

REGULAR MEETING OF THE IRVING CITY COUNCIL
May 1, 2008

The City Council met in regular session in the Council Chambers of the City Hall Complex on May 1, 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 Brian Hale, North Irving Baptist Church of the City Of Irving.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears made the following presentations:

Special Recognition to the North Lake College Men's Basketball Team for winning the National Junior College Athletic Association Men's Division Three Basketball on March 18, 2008, he presented the special recognition to the following:

- Coach Tim McGraw
- Dan Joutras, Athletic Director
- Dr. Herlinda Glassock, President of North Lake College
- Brian Sanders
- Nathan Pratt

Mayor Gears presented a proclamation to Fire Chief Mario Molina for Emergency Medical Services Week which is recognized during the week of May 18-24, 2008.

Mayor Gears also presented a proclamation for International Compost Awareness Week May 4-10, 2008, to Director of Solid Waste Brenda Haney and Supervisor of Solid Waste Fran Witte. He also presented awards to Sreenivas Ramarao and Sara Beckelman.

Four Special Recognitions were presented for the “Best Real Estate Deals Of 2007”

- “Best Office Deal – Existing Space” - Avelo Mortgage - Chief Financial Officer David Altshuler received the recognition
- “Best Headquarters or Corporate Campus” - TXU Energy - Sr. Manger Community Relations John Bennet received the recognition
- “Best Industrial Deal – Existing Space” - Maxim Corporate Recruiter and Employee Relations Specialist Trish Garner received the recognition
- “Best Headquarters or Campus Moves” – Research in Motion - Director of Advanced Technology Jim Womack received the recognition

CITY COUNCIL AGENDA

1 City Manager’s Report

City Manager Tommy Gonzalez gave an update on the strategic goals.

City Attorney Charles Anderson gave an update on Strategic Goal No. 8 Sound Governance.

Strategic Goal No. 1: Land Use

MacArthur Boulevard Beautification – The installation of landscaping and turf improvements on MacArthur Boulevard (along the west side from State Highway 183 to Rochelle Road) is nearing completion. The pocket park at Grauwylar Road and MacArthur Boulevard also is complete with the installation of the new plaza and planter with bronze sculpture. The gateway entry structure planned for the corner of Weathered Street and MacArthur Boulevard will be bid in May, with construction to begin later this summer.

Dumpster Survey – Keep Irving Beautiful (KIB) volunteer teams conducted a survey of commercial waste collection dumpsters on April 19. Five teams took more than 300 photos of a 7 to 8 percent sample of Irving’s dumpster sites. This is the first step in analyzing opportunities for KIB to influence an improvement in dumpster-related waste collection behavior across Irving.

Strategic Goal No. 2: Vibrant Neighborhoods

Pole Sign Demolition – To help enhance the overall aesthetics of the State Highway 183 (Airport Freeway) corridor, the oversized pole signs at the former Airport Inn and Knights Inn were demolished the week of April 21-25. Building demolition will take place in the near future.

Annual Action Plan – The Housing and Human Services Department conducted a public hearing on April 17 at Northwest Park to solicit input on the 2008-09 Annual Action Plan. The Action Plan outlines the use of grant funds from the U.S. Department of Housing and Urban Development and provides a framework for addressing housing and public service needs in Irving. Another public

hearing will be held from 6 to 7 p.m. June 26 at the Housing and Human Services Department, 2520 W. Irving Blvd, Ste. 300.

Austin Heights Neighborhood Project Meeting – The Public Works Department/Engineering Division hosted a neighborhood project meeting on April 29 at City Hall for residents and property owners who live along the following streets within the Austin Heights neighborhood:

- Elwood Road - Britain Road to Nursery Road
- Joffre Drive - Pioneer Drive to Elwood Road
- Mimosa Street - Pioneer Drive to Elwood Road
- Willow Road - Pioneer Drive to Elwood Road

Staff presented the proposed street improvements and sequence of events associated with this project to the property owners.

