

REGULAR MEETING OF THE IRVING CITY COUNCIL
February 21, 2008

The City Council met in regular session in the Council Chambers of the City Hall Complex on February 21, 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 Reverend Deborah Jones of the First Christian Church in the City of Irving.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears recognized Pat McMacken, Emergency Management Coordinator for being presented with an award for organizing and managing the North Central Texas Interoperable Communications exercise for Homeland Security. Mayor Gears also presented Mr. McMacken with a proclamation establishing Severe Weather Awareness Week from February 24 through March 1, 2008.

Mayor Gears also recognized all of the organizations and individuals that participated in the community effort to count the homeless population in Irving. There were over ten organizations and over 100 volunteers that ranged from elementary school age children to senior citizens. The Salvation Army provided the use of their building as a central meeting place for the volunteers and organizer. Non-profit organizations donated blankets, coats hats and other basic essentials.

CITY COUNCIL AGENDA

1 City Manager's Report

Police Chief Larry Boyd and Fire Chief Molina gave a presentation on goal No. 4.

City Manager Gonzalez also gave an update of the other strategic goals.

Strategic Goal No. 1: Land Use

Zoning Ordinance Review and Update – Staff is preparing a request for proposal for the updating of all city land use regulations (platting, zoning, landscaping, signage, etc.), with an estimated issuance by early March. This initiative will address Irving’s current development regulations, which are outdated and no longer responsive to current development trends (mixed use, transit-oriented development, transit villages, urban forms, etc.) and the need for “speed to market” on projects. When completed, a fully integrated set of development ordinances and guidelines will effectively meet the city’s desire to achieve a quality sustainable urban environment, coupled with the developer’s need for flexibility and a streamlined development review process.

Updated Comprehensive Plan – The completed draft of the 2008 Comprehensive Plan Update has been submitted by the consultant and is being reviewed by city staff. Plans are to forward the document to the Planning and Zoning Commission and City Council for consideration and endorsement in March. This initiative will update sections of the 1997 plan related to future land use, gateways and corridors, livability, and housing and neighborhoods. The plan will provide a pathway for the city to achieve a high quality of life in terms of its visual environment for residents, visitors and businesses. It also serves to document recent development initiatives under consideration in Irving (Texas Stadium site, downtown redevelopment, Urban Center Transit Oriented Development, etc.). In addition, it will be used when updating the city’s development ordinances.

Irving Boulevard Enhancement Study – EDAW, the planning consultant for the Irving Boulevard Enhancement Study, is working on plans for improving the appearance and retail/commercial vitality of this major city corridor. A kickoff meeting with staff was conducted on Feb. 1, and will be followed by a community kickoff celebration next month. This planning initiative will involve an in-depth study of the corridor with focus on improvements to its infrastructure (streets, drainage, lighting, etc.), enhancement to its retail/commercial inventory and vitality, corridor aesthetics/landscaping and branding of its unique features/offerings to transform it into a future place of destination rather than merely an improved east-west corridor through the city. When completed, the document will describe the methods and means to structure and finance this major boulevard transformation that will greatly improve the quality of life for area residents, visitors and businesses.

MacArthur and Grauwlyer Pocket Park – Construction has started on the pocket park at MacArthur Boulevard and Grauwlyer Road. The project will include a paved plaza with a raised planter and bronze sculpture. The remainder of the park includes a retaining wall with bench seating, and the installation of crepe myrtles. The improvements are projected to be completed in May.

MacArthur Beautification – Beautification of the west side of MacArthur Boulevard, from State Highway 183 to Rochelle Road, has begun. The project includes two small corner plazas and the installation of 75 specimen trees and 57 large ornamental trees and grasses. The entire length is being irrigated and the turf will be improved. The project will be completed in May. The second phase of the gateway marker will begin this summer, with completion by the end of the year.

