from 5 to 6:30 p.m. Feb. 26 in celebration of Black History Month. The newly renovated Bear Creek Masonic Lodge #263 is the third addition to the center and completes the final phase of the museums at Bear Creek. The addition continues the story of the Bear Creek Community, the state of Texas, and conveys African-American history on the national level. The center is located at 3925 Jackson St.

Lady Mavericks Wheelchair Basketball Tournament – Cimarron Park Recreation Center will host the Lady Mavericks Basketball Tournament on Feb. 9-10. The tournament will feature four games each day. Teams are members of the National Wheelchair Basketball Association. One of the stars participating is Lorraine Gonzales, a member of the U.S. Paralympic Women's Wheelchair Basketball team.

I Love Karaoke – The East Branch Library, 440 S. Nursery Road, invites teens ages 13-19 to try out their vocal skills at the I Love Karaoke Valentine's program at 5 p.m. Feb. 11. For more information, call (972) 721-3722.

Make a Pop-Up Card – Children ages 6-12 are encouraged to get out of the cold with a cup of cocoa and make a pop-up card craft at 2 p.m. Feb. 16 at the Northwest Branch Library, 2928 N. Belt Line Road. For more information, call (972) 721-2691.

Tea & Talk – Every month book fans gather on the second Thursday of the month at the Irving Central Library, 801 W. Irving Blvd., for tea and to discuss a variety of literature. February's discussion will be held at 7:30 p.m. Feb. 14, and will explore African-American themes through the titles "The Watsons Go to Birmingham" by Christopher Paul Curtis and "The Measure of a Man" by Sidney Poitier.

Father Daughter Valentine's Day Dance – Mustang Park Recreation Center will host the annual Father Daughter Valentine's Day Dance from 7 to 9 p.m. Feb. 8. The event is a dress-up affair for fathers and their daughters ages 5-13. The special evening will consist of dancing, dessert, photos, gift bags for girls, games and prizes.

New Exhibits at the Irving Arts Center – The following exhibits are now on display at the Irving Arts Center: “The Forgotten Soldier: The Perils, The Triumphs, The Legacy”; “Humberto Saenz: The Reel”; and “Robert Sabuda: Travels in Time and Space.” The exhibits are free to the public. “The Forgotten Soldier,” in the Main Gallery, features local and regional artists including Larry Alexander, Burl Washington and leather craftsman Arthur Porter of Red Horse Chaps. “Humberto Saenz,” in the Focus Gallery, features the original works of Saenz, a graduate student at the University of Dallas. Saenz’s pieces reflect Mexican-American culture and family. “Robert Sabuda,” in the Dupree Lobby, showcases the designs and production techniques used by Sabuda, the nation’s premier designer/illustrator of children’s pop-up books.

Strategic Goal No. 8: Sound Governance

On-the-Spot Awards – The following city employees received On-the-Spot Awards from City Manager Tommy Gonzalez in January in recognition of exceptional customer service or work beyond their normal job responsibilities: Ken Bloom (Planning and Inspections), Bob Chapman (Public Works/Engineering), Chris Collier (Public Works/Engineering), Brad Duff (Financial Services), Larry Frassinelli (Public Works/Engineering), Marivi Gambini (City Attorney’s Office), Paul Gooch (City Manager’s Office), Rick Hose (Code Enforcement), Gary Hurtado (Public Works), Kathleen Mullins Jost (Public Works/Traffic), Steve Junker (Police), David Klapp (Public Works/Water Utilities), Steve Martin (Public Works/Traffic), Kris Olsen (Public Works/Water Utilities), Steve Reed (Planning and Inspections), Joseph Soto (Animal Services), Casey Tate (Parks and Recreation), Dan Vedral (Public Works/Traffic), Mike Walter (Public Works/Engineering), Sheba Ward (Planning and Inspections), and the entire Irving Police Department staff (for lowest recorded crime rate in Irving’s history).

Resident Survey – The City of Irving is distributing a survey to receive resident input regarding city services to nearly 15,000 randomly selected households. Feedback from residents provides the city administration with the necessary tools to improve the accountability of city government, assist the City Council and management in setting budgetary priorities, and improve the delivery of services. The findings also will be used to evaluate current and proposed programs. The survey will ask questions about such functional areas as police, fire/ambulance, parks and recreation, library services, the Irving Arts Center, streets and transportation, code enforcement, employee customer service and communications. Residents who do not receive a survey, but wish to provide their input, can complete the survey online at www.cityofirving.org or call (972) 721-4965 to request a paper copy.