Neighborhood Roundtable – More than 60 neighbors participated in the Go Green! Neighborhood Roundtable meeting on April 29 at City Hall. Residents were encouraged to take the “Think Green ... Be Green” pledge to improve the environment by recycling and conserving water and energy. Featured speakers included Fran Witte, solid waste services program and marketing supervisor; Ramiro Lopez, contracts and fuel administration director; and Chris Michalski, parks and recreation director. All neighborhood officers in attendance received a “Guide to Planting Native Texas Plants” produced by the Parks and Recreation Department.

Strategic Goal No. 3: Economic Development

Omega Environmental Technologies Moving Back to Irving – Irving residents Grace and Thom Davis, owners of Omega Environmental Technologies, have announced that they will be relocating their company back to Irving. Omega is a fast-growing distributor of automobile air conditioning parts to 87 countries worldwide. The company will occupy 120,000 square feet in the Valley View Business Center when the new facility is completed in December. The move to Irving will double Omega’s current space and provide for increased employment and future growth.

Best Kept Secrets Café Opens – Best Kept Secrets Café has opened in the 135 Antiques store at 1800 N. Story Road. Owner Tom Buell is open daily for lunch serving deli sandwiches in an eclectic setting.

Meritage Homes Chooses Irving – Meritage Homes, one of the largest home builders in the southwest and ranked 11th nationally, has selected Las Colinas’ MacArthur Ridge II as the site for its consolidated design center, title company and mortgage brokerage services. The seven-year lease is for 42,000 square feet on the street level and fourth floor.

Surplus Warehouse Relocates – Surplus Warehouse has relocated its retail facility from Dallas to the former Wal-Mart store at 555 W. Airport Freeway. The nationally known chain sells a variety of building material products including cabinets, flooring, doors, windows, tubs, showers, vanities and molding.

Groups in Irving – The Irving Convention and Visitors Bureau welcomed the following groups to Irving: Texas Council of Engineering Companies (April 3-4); Tour-Rific of Texas (April 3-6); Christ Chapel (April 4-6); International Mission Board Southern Baptist Convention (April 5-12); U.S. Department of Homeland Security (April 7-18); Church of God International Office (April 10-13); Toronto Blue Jays (April 10-13); Tour-Rific of Texas (April 10-14); Microsoft Corporation (April 14-24); Tour-Rific of Texas (April 18-20); Salesmanship Club of Dallas (April 19-30); U.S. Marine Corps Recruiting Command (April 19-20); Federal Aviation Administration (April 21-25); The International

Association Foundation Drilling (April 22-25); National Roofing Partners (April 22-24); AJ Pageant Productions (April 24-27); Vision Sports (April 24-27); EPN Travel Services (April 25-26); U.S. Department of Homeland Security (April 28-May 1); and T-System (April 29-May 1).

Irving's Gondola/Scouting Expedition – The Irving Convention and Visitors Bureau (ICVB) partnered with Gondola Adventures for an expedition down Buffalo Bayou in Houston on April 18 to honor the Boy Scouts of America. The exposition was planned to generate summer traffic to Irving's National Scouting Museum, and raise awareness of the country's largest Scouting Fair that was held April 19 in Houston's Reliant Arena. The ICVB and Gondola Adventures—along with the actual gondola used for the expedition—were exhibitors at the Scout Fair, which was attended by more than 40,000 people. News coverage included segments on local Fox and CBS news, as well as a feature in the *Houston Chronicle*.

EDS Byron Nelson Championship – The Irving Convention and Visitors Bureau (ICVB) played a pivotal role in last week's EDS Byron Nelson Championship. In addition to sponsoring the tournament's media center, the ICVB hosted meeting planners from around the country during the tournament. The group of more than 30 planners toured area hotels, attractions and entertainment venues.

Strategic Goal No. 4: Safe and Secure City

National Telecommunicator Week – The Communications Section of the Police Department celebrated National Telecommunicator Week from April 13-19. The Tarrant County 911 District also recognized all of the local dispatchers at a Texas Rangers baseball game on April 13. National Telecommunicator Week is dedicated to celebrating the hard work and dedication of dispatchers and acknowledging the difficult job they do every day for the officers and residents of Irving.

