

**REGULAR MEETING OF THE IRVING CITY COUNCIL**  
**MEETING MINUTES**  
**May, 22, 2008**

**ITEM #4**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, May 22, 2008. The following members were present / absent:

<b>Attendee Name</b>	<b>Organization</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Herbert Gears	Irving City Council	Mayor	Present	
Beth Van Duyne	Irving City Council	Councilwoman	Present	
Allan Meagher	Irving City Council	Councilman	Present	
Lewis Patrick	Irving City Council	Councilman	Present	
Rick Stopfer	Irving City Council	Councilman	Present	
Sam Smith	Irving City Council	Councilman	Present	
Joe Philipp	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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Karen O'Leary, 1011 McClendon, announced that they would be having their first Grauwylter Heights Neighborhood Association Community Fest on June 14, 2008 from 9-1 at Oak Haven United Methodist church.

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**INVOCATION**

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The invocation was delivered by Pastor Dale Patterson, Hackberry Creek Church of the City Of Irving.

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**PLEDGE OF ALLEGIANCE**

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Councilman Patrick led those present in the pledge.

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**OATH OF OFFICE**

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Mayor Gears introduced Judge Timothy Whisler Presiding Municipal Court Judge for the city of Irving, to administer the Oath of Office to the elected incumbents: Councilwoman Rose Cannaday, Place Five; and Councilman Allan E. Meagher, Place Three; and Mayor Herbert A. Gears. Mayor Gears also said that following this ceremony, there would be a brief reception.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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Mayor Gears made the following presentations:

Special Recognition for citizens who assisted Police Officers after a robbery occurred at Lucky Food Store on March 6, 2008.

- Larry Bishop followed the suspect to the Thai restaurant that he ran into and stayed until officers arrived.
- Michael Wilson also followed the suspect to the restaurant and then directed the officers to the trash can where the suspect deposited the knife used in the attack
- Festus Igboekwe ran from the store but returned when the suspect fled and stayed with the victims who had stab wounds until help arrived.

Mayor Gears also presented a proclamation to Lisa Robinson with Texas Municipal Courts Education Center and representatives of TxDOT for the city being named the 2008 Traffic Safety Award recipient for large volume courts

Glen Reno with Veterans Foreign Affairs Post 2494 presented a certificate to the Mayor Gears to say thank you for presenting two proclamations for Buddy Poppies Day and Loyalty Day on Saturday, April 19, 2008 at DFW.

## **PUBLIC HEARING**

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### **1 Public Hearing -- Public Input On The 2008-2009 City of Irving Fiscal Year Budget**

Mayor Gears introduced the item.

The following registered to speak on this item:

Betty Yarbrough, 204 W. 7<sup>th</sup> Street, spoke in favor of the budget, but she asked what quality of service the city wants for its animal's shelter.

Holly Elms Niederhaus, 1806 Glenbrook Drive, also spoke about the animal shelter and asked that the salaries be looked at and an increase in staffing at the animal shelter.

Gordon Sumner, 1617 Landmark Road, spoke in favor of the item and thanked the Council for the website and allowing citizens to put their comments. He also stated that city employees are exceptional, they are very professional. He also asked that more traffic police be funded. He also asked that the city sell sponsorship for city parks to businesses and organizations. He thinks that there should be a charge for using the landfill, recycling needs to increase. Trash pick up should be just once a week. He is for citizens composting and that compost blades need to be used on lawnmowers. Finally, he spoke about code compliance and he has spoken to them on vacant homes.

## **CITY COUNCIL AGENDA**

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### **2 City Manager's Report**

Director of Public Works/Traffic and Transportation Jim Cline gave a presentation on

Strategic Goal No. 9.

City Manager Tommy Gonzalez also called on Managing Director David Leininger to give an update on the following.

Mr. Leininger stated that the Irving Mall will be remodeling.

City Manager Gonzalez also gave an update on other strategic goals.

### **Strategic Goal No. 2: Vibrant Neighborhoods**

**Home Repair Project** - Seven Irving homes in need of exterior repairs have been referred by Code Enforcement staff to the Housing and Human Services Department and are awaiting approval. This is the result of a cooperative partnership between the two city departments. Code Enforcement staff is personally communicating with homeowners about available resources to improve their properties, while Housing and Human Services staff is working to educate new property owners about the need to maintain their property.

### **Strategic Goal No. 3: Economic Development**

**Fortune Announces Largest Companies** - When *Fortune* magazine announced its Fortune 500 list of America's largest companies, Texas continued to hold the honors as the state with the most Fortune 500 company headquarters. Of the 58 companies, Irving is home to four of those headquarters: Commercial Metals, ExxonMobil, Fluor Corporation and Kimberly Clark. In addition, there are more than 40 other Fortune 500 companies that have a presence in the city.