South Irving Beautification Project – Franchise utility work is under way for the beautification project at the intersection of MacArthur Boulevard and Shady Grove Road, in conjunction with the North Lake College campus construction. Staff has coordinated the relocation of all overhead utilities to be installed underground at this intersection. This includes Verizon, Time Warner and

Oncor Electric. This is the first phase of the work to be finished before paving and aesthetic improvements are made at this intersection. The project will be completed in conjunction with the opening of the North Lake campus next January.

Strategic Goal No. 2: Vibrant Neighborhoods

Building Demolition – The demolition at 1711 W. Irving Blvd. is completed, with the exception of the removal of rubble and debris. This particular building demolition was initiated by the property owner, who has plans to redevelop the property in the near future. In addition, demolition crews are razing the building at 1745 W. Irving Blvd., which was ordered by the Building and Standards Commission. No future plans have been determined for this site.

Neighborhood Grants – A total of \$20,000 is being awarded to 20 neighborhood groups to help fund neighborhood beautification projects and boost communications among residents. The projects address physical improvements, neighborhood identification with sign toppers, community building initiatives, and printed and Web site communications. Staff from Code Enforcement, Housing and Human Services, Library, Parks and Recreation, and Public Works teamed up with Corporate Communications on Feb. 15 to review the neighborhood grant applications. The Community Partnership Fund provides grants between \$250 and \$1,500 to neighborhood associations annually.

Strategic Goal No. 3: Economic Development

Seven Small Businesses Nominated as Best in America – The Greater Irving-Las Colinas Chamber of Commerce has nominated seven Irving businesses for the U.S. Chamber's Best Small Business Award. Nominees are: Joe's Coffee Shop, Glory House Catering/Receptions on the Main, FastSigns, SAM Scribes & Designs (dba *The Irving Journal*), Big State Drug Store, Minuteman Press, and Mammen Glass and Mirror. National award winners will be announced by the U.S. Chamber on April 17.

International Trade Development and Assistance Center – The Greater-Irving Las Colinas Chamber of Commerce has announced the opening of the International Trade Development and Assistance Center in partnership with the United States/Mexico Chamber of Commerce. The center will complement and help grow the Irving Sister Cities program by placing more emphasis on international business development. While the initial focus will be directed to Mexico, the business plan calls for additional markets such as China and India. Over the next seven months, the center will establish an International Trade Program for Irving to address trade missions and conduct training seminars on how to do business in foreign markets.

Go Red for Women Luncheon – The Irving Convention and Visitors Bureau (ICVB) hosted a special client luncheon on Feb. 8. More than 125 red-clad special guests and women's health advocates joined the ICVB to celebrate National Wear Red Day at the Marriott DFW Airport North. The luncheon—themed Red All About It—marked National Wear Red Day, a nationwide movement of the American Heart Association that celebrates the energy, passion and power of women to band together and wipe out heart disease.

Groups in Irving – The Irving Convention and Visitors Bureau welcomed the following groups to Irving: Association of Mayors, Council Members and Commissioners (Jan. 31-Feb. 3); U.S. Department of Homeland Security (Feb. 4-15); International Shrine Clown Association (Feb. 6-10); Sun MicroSystems (Feb. 10-12); American Paint Horse Association (Feb. 14-18); Whole Heart Ministries (Feb. 14-17); National Cheerleaders Dance Alliance (Feb. 15-17); and U.S. Marine Corps Recruiting Command (Feb. 15-17). Total room nights used by these groups was 2,780.

International Commerce Park – Developers are in final negotiations with DFW International Airport for the remaining 93 acres of International Commerce Park, which is located within the city limits of Irving. Perot Development Company of Dallas received a 35-acre tract, of which 18-plus acres will be designated for the DB Schenker Dallas Campus. Perot also has rights to a 23-acre track beside its 404,500-square-foot DFW International Commerce Park I. Developer Twin Rose will receive an 18-acre site for a reported 250,000-square-foot project. Trammell Crow, an existing developer in the park, received another 17-acre tract in addition to its 1.6 million-square-foot Trade Center project. The completion of the leasing of this 400-acre park was completed in six years.