Hispanic Citizens' Police Academy – The next Hispanic Citizens' Police Academy will begin June 3 at the Irving Police Training Academy. This educational program is designed to provide the Spanish-speaking public with a working knowledge of the Irving Police Department and how it serves the community. Classes meet from 7 to 10 p.m. Tuesdays, and from 9 a.m. to 1 p.m. one Saturday through Aug. 12. For more information, call Officer Lance Peikert at (972) 721-3557.

MADD Walk Update – The "Zero Tolerance" Irving police team raised more than \$3,000 in the 5th annual MADD (Mothers Against Drunk Driving) Walk held April 19 in Irving. The team exceeded its goal of \$2,500 to support MADD victims' assistance in memory of fallen Officer Glenn Homs.

Fire Personnel Training – All 11 of the city's fire engine companies are now equipped with life-saving rescue tools purchased through a grant from the Department of Homeland Security. Fire Department staff completed a series of extrication classes that provided training on how to use the new tools to help remove victims from auto accidents.

New Police Equipment – The Police Department has received new personal protective equipment for use during emergency situations, thanks to federal grant funding. This includes gas masks, gas mask cartridges, boots, gloves, jet guard suits and duffel bags.

Mental Wellness Coalition Meeting – In an effort to reduce the number of residents who use the 911 system for mental and emotional needs, Mental Wellness Coalition members met at the Family Advocacy Center on April 18 to explore joint initiatives. The group will create a local referral brochure that responders can distribute to residents in need. This resource would put residents in touch with the health and human services agency that can provide them with assistance, which

could possibly reduce the number of non-emergency 911 calls.

Irving Animal Services Adopt-a-thon – Irving Animal Services will host its annual Adopt-a-thon from 9 a.m. to 8 p.m. May 2-3. Participants can register for hourly drawings to receive a free microchip or a free spay/neuter for their animals. Residents ages 60 and older can adopt a pet through the Irving Senior Citizen Adoption program—designed to help animals three years of age or older find a loving home. Those interested also can participate in the Lone Star Pet Adopt-a-thon Weekend from 10 a.m. to 3 p.m. May 3 at the Rangers Ballpark in Arlington, 1000 Ballpark Way. The Irving Animal Services and DFW Humane Society will operate a joint booth along with many other animal welfare organizations.

Animal Registration – Beginning June 1, Irving residents will need to register any cat or dog over the age of 4 months. The new guidelines will help reduce the number of pets held at the Animal Shelter by ensuring the quick return of lost pets to their owners. Registration will be available beginning May 15. Call Animal Services at (972) 721-2256 or visit www.petdata.com for additional information.

Strategic Goal No. 5: Diversity

The Great Irving Forum – More than 40 city employees participated in The Great Irving Forum on April 18, which featured a panel discussion on the traditions and cultures of the Asian community. The event was hosted by the Strategic Resources and Budget Department. It was videotaped by Irving Community Television Network.

Cinco de Mayo – A multicultural entertainment event will take place from 9 a.m. to 3 p.m. May 3 at Senter Park Recreation Center, 901 S. Senter Road. This community event will feature local entertainers, a health fair, information on higher education opportunities, and vendors offering a variety of ethnic foods. Event organizers are Parks and Recreation, Corporate Communications and DCET (Debes de Creer en Ti). The annual event is expected to draw more than 1,800 residents.

Strategic Goal No. 6: Effective Communications

City Spectrum Summer Parks Issue – The May issue of *City Spectrum* features the Summer Parks and Recreation Guide. The 20-page newsletter, which is mailed to each Irving household, provides a pull-out parks guide in addition to four pages of other city information. The special issue was produced by the Corporate Communications and Parks and Recreation departments.

Public Input Opportunities Online – The Corporate Communications Department has added a new feature to the city Web site that allows residents to submit public input online. This new initiative provides residents who are unable to attend the city's various public input meetings with an opportunity to voice their thoughts and opinions via the Internet in an easy and timely manner. It further enhances two-way communications with Irving residents. The public input opportunities section is located at the top of the home page at www.cityofirving.org.