**Irving Ranks High as Corporate Headquarters** - The *Dallas Morning News* recently reported that Irving ranks second to Dallas in corporate headquarter sites among the D/FW area's largest 100 public and 100 private companies. Following Irving is Fort Worth, Addison and Plano. Three of the area's biggest subsidiaries of foreign companies have their U.S. headquarters in Irving-Gruma Corporation, LSG Skychefs and NEC Corporation of America. Three of the Metroplex's largest minority- and women-owned companies also call Irving home-Adea Solutions, Business Interiors and Omega Environmental Technologies.

**Major Renovation at Irving Mall** - The Simon Property Group, owner of Irving Mall, will be making extensive interior and exterior renovations to the regional mall. Special emphasis will be on family friendly amenities, including a children's soft play area. Other common area upgrades include restrooms, flooring, mall entrances, exterior signage, landscaping and new interior paint. Irving Mall expects the work to be completed prior to the holiday shopping season.

### **Strategic Goal No. 4: Safe and Secure City**

**Apartment Disorder Operation** - The Police Department has conducted a disorder operation in the area of South Irving Heights and Oakland Street in a continuing effort to reduce crime and disorder occurring in and around apartment complexes. During the operation, there were 172 contacts and 26 arrests, mostly for public intoxication.

**Memorial Trek** - Several police employees and members of Officer Andrew Esparza's family participated in the Memorial Trek Across Texas on April 29. It involved a 5K run that began at Trinity Christian Church on Irving Boulevard and concluded at the front of the Criminal Justice Center where a wreath was placed in honor of Officer Esparza. He died in the line of duty in 2007. During the run, Officer Esparza's father, Rafael Esparza Sr., carried the memorial flag that will be placed at the Texas Law Enforcement Memorial site in Austin.

**Law Enforcement Memorial Week** - Police Chief Larry Boyd, honor guard members and Officer Andrew Esparza's family attended the law enforcement memorial ceremonies in Washington, D.C., from May 12-15. The ceremonies included a candlelight vigil, wreath laying ceremony, and memorial service in which Officer Esparza's name was etched on the National Law Enforcement Memorial wall at the Capitol building.

**Heightened Enforcement Successful** - The Police Department's continued emphasis on compliance and driver responsibility through public awareness and enforcement efforts is apparent in the most recent Traffic Summary Report. For the first seven months of fiscal year 2007-08, the total number of accidents decreased 21 percent. More specifically, accidents involving the following factors have shown significant decreases: no insurance - reduced 37 percent; alcohol related - reduced 35 percent; speed - reduced 24 percent; and personal injury - reduced 22 percent. Due to enforcement efforts, arrests at accident scenes have increased 17 percent. The data also supports an improved compliance of drivers maintaining insurance requirements, using proper occupant safety methods and possession of valid driver's licenses. In addition, the department has been awarded grant funding through the Texas Department of Transportation for vehicle speed, occupant safety and DWI enforcement.

### **Strategic Goal No. 5: Diversity**

**Open House for Businesses** - An Open House for women- and minority-owned businesses is set for May 29 at City Hall. This informal get-together will allow businesses to meet new M/WBE Program Administrator Anthony Coleman, and to receive updates on future city projects such as the Irving Conference and Events Center and various Public Works projects. The meeting is being planned by the Financial Services/Purchasing Division.

**Cinco de Mayo Celebration** - An estimated 3,000 residents attended this year's Cinco de Mayo event at Senter Park Recreation Center to enjoy food, entertainment and lots of fun. The multicultural fair featured more than 100 vendors, including health and educational booths. Mayor Herbert Gears and City Manager Tommy Gonzalez welcomed participants with opening remarks. The event was made possible through collaboration among DCET (Debes de Creer en Ti), Senter Park Recreation Center and the Corporate Communications Department.

**Leyendo Juntos** - The East Branch Library, 440 S. Nursery Road, will host a Leyendo Juntos (Reading Together) program at 2 p.m. May 24. Families are invited to bring their children to listen to Spanish-language stories read by Telemundo 39 news reporter Pablo Barragán. Children younger than age 8 must be accompanied by a guardian. No registration is required. Call (972) 721-3722.

## **Strategic Goal No. 6: Effective Communications**

**IT Technology Showcase** - The Information Technology Department will host an Information Technology Showcase for city employees on May 30 in the Central Library Auditorium. The event will feature many of the city's technology vendors who will demonstrate their latest products, services, strategic projects and programs. All city staff is welcome to participate.