Strategic Goal No. 4: Safe and Secure City

24/7 Criminal Alien Program – Due to the effectiveness of Irving's 24/7 Criminal Alien Program, Immigration and Customs Enforcement (ICE) has permanently assigned an agent to work 8 a.m. to 5 p.m. Monday through Friday at the Irving Jail. ICE made this change to better accommodate the effectiveness of Irving's program. The program continues to function on a 24/7 basis and follows all previous procedures when the agent is not on duty.

Irving Police Awards Banquet – The 12th Annual Irving Police Awards Banquet will be held March 27 with a silent auction beginning at 6:30 p.m., followed by dinner at 7 p.m. The banquet will be held at the Westin Hotel at State Highway 114 and Esters Road. For sponsorship opportunities, call the Irving Police Department at (972) 721-2598.

Civil Service Seminar/Rescue Training – Assistant Fire Chiefs Mike Evitts and Rusty Wilson attended a civil service seminar, which addressed updates to civil service law. In addition, Fire Equipment Operator Joe Kowal and Firefighter Daniel Rozier attended rescue classes in Galveston to enhance the rescue knowledge for the Fire Department.

Emergency Recording System Updated – The recording system for emergency dispatchers has been upgraded by Information Technology. The new upgrade enhances the dispatch information to be recorded and reviewed for emergency response and training.

Strategic Goal No. 5: Diversity

TGIF Speaker – As part of the city employee TGIF noontime speaker series, the City of Irving hosted Rochelle Rabouin on Feb. 15. In conjunction with Black History Month, the guest instructor shared her knowledge of the cultures of South Africa, its language and music. The event was open to all employees. The monthly speaker series is taped by Irving Community Television Network (ICTN) for employee viewing and airing on the city's cable station.

Strategic Goal No. 6: Effective Communications

Emergency Preparedness Insert – The Corporate Communications Department has produced a special four-page emergency preparedness insert that will be mailed to residents with the March issue of *City Spectrum*. Working in conjunction with the Emergency Management Office, the insert provides helpful information and tips to assist residents with planning for various disasters.

City Manager's "City Talk" – A monthly online video for city employees, featuring City Manager Tommy Gonzalez, is produced by the Corporate Communications Department. Irving Community Television Network tapes the monthly segments, which are posted for employee viewing on the city's intranet. The February segment features the city's Go Green initiatives and encourages

employees to do their part to help protect the environment.

Criminal Justice Tours – On Feb. 13-14, the Irving Municipal Court, in collaboration with the Police Department and Irving ISD, facilitated tours of the Criminal Justice Center for students of the Academy of Irving ISD. Four groups, consisting of 8-12 criminal justice students, were able to see the concepts learned in the classroom applied to real-life situations. The tours continue to successfully develop student interest in Irving city government. They provided a direct line of communication between students and criminal justice professionals and served to strengthen the relationship between the city and school district. Sheli Masterson (Municipal Court) coordinated the event and the following employees participated in the program: Wayne Lambert (Municipal Court), Alan Mayer (Municipal Court), Tim McBryde (Police), Clark Nethers (Police), John Schingle (Police), Kristin Spivey (Police), Judge Milton Sturman (Municipal Court), and Martha Tucker (Municipal Court).

Student Tour of Landfill – Fran Witte with Solid Waste Services led a tour of the Hunter Ferrell Landfill for 20 fourth- and fifth-grade students and teachers from Sloan School. The tour included a discussion about how to reduce waste and extend the life of the landfill. Mike Abbott, who works at the landfill, talked with the students about equipment, safety and landfill operations. The students then visited a nearby drop-off recycling center.