Executive Leadership Forum – Strategic Resources and Budget will host the second quarter forum for the city’s senior management team on Feb. 13 at the Irving Arts Center. The workshop topic will be Twelve O’clock High, and will provide attendees an opportunity to learn more about leadership, motivation, performance and organizational readiness levels.

Strategic Goal No. 9: Infrastructure Network

Air Handlers – The installation of 5-ton air handlers has been completed at Senter Park East. The entire installation was handled in-house by staff electricians and HVAC mechanics. The new units, which have a higher energy efficiency rating, replaced older models that could not be repaired. In addition, two commercial thermostats were installed to better control and regulate the temperature in the facility.

O’Connor Road Reconstruction Project – The purchase and removal of 10 houses for the

expansion of O'Connor Road, from State Highway 183 to Rochelle Boulevard, have been completed. The cost to purchase the houses totaled \$989,491, which included relocation expenses for the previous owners. The cost was less than the initial \$1.25 million estimate. Rather than demolishing the houses, they were sold and moved to locations outside of Irving at a cost savings of \$200,000. This part of the project was completed under budget and on time. Construction is set to being in early 2009.

Strategic Goal No. 10: Environmentally Sustainable Community

U.S. Conference of Mayors – The City of Irving has received first place in the U.S. Conference of Mayors fourth annual Cans for Cash: City Recycling Challenge. Solid Waste Services, in partnership with Keep Irving Beautiful (KIB), applied under the category of Most Innovative Idea – Partnership with Local KAB Affiliate. The City of Irving will receive \$5,000 and KIB will receive \$2,500. Throughout the month of October, the city joined with the Dallas Cowboy Football Club and Irving Independent School District to collect the cans. Along with the cans provided by residents at the drop-off recycling centers, 126,840 cans were collected and recycled. Solid Waste Services is working with the U.S. Conference of Mayors to schedule a formal presentation of the plaque and check to the City Council.

Green Initiatives – Solid Waste Services has been “green” for many years and has created and sustained many environmental programs. One of these programs includes the collection and reuse of used motor oil as a heating source in the maintenance building at the Hunter Ferrell Landfill. The city received a grant from the North Central Texas Council of Governments in 1997 for the acquisition of equipment, which converts recovered motor oil into heat. The system has been operational since 1997, saving the city energy costs in heating the maintenance building at the landfill during the winter months, as well as efficiently diverting gallons of spent motor oil.

KIB Grants – Keep Irving Beautiful has received two grants that will be directed at recycling: a \$10,000 grant from Anheuser-Busch, which will focus on recycling in multifamily communities, and a \$5,000 award from the Embrey Foundation of Dallas to promote recycling in schools. The funding will be used to provide \$1,000 “Green Principal Awards” to the most improved campus program (per capita) at the high school, middle school and elementary school levels. The overall winning school will receive up to \$1,500 to purchase, repair or replace a school mascot costume. This promotion augments efforts that have already increased recycling at schools by almost 900 percent in recent years.

President’s Circle Award – For the fifth consecutive year, Keep Irving Beautiful has received the President’s Circle Award from Keep America Beautiful (KAB). The award is the highest recognition to local affiliate programs that consistently and thoroughly follow KAB’s best program management practices. The presentation was made at the organization’s national conference in Washington, D.C. Keep Irving Beautiful focuses on changing the community-wide behavior that brings about unwanted environmental consequences.

CONSENT AGENDA

The consent agenda, items #2 through #20, 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 on item No. 8, Nancy Wilson, 2911 Bryn Mawr, asked how much money would the city pay and how much money would the homeowners association pay for the park. Mayor Gears stated that the city will pay \$550,000.00 and the

homeowners association would also pay \$550,000.00. The following registered in support of items No. 8 and 9: Betty Ratteree, 3807 Cabeza De Vaca Cr, Anna Walter, 2906 Coronado, John DeMarco, 1021 E. Rochelle, Barbara Hull, 4000 Oudia Ct, Arnold Martin, 424 E. Northgate, Eldon and Joan Attaway, 2909 Pacific Ct, Alice Martin, 424 E. Northgate, Linda Oliver 3713 Cabeza De Vaca, and Molly and Martin Kahn, 4006 Wingren Road. Mayor Gears also stated that Item # 11 is dropped from the Consent agenda and no action would be taken. The following registered in support of Item 20, but did not wish to speak: Clem Lear, 4643 O'Connor Ct and Pam Brown, 1410 Irvin Drive. Councilman Meagher abstained from voting on items #26 and #27 and filed a conflict of interest affidavit with the City Secretary. **Councilman Stopfer moved to approve the consent agenda, items #2 through #20, excluding Item No. 11. Seconded by Councilman Philipp, the motion was approved by a vote of 9-0.**