School Involvement – City staff continues to build strong relationships with area students to educate them about city government programs and opportunities. Diana Soto, teen court coordinator, conducted 11 presentations to eighth grade classes in the Irving Independent School District (IISD) to recruit volunteers for Teen Court spring training on May 17. Recruitment packets also were distributed to all Irving public schools, as well as the Universal Academy and North Hills Charter schools. On April 25, the city hosted 28 international students and their professors from the University of Dallas for an overview of city operations. Councilman Rick Stopfer welcomed the

students prior to presentations by Managing Director Nancy Bartlett, Deputy City Attorney/TOD Director Brenda McDonald, Parks and Recreation Director Chris Michalski, and Victim Services Supervisor Cindy Penn. In March, the Fire Department conducted an IISD program attended by 100 students and attended a health fair in conjunction with Irving High School.

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

Spring Showcase Basketball Tournament – Irving’s parks and recreation centers hosted the 14 and under boys and girls division for the Spring Showcase Basketball Tournament on April 25-27. The Irving event included approximately 65 teams made up of 700 players from across the state, and attracted an estimated 1,800 to 2,000 spectators. Older age groups played in Carrollton and Arlington. Many Irving hotels were listed in the promotional materials.

West Irving Aquatic Center – Two public input meetings to begin the site selection process for the West Irving Aquatic Center will be held at 7 p.m. May 13 and 19 at Georgia Farrow Recreation Center, 530 Davis St., in West Park. The meetings will gather public input of the site evaluation criteria and potential locations. The input will help prepare the site selection recommendation, which will be presented during a community meeting at 7 p.m. June 3 at the Georgia Farrow Recreation Center. Upon completion of the site selection process, future public input opportunities will be held in regard to the facility design.

Irving Chautauqua – The Irving Chautauqua series continues at 2 p.m. May 10 featuring the oratory skills of Texas author and KERA commentator Tom Dodge. Dodge will talk about life in small towns and the truths that are hard to avoid. Irving Public Library offers the Irving Chautauqua series at 2 p.m. the second Saturday of each month in the Central Library Auditorium, 801 W. Irving Blvd.

Texas Book Festival Grants – The Texas Book Festival has awarded three grants totaling \$10,000 to the Irving Public Library—one for literacy and two for collection development. State Representative Kirk England visited the library last week to read to preschoolers and present one of the checks to the library. AT&T is the sponsoring organization for the Texas Book Festival grant awards program.

Library Helps National Guard – The Irving Central Library offered its computer lab to 70 Texas National Guard men and women from the 56th Brigade Special Troops Battalion on April 4, assisting them in completing vital computer-based training before their deployment to Iraq next month.

Friends Annual Meeting – The Friends of the Irving Public Library, a nonprofit group dedicated to promoting and supporting the library, will feature a talk with former NBC sports anchor and author Scott Murray at its annual membership meeting at 7 p.m. May 13 at the Irving Arts Center’s Dupree Theater, 3333 N. MacArthur Blvd. The meeting will provide information and outline activities of the organization. Membership is not required to attend. Additional information is available online at www.friendsofipl.org.

New Bookmobile Design Reception – The Irving Central Library will host a public reception at 2 p.m. May 9 to unveil the Bookmobile’s new design. Its colorful new wrap befits its mission and new name, “The Dream Machine.” All are welcome to participate in the reception at 801 W. Irving Blvd. The Dream Machine’s spring schedule is available at www.cityofirving.org/library/bookmobile.html.

The Musical Adventures of Flat Stanley – The Irving Arts Center has sold out both shows of “The Musical Adventures of Flat Stanley.” The theatrical production is based on the popular children’s books *Flat Stanley* by Jeff Brown, and will be performed at the Arts Center on May 1. A total of 1,367 tickets were sold, the majority of which went to 19 different private and public schools, daycares and church groups. The groups represent 18 Texas zip codes, as far away as Rising Star, between Fort Worth and Abilene. Irving elementary schools attending the show include Farine, Brandenburg and Elliott.