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

TheatreWorks USA – The Irving Arts Center kicks off spring with TheatreWorks USA's musical, *Winnie the Pooh*, on Feb. 29. The show is based on the classic tales of Winnie the Pooh by A.A. Milne. Performances are at 9:30 a.m. and 12:30 p.m. at Carpenter Performance Hall. Tickets are \$6 each. Call (972) 252-2787 or visit www.irvingartscenter.com. Other spring KidsArts activities include a new session of Saturday School starting Feb. 23, Spring Fling on April 5 and *The Musical Adventures of Flat Stanley* on May 1.

TechKnow Day – Teen Tech Week is a national initiative sponsored by the Young Adult Library Services Association, which encourages teens to use libraries' non-print resources for education and recreation, and to recognize that librarians are qualified, trusted professionals in the field of information technology. Irving Public Library celebrates this year's theme of Tune In @ Your Library with a TechKnow Day program from 11 a.m. to 5 p.m. March 8. Teens in grades 6-12 are invited to participate in the activities.

First Tuesday Library Card Sign-up – The Irving Public Library will begin a new outreach effort March 4 in collaboration with the Parks and Recreation Department. Staff will be available at the Heritage Senior Center at 10 a.m. to issue library cards and talk with seniors about programs and resources available at the library.

KidsNotes – The Irving Public Library is collaborating with the Las Colinas Symphony Orchestra on KidsNotes, a program offering children the opportunity to hear, see, touch and explore different aspects of classical music and the orchestra. It will provide information about the orchestra and give children a hands-on activity with an Instrument Petting Zoo. KidsNotes also includes a storytime, games and activities all designed to help kids relate to the symphony orchestra experience. The program takes place at 1 p.m. Feb. 23 at the East Branch Library, 440 S. Nursery Road.

Strategic Goal No. 8: Sound Governance

457 Deferred Compensation Plan Update – The city's 457 deferred compensation plan, administered by the Strategic Resources and Budget Department, allows employees to invest in personal retirement accounts. Participation in the plan has increased 12 percent from January 2007 to January 2008. During the same period, employee investments through payroll deductions have increased 18.4 percent per month. These increases are the result of the "Make It Happen" enrollment drive conducted last year.

Civil Service Promotional Exams – During the month of March, Strategic Resources and Budget will administer civil service promotional exams for the positions of fire equipment operator (March 13), fire battalion chief (March 13), fire lieutenant (March 25) and fire prevention lieutenant (March 25). The scores from these exams will help determine employees within the Fire Department who are eligible for promotions.

Police Written Entrance Exam – Strategic Resources and Budget facilitated an entrance exam for the position of police officer on Feb. 9 at the Irving Police and Fire Academy. A total of 66 people completed the examination and 46 of the applicants received a passing score.

Open Records Requests – More than 700 requests for public information records have been processed by the City Secretary's Office since City Council appointment of the city secretary as public information coordinator last September. The City Secretary's Office developed a centralized citywide system for the processing of open records requests, and has trained employees on the procedures. This process ensures the successful processing and tracking of public information requests, and that charges for records are uniform throughout the city.

Boards and Commissions Dinner – The City Secretary's Office is finalizing plans for the March 18 Appreciation Banquet for City Council-appointed boards, commissions and committees. The annual event is hosted by Mayor Herbert Gears and the City Council. The Corporate Communications Department assisted with the event planning by designing the invitation, program and other materials.

On-the-Spot Awards – City of Irving employees continue to provide excellent customer service and also perform above and beyond their regular job functions. The following employees have received On-the-Spot Awards for their performance: Bill Adams (Animal Services), Gayle Averitt (Parks and Recreation), Becky Dietz (Parks and Recreation), Antina Garza (Parks and Recreation), Robert Lawhorn (Parks and Recreation), Ed Matthews (Financial Services/Purchasing), Gene Moulden (Parks and Recreation), Saul Pedregon (City Attorney's Office), Durenda Pena (Parks and Recreation), Terry Read (Parks and Recreation), Darlene Rush (Financial Services/Purchasing), and Johanna Stahl (Strategic Resources and Budget).