**New ICTN Show** - A new quarterly program highlighting parks and recreation opportunities is being produced by Irving Community Television Network (ICTN). "Parkscape," a half-hour show that premiered May 12, featured the new Cimarron Park Family Aquatic Center, the remodel of Lively Pointe teen center, a preview of the Summer Games, and a profile of two successful swim clubs. It is hosted by city employee Sheila Hupp. For more information, log on to [www.ictn.tv](http://www.ictn.tv).

**Video Program Special Award** - ICTN Executive Producer Paul Wahlstrom was presented a special award by North Lake College on May 1 for his 25 years of assistance to their video program. The award was presented at their annual video festival. Wahlstrom serves as chairman of the Video Technology Advisory Board.

**Cardinal Francis Arinze** - ICTN assisted the University of Dallas when Cardinal Francis Arinze spoke at the Irving Arts Center on April 14. Arinze, who was under consideration for pope in 2005, spoke as a part of the John Paul II Lecture Series sponsored by the Theology Department. ICTN documented his 1 ½-hour speech in Carpenter Performance Hall, which was run in its entirety as an Irving event. Producer Courtney Mason also interviewed the cardinal. The interview and speech were featured on the May 4 "City Source" show and also were used in a half-hour documentary that premiered May 11.

**Teen Court Holds Banquet** - The Teen Court held its annual volunteer recognition banquet on May 13 at Via Real restaurant. Volunteers received service certificates and gifts. Individual awards were presented during the event. The Jean Griffin Award of Merit was awarded to two seniors, Dylan Cowart and Justin Hillsmith. The banquet was made possible with assistance from an Allstate Foundation grant.

**City of Irving and Irving ISD Partnership** - Public Works/Water Utilities will team up with Irving ISD to teach high school students environmental technology courses approved by the Texas Commission on Environmental Quality. The environmental curriculum will teach high school students to be more "green" friendly, and give them an opportunity to secure a state water license in order to explore environmental career job opportunities within municipalities in the surrounding area.

**School Involvement** - As the school year comes to a close, city speakers are in high demand by the local school districts. Following is a synopsis of these activities:

- In April, the Fire Department conducted 60 programs for 712 students in the Irving ISD and presented a career investigation class to 34 homeschooled children.
- Twelve departments represented the city at Gilbert Elementary School's Career Day. In addition to trucks from the Fire Department, employees from the following departments spoke to students during the event: City Manager's Office, Code Enforcement, Corporate Communications, Fire, Information Technology, Library, Municipal Court, Parks and Recreation, Planning and Inspections, Police, Public Works/Streets, and Solid Waste Services.
- Employees from six departments, including Tommy Gonzalez, Nancy Powell Bartlett and Paul Gooch, traveled to Carrollton to participate in the Carrollton-Farmers Branch ISD district-wide Fifth Grade Career Fair with 800 students. Other participants were Code Enforcement,

- Information Technology, Library, Planning and Inspections, and Public Works/Water Utilities.
- Karen Siddall (Public Works/Engineering) worked with 124 fifth graders at John R. Good Elementary on an interactive environmental play on storm water runoff and pollution prevention; she presented the same program at Schulze Elementary for 215 fourth and fifth graders.
- David Springob (Public Works/Engineering) talked to 100 students in two classes about the construction of the Las Colinas bridge. These students will be building small-scale bridges as part of their class assignment and this provided an educational opportunity for them to learn about an actual structure in their area.
- Employees from the Police, Fire and Library departments participated in the first Irving ISD/Chamber of Commerce citywide job fair held at MacArthur Church of Christ.

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

**Cimarron Park Family Aquatic Center** - A dedication ceremony and grand opening for the Cimarron Park Family Aquatic Center will be held at 10 a.m. May 24 at 201 Red River Trail. The program will include entertainment, refreshments and an inaugural initiation of the two water slides by Councilmen Rick Stopfer and Allan Meagher. The new state-of-the-art park features a 9,500-square-foot main pool and 1,000-square-foot children's pool with spray features. The larger pool includes a water playground unit, spray grounds, teaching area, water volleyball, lap lanes and two large water slides-one closed tube and one open tube. Both the children's pool and the main pool are zero-depth entry. The aquatic center will open at 1 p.m. during the weekends of May 24-26 and May 31-June 1. The aquatic center will be open daily beginning June 8 through Labor Day.