Strategic Goal No. 8: Sound Governance

Police Entrance Examinations – The Strategic Resources and Budget Department helped to facilitate a multi-site police entrance examination process. The exam was given to 150 police recruits in three locations: Irving; Clinton Township, MI; and Muskegon, MI. A total of 120 people passed the written exam and will move on to the next step in the recruiting process.

National Start Walking Day – To increase employee awareness of the importance of exercise, the City of Irving proclaimed April 16 as National Start! Walking Day, in conjunction with the American Heart Association’s annual walking campaign. The Strategic Resources and Budget Department kicked off its wellness initiative with this event. Approximately 100 employees participated in the reading of the proclamation and the associated walking event.

Agenda Management System – To streamline the City Council agenda preparation process, the roll out of a new agenda management system is scheduled for May 22. The agenda management system will increase accountability by providing electronic tracking of agenda items, boost productivity with increased availability of information throughout the city, decrease the time it takes to retrieve agenda items and minutes, and reduce the cycle time by eliminating the need for internal signatures. Overall, the new system is expected to save about \$24,000 a year in reduced cost for labor and paper. Team members working on the project are from the Information Technology Department, City Manager’s Office, City Secretary’s Office and City Attorney’s Office.

AAA Bond Ratings – The city’s AAA ratings have been reaffirmed by Moody’s Investor Services and Standard & Poor’s. As a result, 13 bidders proposed on the city’s general obligation bonds, which sold at a true interest cost of 4.149 percent. The city’s continued AAA is attributed to its large tax base, strong financial management policies, formal investment and reserve policies, strong general fund reserves and conservative debt profile. The \$32.5 million in bonds will fund a variety of capital improvement projects, including a new animal shelter and dog park, Veterans Memorial Park expansion, new Fire Station No. 4 and various street improvements.

Early Voting – Early voting for the City Council positions of mayor and Places 3 and 5 continues through May 6. Early voting hours are 8 a.m. to 5 p.m. through May 3, 1 to 6 p.m. May 4, 7 a.m. to 7 p.m. May 5-6. Early voting locations are: City Hall, 825 W. Irving Blvd.; Irving Arts Center, 3333 N. MacArthur Blvd.; Barbara Bush Middle School, 505 Cowboys Parkway. Election day is 7 a.m. to 7 p.m. May 10. Call (972) 721-2493 or visit www.cityofirving.org/city-secretary for more information.

Texas Municipal Retirement System – Irving has entered into contractual agreements with Gabriel, Roeder, Smith and Company (through the North Central Texas Council of Government) for actuarial valuations of its Texas Municipal Retirement System contributions and other post-employment benefits. The TMRS study will aid in determining the city’s future contribution requirements and the OPEB study will provide the amount the city will be required to record in fiscal year 2008-09 for implicit retiree contributions for health benefits.

Strategic Goal No. 10: Environmentally Sustainable Community

Go Green! Initiatives – The city employee Green Team made a presentation at the city’s first Green Advisory Committee meeting held April 1. The team has attended several training/presentations related to green buildings. In addition, the team is reviewing a proposed City of Irving Environmental Policy, which will be presented to the Green Advisory Committee for consideration. As part of the city’s green initiatives, the city will transition its janitorial paper products to 100 percent recycled content. The new products also cost less than the current products.

Environmental Compliance Section Workshops – The Environmental Compliance Section of Public Works/Water Utilities hosted two meetings during the month of March. The first meeting addressed protocols and efficient procedures used to protect the public while responding to hazardous spills. Participants included members from the Texas Department of Transportation, Texas Commission on Environmental Quality, AMX Hazmat Training and Response Contractor, and Irving Public Works. The second meeting recognized approximately 42 of Irving’s industry representatives for being in regulatory compliance with city ordinances and state regulations. The workshop also discussed new upcoming rules, regulations and different ideas toward going green. Participants included groups from the Region VI Environmental Protection Agency, personnel from the Texas Commission on Environmental Quality, Irving’s regulatory industries and customers such as Dr Pepper and McCormick.