Strategic Goal No. 9: Infrastructure Network

Future Water Supply Study – City staff will be negotiating an engineering services agreement with consulting engineers to assist in the study of Irving's future water supply. The City of Irving and the City of Paris have formally agreed to study and exclusively negotiate the potential sale of water from Lake Pat Mayse located in northeast Texas. This study will focus on availability of water in Lake Pat Mayse, the use of Lake Pat Mayse for pass-through or storage of water from other sources, pipeline routing and sizing, pumping and facility requirements, and estimation of associated costs.

Transportation Convention – The City of Irving will host a Transportation Convention on March 5-7 in Washington, D.C. The agenda will include discussions with numerous executive and legislative branch leaders. Many attendees and sponsors have already signed up to support the event. The meetings will be held in the Senate and House office buildings, and a reception will be held in the

House Transportation and Infrastructure Committee Room. Elected officials have been very supportive of this first-time event, and the U.S. Chamber will host a portion of the event as well. This event complements the city's annual Transportation Summit by highlighting Irving's role as a transportation leader at the national level. This year's 11th Annual Transportation Summit will be held Aug. 12-15 in Irving.

City Computer Network/Server Maintenance – Information Technology has implemented a regularly scheduled time each month to perform maintenance and upgrades to the city's network and server equipment. With this implementation, unscheduled downtime and services will be minimized for city staff and residents. All maintenance, with the exception of public safety, will occur on the second Wednesday of the month from 5 to 7 a.m.

Shared Network Drive for City Employees – A shared network drive has been created by Information Technology to allow employees to temporarily share computer files with other departments without having to e-mail or place the data on a USB device. This new drive is expected to increase communication efficiency across departments, enhance services for customers, reduce approximately 25 percent of files being duplicated on the network, and reduce the time it takes to back up the network information on a nightly basis.

Office Renovations – Building Services has completed office renovations at the Criminal Justice Center. Two new offices were created to better accommodate the personnel area. In addition, a new five-ton rooftop unit was installed at the Northwest Branch Library. The new unit is more energy efficient and will provide a comfortable environment for both residents and employees at the facility. Both of these projects were handled by in-house staff.

Strategic Goal No. 10: Environmentally Sustainable Community

Free Gardening Classes – The City of Irving will present two free gardening classes about low-maintenance, water-conserving landscaping from 9 a.m. to 5 p.m. March 1 at the Valley View Municipal Complex, 333 Valley View Lane. In Xeriscape Landscape Design 101, students will learn about home landscape design basics so they can create an area that requires little or no supplemental watering and less pruning and maintenance than traditional yards. The second class, Fantastic Plants for North Texas, will focus on quality native and adapted plants recommended for and readily available in this area.

CONSENT AGENDA

The consent agenda, items #2 through #22, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda for individual consideration. Pam Brown, 1410 Irvin Road and Clem Lear, 4643 O'Connor Ct both signed up in support of items 4, 5, and 6. There were not any requests to pull any items on the consent agenda. **Councilman Philipp moved to approve the consent agenda. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.**

- 2 Resolution No. 2-21-08-064** -- Approving The City Council Work Session Minutes Of February 6, 2008, And The City Council Meeting Minutes Of February 7, 2008
- 3 Resolution No. 2-21-08-065** -- Authorizing The Mayor To Enter Into An Agreement With Dallas County Elections Department To Administer The Regular Municipal Election To Be Held On Saturday, May 10, 2008, For The Purpose Of The Office Of

The Mayor And City Council Places Three and Five, And A Subsequent Run-Off Election, If Necessary