**Pooch Fest** - The Heritage Senior Center will host its annual Pooch Fest from 9 a.m. to 3 p.m. May 31 at the Irving Soccer Complex, 3585 World Cup Way. Dog owners can enjoy featured pet vendors, dog agility and doggie disc demos, doggie contests, races, pet education sessions, a kid's area and more. In addition, a special pet microchip ID clinic will be available. The entry fee is \$10; there is no admission for spectators. Participants will receive souvenir bags with dog treats and prizes. A special performance by Whip Lash, a performing monkey and dog show, will highlight the day's events.

**Northgate Park** - Public input is being accepted on the proposed master plan for Northgate Park, a 5.4- acre neighborhood site located at the intersection of Northgate Drive and Rochelle Road. The final master plan being considered already includes public input received at several community meetings. The Parks and Recreation Board will review the master plan and accept resident comments at 6 p.m. June 9 at City Hall. Input also is being accepted electronically through the City of Irving Web site at [www.cityofirving.org](http://www.cityofirving.org).

**Annual Book Sale** - The Friends of the Irving Public Library Annual Book Sale will be held at 3000 Rock Island Road from 5 to 9 p.m. June 5 with a members only preview. Memberships will be available at the door. The sale will be open to the general public from 10 a.m. to 7 p.m. June 6; 10 a.m. to 5 p.m. June 7; and 1 to 5 p.m. June 8. Proceeds help to support the Irving Public Library. Call (972) 721-2606.

**Summer Reading Club Begins** - The Irving Public Library's summer reading club begins June 1 with activities and prizes for all ages at all library locations. Children's activities in June include performances by clowns, magicians, storytellers, the Las Colinas Symphony Orchestra and more. Teens are invited to participate in a PlayStation Challenge, enjoy making duct tape crafts, learning yoga techniques and finding out about the new book in the *Twilight* saga at the *Breaking Dawn* Pre-Release party. Book clubs are available to encourage adults to participate. To learn about summer

reading club activities, visit [www.cityofirving.org/library/src](http://www.cityofirving.org/library/src).

**Downloadable Audio Books** - The Irving Public Library's digital collection, which began offering digital audio book titles in January, has proven to be wildly popular with the public. In the past five months, more than 1,500 items have been downloaded from the 236 available titles.

**Arts Center Staff Enhances Audio Training** - J.D. Sones, house sound engineer, and Ruben Rosas, theater technician, completed the Yamaha Commercial Audio M7CL Training School in May. A digital mixing console was installed in the Dupree Theater in 2006, and the Carpenter Performance Hall a year later. Digital sound consoles are taking the place of analog consoles, and the Arts Center is a leader in the change over. The new digital console makes it easier and more efficient for Arts Center technicians to produce sound for multiple shows throughout the day, an added benefit for patrons renting the facilities.

### **Strategic Goal No. 8: Sound Governance**

**Inspector Training** - On May 18, members of the Planning and Inspections Department attended training classes at the 16th annual Building Professional Institute in Arlington. Seven staff members also participated as teachers or course moderators.

**Election Presentation Process Streamlined** - The City Secretary's Office and Information Technology (IT) Department improved the election presentation process to announce the results of the city elections in a more efficient manner. As election judges delivered the ballots to Dallas County, the City Secretary's Office entered the voting results and provided immediate updates to residents who gathered at City Hall. This new process also eliminated the need for four IT staff members to be present during the election result reporting, and provided an improved visual display of election results at City Hall and on the city Web site.

**2008 Texas Technology Forum** - Information Technology Director Hong Sae was chosen to participate on the Texas Technology Forum Advisory Board for this year's forum. This event will feature a one-day conference with a technology expo, followed by a full-day of in-depth technical training on topics including project management, contract management and technology trends. The forum will be held July 28 in Arlington.

**On-the-Spot Awards** - The following city employees have received On-the-Spot Awards from City Manager Tommy Gonzalez in recognition of exceptional customer service or work beyond their normal job responsibilities: Jan Bentley (Construction and Building Services); John Brogan (Construction and Building Services); Sharon Brown (Planning and Inspections); Jaime Casas (Code Enforcement); Maria Castillo (Municipal Court); Cynthia Castro (Public Works/Engineering); Michelle Chewing (Municipal Court); Maria Contreras (Construction and Building Services); Randy Crabb (Construction and Building Services); Estella DeLaCruz (Municipal Court); Mark Eads (Municipal Court); Mike Edwards (Code Enforcement); Mark Estrello (Construction and Building Services); Mark Funderburk (Construction and Building Services); Diana Garcia (Municipal Court); Tony Garcia (Construction and Building Services); Anita Gomez (City Secretary's Office); Teresa Hampton (Construction and Building Services); David Hernandez (Construction and Building Services); Nate Hewitt (Municipal Court); Jim Holland (Construction and Building Services); Doug Janeway (Development Projects/Real Estate Services); Cheryl Jones (Municipal Court); Michael Kelly (Construction and Building Services); Jim Landry (Construction and Building Services); Billy Martin (Solid Waste Services); Emilia Martinez (Municipal Court); Mark Massey (Construction and Building Services); Sheli Masterson (Municipal Court); Russ New (Construction and Building Services); Derrick McPherson (Police); Alfredo Morales (Construction and Building Services); Alma Ortiz (Municipal Court); Delores Perla (Construction and