- 2 **Resolution No. 2-7-08-044** -- Approving The City Council Work Session Minutes Of January 23, 2008, And The City Council Meeting Minutes Of January 24, 2008
- 3 **Resolution No. 2-7-08-045** -- Approving The Use Of HOME Investment Partnership Grant Funds For An Agreement Between The City Of Irving And Irving Community Development Corporation
- 4 **Resolution No. 2-7-08-046** -- Approving A Contract Between The Irving Arts Center And Artist James Surls For Completion And Purchase Of The "Starflower" Sculpture To Be Placed In The Irving Arts Center Sculpture Garden
- 5 **Resolution No. 2-7-08-047** -- Authorizing The Destruction Of Obsolete Records In Accordance With The City Of Irving's Records Management Policy
- 6 **Resolution No. 2-7-08-048**-- Authorizing The Mayor To Apply For, Accept, Reject, Alter Or Terminate The Victims Of Crime Act (VOCA) Grant From The Office Of The Governor, Criminal Justice Division
- 7 **Resolution No. 2-7-08-049** -- Authorizing Staff To Negotiate A Professional Services Contract With Brinkley Sargent Architects For The Architectural, Aquatic And Engineering Design For The West Irving Aquatic Center
- 8 **Resolution No. 2-7-08-050** -- Approving A Sales Contract For The Acquisition Of 5.411 Acres Of Land Located At The Southeast Corner Of Rochelle Boulevard And Northgate Drive -- Littlejohn Farina J. V., Property Owner
- 9 **Resolution No. 2-7-08-051** -- Authorizing The Mayor To Execute A Memorandum Of Understanding With The Las Colinas Association For The Phase I Development And Partial Annual Maintenance Of A New Park Located At The Intersection Of Northgate Drive And Rochelle Boulevard
- 10 **Resolution No. 2-7-08-052** -- Approving A Settlement Of A Lawsuit With Inform Construction, Inc., And Redland Insurance Company
- 11 **File No. 2-7-08-053** -- Approving A Settlement Of A Lawsuit With Shin Ho "Sam" Kim D/B/A Texas Lunch Box

- 12 **Resolution No. 2-7-08-054** -- Approving An Engineering Design Services Agreement With EJES Incorporated For The Design Of The Senter Road Bridge At Delaware Creek And The Conceptual Design Of The Shady Grove Road/Senter Road Intersection Project
- 13 **Resolution No. 2-7-08-055** -- Approving Change Order No. 5 To Archer Western Contractors, Ltd. For The Construction Of The Northgate Pump Station
- 14 **Resolution No. 2-7-08-056** - Authorizing Staff To Negotiate An Architectural Services Contract With RPGA Design Group, Inc. For The Design Of New Fire Station No. 4
- 15 **Resolution No. 2-7-08-057** -- Purchases Funded In The 2007-2008 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years
 - (A) Bids -- Annual Bid For Refuse Collection-Dumpster/Containerized Waste To Standard Waste Systems, Ltd.
 - (B) Bids -- Renewal Of Bid With Whitmore & Sons, Inc. And Forest Hills Lawn Service Inc. For Mowing/Litter Control For Medians And Parkways; State Highway 183/Belt Line Road Interchanges; Non-Park Building Grounds; Parks And Streetscapes; And TxDOT Rights-Of-Way
 - (C) Proposals -- Renewal Of Proposal With Bank Of America, N.A. For Depository Bank Services
 - (D) Proposals -- Award Of Proposal To The University Of Texas At Arlington For Six Sigma Black Belt Support
 - (E) Bids -- Annual Bid For Municipal Court Security Personnel To Ruiz Protective Service, Inc.
 - (F) Award -- Approving Award Of A Hardware Maintenance Agreement To InterNetwork Experts (INX) For SmartNet Hardware Equipment Through The State Of Texas Department Of Resources (DIR) Program
 - (G) Award -- Approving Single Source Award Of An Annual Maintenance Agreement To CineSys For Irving Community Television Network (ICTN) Audio-Video Hardware And Software
- 16 **Ordinance No. 8909** -- Budget Adjustment To The 2007-2008 Fiscal Year Budget
 - I. Water and Sewer System Fund
 - II. Water and sewer Non-Bond CIP Fund
 - III. Lake Chapman Reserve Fund