CONSENT AGENDA

The consent agenda, items #2 through #14, were considered for approval. Mayor Gears asked if anyone wished to pull an item from the consent agenda for individual consideration. Mayor Gears also stated Item No. 14 would be postponed to the May 22, 2008 City Council meeting. **Councilman Philipp moved to approve the consent agenda items 2-13, noting that item 14 was postponed to the May 22, 2008 Council meeting. Seconded by Councilman Spink, the motion was approved by a vote of 9-0.**

- 2 Resolution No. 5-1-08-168** -- Approving The City Council Work Session Minutes Of April 16, 2008, And The City Council Meeting Minutes Of April 17, 2008
- 3 Resolution No. 5-1-08-169** -- Authorizing The Destruction Of Obsolete Records In Accordance With The City Of Irving’s Records Management Policy
- 4 Resolution No. 5-1-08-170** -- Approving A Texas Traffic Safety Program Grant Agreement Between The City Of Irving And The State Of Texas, Acting By And Through The Texas Department Of Transportation, For A Selective Traffic Enforcement Program (STEP) Grant For The "Click It Or Ticket" Campaign
- 5 Resolution No. 5-1-08-171** -- Approving Addendum No. 3 To Chiang, Patel & Yerby, Inc. For Design And Construction Oversight Of A Slurry Wall And Levee For The Hunter Ferrell Landfill
- 6 Resolution No. 5-1-08-172** -- Authorizing Staff To Negotiate An Engineering Agreement With Terracon Consultants, Inc. For The Annual Geotechnical Engineering And Construction Materials Testing And Inspection Contract

- 7 **Resolution No. 5-1-08-173** -- Awarding Contract to S. J. Louis Construction Of Texas, Ltd. For The Nursery/Railroad Sanitary Sewer Interceptor, Phase II Project
- 8 **Resolution No. 5-1-08-174** -- Approving Change Order No. 2 To SYB Construction Co., Inc. For The Chamberlain Street Improvements Project
- 9 **Resolution No. 5-1-08-175** -- Approving Addendum No. 2 To The Engineering Services Agreement With Freese And Nichols, Inc. For Engineering Services Associated With A Unidirectional Flushing Program, A Chlorination Feasibility Study And Miscellaneous Electrical Improvements At The Carbon Road Pump Station
- 10 **Resolution No. 5-1-08-176** -- Purchases Funded In The 2007-2008 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years
 - (A) Award -- Approving Annual Award To Dallas Morning News For Legal Advertisements
 - (B) Award -- Approving Award To REMOTEC, Inc. For A Wireless Upgrade To The City-Owned ANDROS Bomb Robot
 - (C) Award -- Approving Award To The Garland Company, Inc., DBA Design-Build Solutions, Inc. For Roof Work And Windows Sealant At The Human Services Building Through The Texas Multiple Award Schedule (TXMAS) Local Government Statewide Cooperative Purchasing Program
 - (D) Award -- Approving Award To Covetrix IT Security Group For The Purchase And Installation Of Web Content Filtering Appliance Software Through The General Services Administration (GSA) Program
- 11 **Ordinance No. 8942** -- Budget Adjustment To The 2007-2008 Fiscal Year Budget
 - I. General Fund Non-Bond CIP Fund
- 12 **Ordinance No. 8943** -- Authorizing The Abandonment Of A 25-Foot Underground Public Utility Easement -- Convention Center Site
- 13 **Ordinance No. 8944** -- Authorizing The Abandonment Of The Sight Easement Along Irving Heights Drive On Lot 22, Block A, Stratford Place Addition Located At 1541 Old Orchard Drive
- 14 **Resolution No. 5-1-08-177** -- Postponing Action On Amending The Comprehensive Plan To Change The Recommended Land Use From "Single Family Detached, Low Density Residential" To "Single Family Attached Medium Density Residential" Uses; Amending PUD No. 1 To Allow Additional Multifamily Acreage; And Approving Development Plan #48 - Four Seasons Residences - Requesting R-MF-1 (Multifamily) Uses And A Multifamily Concept Plan On A 7.73 Acre Tract Located On

The South Side Of O'Connor Ridge Road, North Of Lena Lane -- Sharon Barbosa-Crain, Applicant (**Postponed At The April 17, 2008 City Council Meeting**)

This concludes the consent agenda items 2-13; item 14 was postponed to the May 22, 2008 City Council meeting.