Building Services); Rosa Mabel Perez (Construction and Building Services); George Pitones (Construction and Building Services); Tim Pringle (Construction and Building Services); Glen Richey (Construction and Building Services); Rosibel Ramirez (Construction and Building Services); Marcee Rinaldi (Municipal Court); Alvin Robertson (Construction and Building Services); Belinda Rowlett (City Attorney's Office); Darlene Rush (Financial Services/Purchasing); Cornelius Thompson (Construction and Building Services); Berhe Teweldebrhan (Construction and Building Services); Raj Vattakunnel (Information Technology); Mike Wicks (Construction and Building Services); Christie Williams (City Manager's Office); Gary Willis (Solid Waste Services); Melinda Wilwerth (Municipal Court); Michael Worley (Police); Jeff Young (Construction and Building Services); and Kathy Young (Construction and Building Services).

### **Strategic Goal No. 9: Infrastructure**

**Voluntary Water Restrictions** - The City of Irving began Stage 1 of its Drought Contingency Plan beginning May 15. Stage 1 restrictions are voluntary, but further mandatory restrictions may become necessary if conditions change throughout the summer. The goal of Stage 1 is to achieve a voluntary reduction in water use. Customers are encouraged to voluntarily conserve water by adhering to the following water use restrictions.

- Irrigate landscaped areas two days per week based on the service address. Even number addresses are encouraged to water on Tuesdays and Saturdays only. Odd number addresses are encouraged to water on Wednesdays and Sundays only.
- No landscape watering between the hours of 10 a.m. and 6 p.m.
- Irrigate landscaped areas by means of hand-held garden hoses, soaker hoses, buckets or drip irrigation systems for up to two hours on any day.

Call the Public Works/Water Utilities Division at (972) 721-2281 for more information.

### **Strategic Goal No. 10: Environmentally Sustainable Community**

**Energy-Saving Measures Implemented** - Staff has implemented two new energy-saving measures, including energy miser devices on vending machines and automatic controlled light switches. The energy miser devices were installed on 45 vending machines in all city facilities and help cycle the machines when no one is in the facility. These devices are projected to save 54 percent energy usage on drink machines and 64 percent energy usage on snack machines. The automatic light switches are expected to save 25 percent of the energy usage in offices where they were installed.

**Earth Day Activities** - Solid Waste Services sponsored a monthlong program encouraging residents and businesses to be environmentally active and make a commitment to be green. Following is a recap of the numerous activities to promote an environmentally sustainable community.

- A total of 175 residents made an Earth Day Pledge and will receive a thank-you gift that will help them in their environmentally friendly efforts.
- Residents had an opportunity to take a free shuttle from Irving to the Live Green Expo 2008 in Plano. The shuttle was provided to reduce carbon emissions by carpooling.
- City employees celebrated Earth Day with their first Waste Free Luncheon. A total of 150 employees enjoyed the lunch and learned environmental tips from local eco-vendors. Following the activity, food and utensils were composted, drink containers were recycled and leftover food was donated to charity.
- Solid Waste Services created a display on the first floor of City Hall to give residents suggestions on ways to conserve.
- An Earth Day proclamation was read by Mayor Herbert Gears proclaiming April 22 as Earth Day and to reflect on being better stewards of the planet.



- Fran Witte spoke during the Neighborhood Roundtable about the Think Green ... Be Green efforts by the city.
- Irving Master Composters were recognized with a reception prior to the City Council meeting on May 1. Additionally, two Master Composters were recognized with Master Composter of the Year and an Environmental Excellence Award.
- Mayor Gears read a proclamation in celebration of International Compost Awareness Week on May 4-10. Witte also hosted a two-hour backyard compost class at the Max G. Greiner Environmental Center to 15 interested residents on May 3.
- Witte made a presentation on May 13 to 100 first-grade students at North Hills Charter School on the importance of recycling. As part of the presentation, she showed a worm bin to demonstrate how worms can help in managing home food wastes.