IV. Irving Arts Center General Fund

- 17 **Ordinance No. 8910** -- First Reading -- Approval Of Atmos Energy Corporation, Mid-Tex Division, System-Wide Rate Increase Request
- 18 **Ordinance No. 8911** -- Calling A Regular Municipal Election To Be Held On Saturday, May 10, 2008, For The Purpose Of Electing The Mayor's Place And City Council Places Three And Place Five, And A Subsequent Run-Off Election, If Necessary
- 19 **Ordinance No. 8912** -- Amending Chapter 12 Entitled "Municipal Courts Of Record" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas; Providing And Confirming An Appointment Process For City Marshals; Providing For Severability And Providing An Effective Date
- 20 **Ordinance No. 8913** -- Amending Chapter 16B Entitled "Convention And Visitors Bureau And Arts Center" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing The Creation And Appointment To Two Positions To The Irving Convention And Visitors Bureau

This concludes the consent agenda approving items #2 through 20, excluding item No. 11.

ZONING CASES

- 21 **Ordinance No. 8914** -- 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 January 24, 2008 City Council Meeting)**

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.

The following registered to speak in opposition of this item:

Nancy Wilson, 2911 Bryn Mawr Drive
Sue Richardson, 1521 Belmead Lane
Doug Harper, 1117 S. Delaware
Ginger Bentley, 902 Bower
Bobby Stovall, 902 Bower

Councilman Patrick moved to approve the zoning case stipulating the time of operation of the buses on the site plan. Seconded by Councilman Meagher, the motion was approved by a vote of 5-4, with the following voting in

opposition: Councilwoman Van Duyne, Councilwoman Cannaday, Councilman Spink and Councilman Philipp.

- 22 Resolution No. 2-7-08-058** -- Zoning Case ZC07-0064 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) Uses -- An approximately 0.15 Acre Tract Located At 610 Pin Oak Drive -- Keith And Sharon Robinette, Owners/Applicants **(Postponed At The January 24, 2008 City Council Meeting)**

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

The applicant Sharon Robinette presented the case.

The following registered to speak in opposition.

Nancy Wilson, 2911 Bryn Mawr Drive
Doug Harper, 1117 S. Delaware Street

City Attorney Charles Anderson advised the Council that a three-fourths vote is required.

Councilman Patrick moved to approve the case as presented. Seconded by Councilwoman Cannaday, the motion failed by a vote of 4-5, with the following voting in opposition: Councilwoman Van Duyne, Councilman Spink, Councilman Philipp, Councilman Meagher, and Councilman Stopfer.

- 23 Ordinance No. 8915** -- Zoning Case ZC07-0075 -- Granting P-O (Professional Office) Uses -- An Approximately 10.21 Acres Located On The East Side Of Riverside Drive North Of Spur 348 -- Masterplan, Applicant

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

Dallas Cothrum, Masterplan, 900 Jackson #640, representing Oncor, presented the case.

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

- 24 Ordinance No. 8916** -- Zoning Case #ZC07-0082 -- Granting S-P-1 (Detailed Site Plan) For P-O (Professional Office) Uses -- An Approximately 0.68 Acre Tract Located At 820 West Airport Freeway -- Moshin Ali, Applicant

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

The applicant Moshin Ali, 820 W. Airport Freeway, presented the case.

Councilman Patrick moved to approve the ordinance with the stipulation that at least two additional trees be provided and to work with staff on their placement on the site plan. Seconded by Councilwoman Cannaday, the motion was approved by a vote of 8-1, with Councilwoman Van Duyne voting in opposition.