INDIVIDUAL CONSIDERATION

- 15 Resolution No. 5-1-08-178** -- Approving A Memorandum Of Agreement For The Sale Of Property Located At 120 And 128 West Airport Freeway (Knights Inn And Airport Inn) To The Texas Department Of Transportation For The State Highway 183 Improvement Project

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

Real Estate Services Manager Doug Janeway gave a presentation on Items 15 and 16 as they are companion items.

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

- 16 Resolution No. 5-1-08-179** -- Approving Purchase Contract For The Acquisition Of 4.9767 Acres Of Land Located At 215 East Airport Freeway -- ALLIANCE REALESTATE EQUITY CORORATION, Property Owner

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

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

- 17 Resolution No. 5-1-08-180** -- Approving Purchase Contract For The Acquisition Of Lot 12, Block 1, Mammen Park Estates Located At 2901 Tudor Lane -- Countrywide Home Loans, Inc., Property Owner

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

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

- 18 Resolution No. 5-1-08-181** -- Awarding Contract To Humphrey & Morton Construction Company, Inc. For The 2007 Alley Improvements Project

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.

- 19 Resolution No. 5-1-08-182** -- Approving Change Order No. 1 To SYB Construction Co. For The English Street Paving Improvements Project

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

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

ZONING CASES

- 20 Resolution No. 5-1-08-183** -- Approving The Lakes Of Las Colinas Phase 1 Final Plat -- Approximately 55.734 Acres Located On The West Side Of Riverside Drive, North Of Lake Carolyn -- Hines Las Colinas Land Limited Partnership, Applicant

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

The applicant Danny Opitz, Hines Las Colinas Land Limited Partnership, 6237 Love Drive, presented the case. He noted that this is a gated community and the streets will not be maintained by the city.

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

- 21 Resolution No. 5-1-08-184** -- Temporary Use Permit #G084-0082 To Allow The Outside Storage Of A Crane To Be Used To Display A Vehicle At Toyota Of Irving, 1999 West Airport Freeway -- Cecil Wood, Applicant

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

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

- 22 Resolution No. 5-1-08-185** -- Approving A Gas Well Permit To Dale Operating Company For Drilling, Operations, And Production Of Sadeghian 1H Well, Located At 1500 Valley View Lane

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

William Cothrum, Masterplan Consultants, 900 Jackson Street, Dallas, Texas representing Dale Operations Company presented the case.

The following registered to speak in opposition of this item:

Sharon Barbosa-Crain, 2208 Alan-a-Dale

After Council discussion, **Councilman Philipp moved to approve the resolution with the stipulation that insurance provided to the City is with an "A" rated carrier. Seconded by Councilwoman Van Duyne, the motion was approved by a vote of 8-1, with Councilman Meagher voting in opposition.**

- 23 Resolution No. 5-1-08-186** -- Amending The Comprehensive Zoning Ordinance No. 1144 Of The City Of Irving, Texas By Comprehensively Regulating Accessory Buildings Including But Not Limited To Maximum Size, Locations, Uses, Numbers And Exterior Building Material Requirements In Residential Zoning Districts **(Postponed At The April 3, 2008 And April 17, 2008 City Council Meetings)**

Mayor Gears introduced the item.

Managing Director David Leininger reviewed the ordinance and pointed out definitions of accessory buildings that have been added other refinements as well.

Director of Planning and Inspections Gary Miller also addressed the ordinance.