**Go Green! Initiatives** - To expand green initiatives, vendors, contractors and consultants who do business with the city soon will be notified of Irving's commitment to protect the environment and encourage environmental sustainability. As part of the initiative, the city will request that vendors have the same commitment when doing business with Irving. To enhance this effort, the Contracts and Fuel Administration and Financial Services/Purchasing departments will be seeking this commitment by including environmental-related language in vendor contracts and other documents. Companies also will be asked to provide information on their green initiatives.

## CONSENT AGENDA

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The consent agenda, items #3 through #42, 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. 8 would be postponed for the June 12, 2008 City Council meeting and Item #42 was pulled by staff and no action would be taken. Item No. 39 was also pulled. **Councilman Philipp moved to approve the consent agenda items 3-42, excluding items #8, #39 and #42. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.**

**3 Approving Minutes for Wednesday, April 30, 2008**

**4 Approving Minutes for Thursday, May 01, 2008**

**5 Resolution No. RES-2008-189 -- Authorizing the Destruction of Obsolete Records in Accordance with the City of Irving's Records Management Policy**

**RESULT:**

**ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 6 **Resolution No. RES-2008-190** -- Authorizing the Mayor to Execute a FY2009 Solid Waste Implementation Project Application Through the North Central Texas Council of Governments (NCTCOG) for the Operation of Irving's Computer Reuse Program – Helping Families Get Connected

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 7 **Resolution No. RES-2008-191** -- Awarding Change Order No. 1 to Rodman Excavation Inc. for Construction Services for the Slurry Wall & Levee for the Hunter Ferrell Landfill

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 8 **Resolution No. RES-2008-192** -- Approving an Employment Agreement with the City Manager

**RESULT:** **POSTPONED [UNANIMOUS]**  
**Next: 6/12/2008 7:00 PM**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 9 **Resolution No. RES-2008-193** -- 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

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 10 **Resolution No. RES-2008-194** -- Keep Irving Beautiful - North Central Texas Council of Governments Grant Application Directed by the Texas Commission on Environmental Quality to Adminster Solid Waste Project Funds for SEE Less Trash Regional Solid Waste Management Plan

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 11 **Resolution No. RES-2008-195** -- Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor Electric Delivery Company

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 12 **Resolution No. RES-2008-196** -- Approving a Legal Services Agreement with Lynn Pham & Ross, LLP for Advice and Representation in Personnel Matters

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 13 **Resolution No. RES-2008-197** -- Awarding a Contract to Laughley Bridge & Construction, Inc. for the 2006 Miscellaneous Drainage Improvements Section I Project

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 14 **Resolution No. RES-2008-198** -- Awarding a Contract to Patco Utilities, Inc. for the 2007 Concrete Sanitary Sewer Interceptor Replacement Section I Project

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 15 **Resolution No. RES-2008-199** -- Approving an Engineering Services Agreement with Hayden Consultants, Inc. for the Design of the 2007-2008 Water Meter Vault Reconstruction Project

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 16 **Resolution No. RES-2008-200** -- Approving Change Order No. 1 to McMahon Contracting, LP for the Belt Line Road Paving Rehabilitation Project From the Channel North of Walnut Hill Lane to State Highway 161

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 17 **Resolution No. RES-2008-201** -- Approving Change Order No. 2 to SYB Construction Company, Inc. for the French Street/Grauwyler Road Sanitary Sewer Basin Inflow/Infiltration Improvements Project

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 18 **Resolution No. RES-2008-202** -- Approving Addendum No. 1 to the Engineering Services Agreement with Half Associates, Inc. for the Analysis of the Irving Flood Control District - Section I

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 19 **Resolution No. RES-2008-203** -- Authorizing Staff to Negotiate an Engineering Services Agreement with Civil Associates, Inc. for Conflans Road Design Plans Between SH161 and Valley View Lane

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 20 **Resolution No. RES-2008-204** -- Approving Amendment No. 3 to the Legal Services Agreement with Kissinger & Fellman, P.C., for Outside Legal Counsel

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 21 Resolution No. RES-2008-205 -- Declaring Property Surplus and Authorizing the Taking of Bids for the Sale of Lots 1-6, Block 3, Original Town of Irving Located at 129 West Irving Boulevard**

**RESULT: ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 22 Resolution No. RES-2008-206 -- Approving Purchase Contract for the Acquisition of 1.0738 Acres of Land Located at 2205 Wingren Road, 2206 North Britain Road and 2208 North Britain Road - Richard C. and Martha T. Elwell, Property Owners**