- 4 **Resolution No. 2-21-08-066** -- Authorizing The Mayor To Sign A Sponsorship Agreement Between The City Of Irving On Behalf Of The Irving Convention And Visitors Bureau (ICVB) And The Salesmanship Club Charitable Golf Of Dallas In The Amount Of \$171,500.00 For Host City Sponsorship, Media Center Co-Sponsorship, Media Guide Sponsorship, And Acknowledgement And Public Relations For The 2008 EDS Byron Nelson Championship
- 5 **Resolution No. 2-21-08-067** -- Authorizing The Mayor To Sign An Agreement Between The City Of Irving On Behalf Of The Irving Convention And Visitors Bureau (ICVB) And The Four Seasons Resort And Club To Provide Food/Beverage/Entertainment Services For Customers/Clients During The 2008 EDS Byron Nelson Championship
- 6 **Resolution No. 2-21-08-068** -- Authorizing The Mayor To Sign An Agreement Between The City Of Irving On Behalf Of The Irving Convention And Visitors Bureau (ICVB) And The Four Seasons Resort And Club To Participate In A Year-Round Host City Marketing Program Offered In Conjunction With The 2008 EDS Byron Nelson Championship
- 7 **Resolution No. 2-21-08-069** -- Approving Benefit Dispute Agreement Authorizing Payment Of Workers' Compensation Death Benefits According To The Texas Labor Code To Rafael Esparza, Sr., And Christina Esparza, The Parents Of Deceased City Of Irving Police Officer Andrew Albert Esparza
- 8 **Resolution No. 2-21-08-070** -- Approving The Financing Of Improvements To The Highlands School By The Crawford Education Facilities Corporation
- 9 **Resolution No. 2-21-08-071** -- Approving Assignment Of Contract Of Sale For The Acquisition Of The Property Located At 1616 Canyon Oaks Drive -- L. A. Garcia, Assignor
- 10 **Resolution No. 2-21-08-072** -- Approving Assignment Of Contract Of Sale For The Acquisition Of 2.2 Acres Of Land Located At 1215-1219 And 1300 Riverview Drive -- B. Garcia, Assignor
- 11 **Resolution No. 2-21-08-073** -- Approving A Proposal For Appraisal Services With Integra Realty Resources DFW LLP For The DART Orange Line
- 12 **Resolution No. 2-21-08-074** -- Approving A License Agreement Between The City Of Irving And The Dallas Area Rapid Transit For The Las Colinas Urban Center Emergency Sanitary Sewer Lift Station Project Located On DART's North Irving Transit Center

- 13 **Resolution No. 2-21-08-075** -- Approving An Amendment To A Contract To The Omni Mandalay Hotel For Conference Space, Food, Beverages And Room Nights Relative To The 11th Annual Transportation Summit
- 14 **Resolution No. 2-21-08-076** -- Authorizing Staff To Negotiate An Engineering Services Agreement With Nathan D. Maier Consulting Engineers, Inc. For A Water Supply Study
- 15 **Resolution No. 2-21-08-077** -- Ratifying The Award Of The Existing Agreement With Earth Builders, L.P. For Emergency Repairs To 54-Inch Discharge Main At The Hackberry Pump Station
- 16 **Resolution No. 2-21-08-078** -- Cancellation Of Custodial Maintenance Services For Hunter Ferrell Landfill With Sam's Janitorial Service
- 17 **Resolution No. 2-21-08-079** -- Cancellation Of Contract With Symmetrix Solutions And Re-award Of Contract To DLT Solutions Inc. For The Maintenance Agreement For Oracle Software Through The State Of Texas Department Of Information Resources Program
- 18 **Resolution No. 2-21-08-080** -- Purchases Funded In The 2007-2008 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years
 - (A) Award -- Approving Award To B & C Body Co. For The Purchase Of Roll-Off Containers And Compactor Stations For In-House Recyclables Through The Interlocal Agreement For Cooperative Purchasing With Houston-Galveston Area Council Of Governments
 - (B) Proposals -- Renewal Of Proposal With Allied Waste Services For Processing Recyclables Collected In Irving's Curbside Collection Program
 - (C) Award -- Approving Award To Med-Eng Systems Inc. For The Purchase Of A Bomb Suit
 - (D) Award -- Approving Award to Leaders Without Borders For Development Of An Updated Employee Training Curriculum
 - (E) Award -- Approving Annual Award To Leaders Without Borders For Leadership Consulting
 - (F) Bids -- Award Of Bid To MasTec North America, Inc. For The Freeway And Street Lighting Services Project
 - (G) Bids -- Award Of Bid To Sound Productions, Inc. For The Audio System For Irving Arts Center
- 19 **Ordinance No. 8910** -- Second Reading -- Approval Of Atmos Energy Corporation, Mid-Tex Division, System-Wide Rate Increase Request