- 25 Ordinance No. 8917** -- Zoning Case ZC07-0083 -- Granting S-P-1 (Detailed Site Plan) For R-AB (Restaurant Including The Accessory Use Of The Sale Of Alcoholic Beverages For On-Premise Consumption) Uses -- An 0.078 Acre Tract Located At 3601 Regent Drive, #140 (Northwest Corner Of Regent Drive And Belt Line Road) -- JDJR Engineers, Applicant

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

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

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

INDIVIDUAL CONSIDERATION

- 26 Resolution No. 2-7-08-059** – Authorizing An Agreement Between The City Of Irving And Heritage District, LLC For Consulting Services Related To The Redevelopment Of Downtown Irving

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

Deputy City Attorney Brenda McDonald gave an overview of the terms of this agreement.

The following also registered to speak and had questions.

Betty Yarbrough, 204 W. 7th Street
Carol Wood, 613 Shalamar Place, did not speak
Lorraine Taylor, 321 S. O'Connor Road
Tony Kahn, 400 E. Irving Blvd.,

The following registered to speak in opposition:

Nancy Weber, 408 S. Delaware Street

Mayor Gears assured the audience that the City would control this development through zoning requirements.

Councilwoman Beth Van Duyne announced that there would be an informational meeting concerning this project on February 8, 2008, at 9:00 a.m. at "Receptions on the Main" for the public to attend.

Councilman Stopfer moved to approve the resolution as presented. Seconded by Councilman Patrick, the motion was approved by a vote of 8-0; Councilman Meagher abstained from voting on this item.

- 27 Resolution No. 2-7-08-060** – Amending The Area Authorized In Resolution No. 9-6-07-355 Within Which Property May Be Included Under The Terms Of The First Amendment To Loan Purchase And Sale Agreement With Comerica Bank

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

The following registered in opposition of this item.

Tony Kahn, 400 E. S. Delaware Street
Nancy Weber, 408 S. Delaware Street

Councilwoman Cannaday moved to approve the resolution as presented. Seconded by Councilman Patrick, the motion was approved by a vote of 8-0; Councilman Meagher abstained from voting on this item.

APPOINTMENTS AND REPORTS

- 28 Resolution No. 2-7-08-061** -- Appointments To Boards, Commissions And Committees To Fill Two Year Terms Expiring November 2009, And To Various Unexpired Terms

Mayor Gears introduced the item.

Councilman Stopfer moved that the following appointments be made.

Irving Convention and Visitors Bureau:

- **Michael Vance be appointed to Place 10 representing the hotel/motel industry, with said term expiring November 2008**
- **Michael Barnes be appointed to Place 11, representing the hospitality industry, with said term expiring November 2009**
- **Rick Bidne be appointed to a non-voting position representing the Las Colinas Association with said term expiring November 2009**

Construction Board Of Appeals:

Barry Leach be appointed to Place 3, representing the plumbing trade, with said term expiring November 2009. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 29 Resolution No. 2-7-08-062** -- Establishing The Irving's Green Advisory Committee

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

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

30 Resolution No. 2-7-08-063 -- Appointments To The Irving's Green Advisory Committee

Mayor Gears moved to appoint the following: Kelley Horn, Nancy Orvelaz, Genie Mitchell, Sharon Barbosa-Crain, Lorraine Taylor, Charles Smit, Arnold Martin, Jim Meler, Wanda Miller, Patty Manciotte, Francesca Funk, Julie Richey, Bill Mahoney, Randy Boatright, and Karen Harmon. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

31 Committee And Liaison Report/Meetings

Councilwoman Cannaday stated that tomorrow is the deadline to turn in applications for the Flood Control District III.

Councilman Smith announced that a Community Services Committee meeting will be held on February 20, 2008 at 10:00 a.m.

Councilman Patrick announced that a Public Works Committee meeting will be held on Tuesday, February 12, 2008 at 11:30 a.m.

32 Mayor's Report

All residents are invited to attend a public meeting at 6:00 p.m. on February 11, 2008, for the design and development of the dog park the meeting will be held at City hall by the Parks Department.

33 The meeting adjourned at 9:33 p.m.

CITIZEN FORUM

Ali Bary, 824 Olde Towne, addressed the Mayor and Council about a letter his business received from the Code Enforcement department.

Nancy Wilson, 2911 Bryn Mawr, was not present to speak.

Doug Harper, 1117 S. Delaware Street, spoke about property in Irving and zoning cases.

ATTEST:

Herbert A. Gears, Mayor

Janice Carroll, TRMC
City Secretary