**RESULT: ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 23 Resolution No. RES-2008-207 -- Authorizing Staff to Negotiate an Engineering Services Agreement with Chiang, Patel & Yerby, Inc. to Upgrade the Water Supervisory Control and Data Acquisition (SCADA) System**

**RESULT: ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 24 Resolution No. RES-2008-208 -- Approving the Rental Agreement Between the City of Irving on Behalf of the Irving Convention and Visitors Bureau and Crown Suite, Ltd. for the Lease of a Crown Suite II at Texas Stadium**

**RESULT: ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 25 Resolution No. RES-2008-209 -- Rejecting Bids for Renovation of Central Library Facility**

**RESULT: ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 26 Resolution No. RES-2008-210** -- Termination of Addenda No. 2 and No. 3 to the Consulting Services Agreement with PSA - Dewberry for Central Library Renovation Project

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 27 Resolution No. RES-2008-211** -- Approving Single Source Purchase from Harbor Guard Boats for a Rescue Boat

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 28 Resolution No. RES-2008-212** -- Renewing Annual Contracts with Bound Tree Medical, LLC; Moore Medical LLC; QuadMed, Inc.; and PMI Progressive Medical International for Medical Supplies

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 29 Resolution No. RES-2008-213** -- Renewing Annual Contract with Texas Industries, Inc. for Cement, Portland Type I

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 30 Resolution No. RES-2008-214** -- Approving Purchase from Grande Truck Center for a 41' Articulating Telescopic Boom Aerial Bucket Truck through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 31 Resolution No. RES-2008-215** -- Approving Annual Contract with Graybar for Fiber Optic Cable and Assemblies Utilizing City of Garland Annual Contract through the Local Purchasing CO-OP Entity

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 32 Resolution No. RES-2008-216** -- Renewing Annual Contract with Vulcan Aluminum for Aluminum Traffic Sign Blanks

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 33 Resolution No. RES-2008-217** -- Renewing Annual Contract with Ennis Paint, Inc. for Traffic Paint

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 34 Resolution No. RES-2008-218** -- Awarding Purchases from New Tech Solutions, Inc. through General Services Administration (GSA) and Checkpoint Services, Inc. through Department of Information Resources (DIR) for Record Management Workstations and Scanners Replacement

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 35 Resolution No. RES-2008-219** -- Approving Award to Facility Solutions Group, Inc. for the Emergency Purchase and Installation of an Uninterrupted Power Supply (UPS) for the Criminal Justice Center

**RESULT:** **ADOPTED [UNANIMOUS]**  
**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 36 Resolution No. RES-2008-220** -- Approving and Accepting the Bid of Dallas Offset, Inc. for an Annual Contract for the Printing of Resident Newsletter

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 37 Resolution No. RES-2008-221** -- Renewing Annual Contract with Metro Valve & Pipe for Fiberglass Manholes

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 38 Resolution No. RES-2008-222** -- Approving and Accepting the Bid of Stewart & Stevenson for an Annual Contract for Heavy Equipment Maintenance for Detroit Engines

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 39 Ordinance No. ORD-2008-8949** -- Budget Adjustment to the 2007 - 2008 Fiscal Year Budget

Mayor Gears introduced the item after agenda item #42.

Councilwoman Van Duyne asked for an overview on this item.

Budget Administrator Bret Starr gave a presentation on this item.

Director of Public Works/Traffic Jim Cline also gave an overview on the water adjustment.

**RESULT:** **ADOPTED [UNANIMOUS]**

**AYES:**Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink



- 40 Ordinance No. ORD-2008-8950** -- Amending Section 7-1 'Definitions'; and Section 7-4 "Prohibited Signs" of Chapter 7 "Billboards and Signs" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Relating to Electronic Signs

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>AYES:</b> Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink	

- 41 Ordinance No. ORD-2008-8951** -- Amending Section 21-88 of Chapter 21 of the Code of Civil and Criminal Ordinances of the City of Irving Texas by Establishing Speed Limits of 55 MPH on the SH114 Frontage Roads From the West City Limit to a Point 400' East of Meadow Creek Drive (TxDOT Mile Post 4.727) and 45 MPH From a Point 1,200' West of Colwell Boulevard (TxDOT Mile Post 4.727) to Spur 482

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>AYES:</b> Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink	

- 42 Ordinance (Doc ID: 1622) -- Amending Section 52-47a**

Item was pulled and no action taken by Council. The item will be postponed to June 12, 2008 council date.