- 20 Ordinance No. 8918** -- Supplementing Chapter 21 Entitled "Motor Vehicles And Traffic", Article III "Operation Of Vehicles Generally" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving And Enacting A New Section 21-61.1 "Use Of Hand-Held Communications Devices Prohibited In School Zones;" Providing For A Penalty Clause; Providing For A Severability Clause; Providing For Incorporation Into The Code Of Ordinances; And Providing An Effective Date
- 21 Ordinance No. 8919** -- Re-Enacting Chapter 56 Entitled "Curfew Hours For Minors" Of The Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing For A Curfew For Persons Under The Age Of Seventeen In The City Of Irving
- 22 Ordinance No. 8920** -- Authorizing The Abandonment Of Two 20-Foot Drainage Easements Within Market Place Shopping Center, 1st Revision Addition

This concludes the consent agenda approving items #2 through 22.

ZONING CASES

- 23 Resolution No. 2-21-08-081** -- Special Fence Plan ZC07-0055 -- Approving A Variance To The Screening Fence Requirements Of Ordinance No. 8032 (Zoning Case #5261) -- An Approximately 4.5 Acre Tract Located At The Northwest Corner Of West Country Club Drive And Las Brisas Drive -- Head Construction, Applicant **(Postponed At The January 24, 2008 City Council Meeting)**

Mayor Gears introduced the item and stated that it would be postponed.

Councilman Meagher moved to postpone this item to the March 13, 2008 City Council meeting. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 24 Ordinance No. 8921** -- Zoning Case ZC07-0061 -- Granting S-P-1 (Detailed Site Plan) For Hotel And R-AB (Restaurant Including The Accessory Use Of The Sale Of Alcoholic Beverages For On-Premise Consumption) Uses -- An approximately 2 Acre Tract Located At 4800 Plaza Drive (Northwest Of Heathrow Drive) -- Countrywide Hospitality, LLC, Applicant

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

Biren Patel, Amman Patel and, Mahbub Dewan, 11130 N. Stemmons, Dallas, Texas representing Countrywide Hospitality presented the case.

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

- 25 Ordinance No. 8922** -- Zoning Case ZC07-0074 -- Granting S-P-1 (Detailed Site Plan) For C-N (Neighborhood Commercial) Uses -- An Approximately 0.06345 Acre Tract Located At 942 West Airport Freeway -- Cartwright Construction, Applicant

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

The applicant Jaral Cartwright, 942 W. Airport Freeway, presented the case.

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

- 26 Ordinance No. 8923** -- Granting S-P-1 (Detailed Site Plan) For C-OU-2 (Commercial Outdoor - 2) District Uses In Zoning Case #ZC07-0080 -- An Approximately 0.40 Acre Tract Located At 1521 East Irving Boulevard -- Scott Hawkins Separate Property Trust, Applicant

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

Sharon Barbosa-Crain, 2608 Alan-A-Dale, representing the applicant presented the case.

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

Doug Harper, 1117 S. Delaware

Councilman Philipp moved to approve the ordinance with the stipulation to remove the pole sign and install a freestanding monument sign not to exceed 25 feet in height and with a fifteen feet setback on the southwest corner of the property. Seconded by Councilman Patrick, the motion was approved by a vote of 8-1, with Councilwoman Van Duyne voting in opposition.