The following registered to speak in favor of this item:

Bobby Raper, 633 Arawe Circle
George Stephenson, 2105 Druid Drive

The following registered to speak in opposition of this item:

Lucia Rottenberg, 2220 Indian Creek Drive

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

B.J. Scott, 1506 S. Irving Heights

The following spoke in opposition:

Judith Sanders, 1712 Balleywood
Sharon Barbosa-Crain, 2608 Alan-a-Dale

After Council discussion, **Councilman Patrick moved to return this item to the Planning and Zoning Commission for further study. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.**

- 24 Resolution No. 5-1-08-187** -- Zoning Case ZC07-0011 -- Granting S-P-2 (Generalized Site Plan) For C-O (Commercial Office), Assisted Living Facilities,

Independent Living Facilities, And Related Uses -- An approximately 7.977 Acre Tract Located At 1101 Kinwest Parkway (Approximately 400 Feet South Of The Kinwest Boulevard And Bradford Pear Intersection) -- TCI Woodmont Group, Applicant **(Postponed At The March 13, 2008 And April 17, 2008 City Council Meetings)**

Mayor Gears stated that this item would be postponed to the May 22, 2008 meeting.

Councilman Spink moved to postpone this item to the May 22, 2008 City Council meeting. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.

- 25 Ordinance No. 8945** -- Zoning Case ZC07-0079 -- Granting S-P-2 (Generalized Site Plan) For C-N (Neighborhood Commercial) Uses -- A 20.62 Acre Tract Located On The North Side Of Interstate Highway 635, West Of East Valley Ranch Parkway -- O'Brien And Associates, Applicant **(Postponed At The April 17, 2008 City Council Meeting)**

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

The applicant Richard Norlik, 602 Daven Oaks, Dallas, Texas, presented the case.

Councilman Stopfer moved to approve the ordinance as presented with Planning and Zoning stipulations. Seconded by Councilman Patrick, the motion was approved by a vote of 9-0.

- 26 Ordinance No. 8946** -- Repealing Ordinance Nos. 6898, 6982 And 8373 That Granted PUD (Planned Unit Development) For S-P-1 (Detailed Site Plan) For R-AB (Restaurant Including The Accessory Use Of The Sale Of Alcoholic Beverages For On-Premise Consumption) To Reinstate The Previous PUD (Planned Unit Development) For C-N (Neighborhood Commercial) Uses In Zoning Case #ZC08-0012 -- Approximately 6,850 Square Feet Located At 8600 North MacArthur Boulevard, Suite 138 -- City Of Irving, Applicant **(Postponed At The April 17, 2008 City Council Meeting)**

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

Representatives of the owner of the property spoke in opposition.

Erik Fullerson, President, Crest Commercial Real Estate, 8600 N. MacArthur Blvd.
Sheryl Redwine, Crest Corner Real Estate, P.O. Box 203158, Austin, Texas 78720

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

27 Resolution No. 5-1-08-188 -- Request For Certificate Of Occupancy By Rocco Sofio For 8600 North MacArthur Boulevard (Postponed At The April 17, 2008 City Council Meeting)

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

The following registered in opposition of this item:

Sheryl Redwine, Crest Corner Real Estate, P.O. Box 203158, Austin, Texas

Councilman Stopfer moved to approve a resolution denying the issuance of a certificate of occupancy. Seconded by Councilwoman Van Duynes, the motion was approved by a vote of 9-0.

28 Ordinance 8947 -- Amending The Comprehensive Zoning Ordinance No. 1144 Of The City Of Irving, Texas, By Establishing Regulations For Establishments Providing Drive-Through Sales Of Pre-Packaged Food And Beverages

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:

Bobby Raper, 633 Arawe Circle

The following registered to in favor of this item, but did not wish to speak:

Carol Wood, 613 Shalamar Drive

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

APPOINTMENTS AND REPORTS

29 Committee And Liaison Report/Meetings

There were no committee and liaison reports given.

30 Mayor's Report

There was no report given.

31 The meeting adjourned at 10:45 p.m.

CITIZEN FORUM

Lucia Rottenberg, 2220 Indian Creek, addressed the Mayor and Council about the animal ordinance and stated her confusion about the ordinance.

ATTEST:

Herbert A. Gears, Mayor

Janice Carroll, TRMC
City Secretary