- 27 Resolution No. 2-21-08-082** -- Approving Landscape Variance ZC08-0003 -- An Approximately 0.40 Acre Tract Located At 1521 East Irving Boulevard -- Scott Hawkins Separate Property Trust, Applicant

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

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

- 28 Resolution No. 2-2108-083** -- Temporary Use Permit #G0801-0051 -- To Allow Temporary Mobile Units In The Parking Lot Of The Molina Medical Center Located At 1901 West Irving Boulevard -- Oscar Molina, Applicant

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

Dr. Oscar Molina, 1901 W. Irving Boulevard, presented the case.

The following registered to speak in opposition:

Kimberly Lewis, 1916 Briarwood Lane

Diana Montouri, 1908 Briarwood

The following registered to speak in favor of this item:

Anthony Bond, 4109 W. Northgate #824

Dale St. John, U S Medical House Calls

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

Pam Brown, 1410 Irvin Road

Clem Lear, 4643 O'Connor Ct.

Director of Code Enforcement Gary Miller gave a presentation on this item.

After Council discussion, **Councilman Patrick moved to approve the resolution with the stipulation that the trailers be placed on the west side of the parking lot of the clinic and as far to the south of the lot as possible. Seconded by Councilman Smith, the motion was approved by vote of 8-1, with Councilwoman Van Duyne voting in opposition.**

INDIVIDUAL CONSIDERATION

- 29 Resolution No. 2-21-08-084** -- Authorizing Revisions And Amendments To The Contract Between The City Of Irving And Austin Commercial In Regard To The Performance Of Construction Manager At Risk Duties Pertaining To The Irving Convention And Events Center

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

The following registered to speak in favor of this item.

Anthony E. Bond, 4109 W. Northgate Drive #824

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

Pam Brown, 1410 Irving Road

Clem Lear, 4643 O'Connor Ct.

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

- 30 Resolution No. 2-21-08-085** -- Authorizing The City Of Irving To Retain The Beck Group As Owners' Representative In Regard To The Construction Of The Irving Convention And Events Center

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

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

Pam Brown, 1410 Irvin Road

Clem Lear, 4643 O'Connor Ct.

Deputy City Attorney Brenda McDonald stated that a revised resolution was handed out to the Mayor and Council members this evening.

City Attorney Charles Anderson identified the changes.

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

- 31 Resolution No. 2-21-08-086** -- Amendment No. 1 To Maloney Strategic Communications For Services Related To The Design Of Interior Graphics And Visual Messaging In Various Public Spaces At The Civic Center And Authorizing The Preservation And Redevelopment Board To Retain Maloney Communications To Prepare A Website For All Commercial And Institutional Property Owners In The Heritage District For The Purpose Of Creating A "Virtual Shopping Mall" For Downtown Irving

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

Managing Director David Leininger gave a presentation on this project.

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

APPOINTMENTS AND REPORTS

- 32 File No. 2-21-08 -087** -- Appointments To Boards, Commissions And Committees To Fill Two Year Terms Expiring November 2009, And To Various Unexpired Terms

There were no appointments made.

33 Resolution No. 2-21-08-088 -- Appointments To The Irving's Green Advisory Committee

Mayor Gears introduced the item.

Councilman Stopfer moved to appoint the following Sara Beckelman, David Brentz and Angie Hartman. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.

34 Committee And Liaison Report/Meetings

There were no reports given

35 Mayor's Report

There was no report given.

36 The meeting adjourned at 8:53 p.m.

CITIZEN FORUM

Carol Wood, 613 Shalamar Place, addressed the Mayor and Council about health care in Irving.

George Stephenson, 2105 Druid Drive, addressed the Mayor and Council commended the City for putting curb cuts for wheelchair access throughout the City.

Joyce Eckles, 1827 Dory Lane, addressed the Mayor and Council about state holidays and stated that she would like to see the City of Irving would like the City to recognize Texas Independence Day which is March 2.

ATTEST:

Herbert A. Gears, Mayor

Janice Carroll, TRMC
City Secretary