This concludes the consent agenda items 3-42, excluding items #8, #39, and #42.

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### INDIVIDUAL CONSIDERATION

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- 43 Resolution No. RES-2008-223** -- Supporting the Utilization of the Burlington Northern Santa Fe Rail Line to Connect the Cities of Carrollton, Farmers Branch, Frisco, Irving and Plano to the Commuter Rail Network

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

Management Analyst Melissa Baker gave a presentation on this item.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Rose Cannaday, Councilwoman
<b>AYES:</b> Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink	

- 44 Ordinance No. ORD-2008-8953** -- First Reading -- Amending the Existing Gas Franchise Between the City and Atmos Energy Corporation to Provide for a Different Consideration Payable by that Franchise

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

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 6/12/2008 7:00 PM</b>
<b>MOVER:</b>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Rose Cannaday, Councilwoman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

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### ZONING CASES AND COMPANION ITEMS

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- 45 Ordinance No. ORD-2008-8954** -- 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 - Approximately 7.977 Acres at 1101 Kinwest Parkway (Approximately 400 Feet South of the Kinwest Blvd. and Bradford Pear Intersection) - TCI Woodmont Group, Applicant (Postponed From May 1, 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:

Roger L. Henson, 2108 Creekside Circle South

Harold Rankin, 2321 Honey Locust Drive

V.K. Raj, 1805 Crape Myrtle Circle

Anna Marie Sherbin, 7403 Native Oak Lane

Bud Gillette, 7403 Native Oak Lane

The following registered to speak in favor of this item.

Al Zapanta, 2516 Clearspring Drive

The following also spoke on this item:

John Watson, 7420 Bradford Pear

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

Kimberly and Mari Zahork, 2026 Azalea Trail

After lengthy discussion, **Councilman Smith moved to approve the ordinance with the following stipulations:**

- 1. Note 3B should be modified to insert “as defined by the Fair Housing Act Amendments of 1988: after “housing for older persons.”**
- 2. Add a new note stating: Should this property develop with an independent living facility for residents 62 years of age or older , management shall make available for review by City inspectors a copy of each resident’s verification of compliance with the age restrictions.**
- 3. Add a new note stating: Should this property develop with an independent living facility for residents 62 years of age or older or a Type B Assisted Living Facility. Any such change in land use must first be approved by the City of Irving through an amendment to the Comprehensive Plan (if applicable), rezoning and approval of appropriate site plans for the change use.**

<b>RESULT:</b>	<b>ADOPTED [7 TO 2]</b>
<b>MOVER:</b>	Sam Smith, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday
<b>NAYS:</b>	Beth Van Duyne, Thomas Spink

- 46 Ordinance No. ORD-2008-8955 -- Zoning Case ZC08-0011 - Granting S-P-1 (Detailed Site Plan) for Dormitory or Hotel Uses - Approximately 1.673 Acres at 8205 Esters Blvd. - Collegiate Housing Services and Metropolitan Housing, Inc., Applicants (Postponed From May 22, 2008 City Council Meeting)**

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

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 6/12/2008 7:00 PM</b>
<b>MOVER:</b>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 47 Ordinance No. ORD-2008-8956** -- 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 From May 22, 2008 City Council Meeting)

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

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 6/12/2008 7:00 PM</b>
<b>MOVER:</b>	Thomas Spink, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

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## APPOINTMENTS AND REPORTS

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- 48 Resolution No. RES-2008-224** -- Selection of Mayor Pro Tem and Deputy Mayor Pro Tem by the City Council

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

**Councilman Patrick moved to appoint Councilman Rick Stopfer as Mayor Pro Tem and Councilman Joe Philipp as Deputy Mayor Pro Tem.**

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Allan Meagher, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
<b>NAYS:</b>	Beth Van Duyne

**49 Resolution No. RES-2008-225 -- Appointment to the Irving Convention & Visitors Bureau Board of Directors to Fill an Unexpired Term**

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

**Councilman Patrick moved that Roland Medina be appointed to Place 3 an unexpired term - expiring November 2009 on the Irving Convention and Visitors Bureau Board of Directors.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Rose Cannaday, Councilwoman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

**50 Resolution No. RES-2008-226 -- Appointments to the Hospital Authority Board**

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

**Councilman Patrick moved that the following be reappointed to the Irving Hospital Authority Board of Directors, Dr. Ronald Aebersold, Dr. Herlinda Glasscock, and Dr. Don Oberlin and that Mark Alexander be appointed to this board and with all terms expiring June 2010.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Sam Smith, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

**51 Committee And Liaison Reports/Meetings**

Councilman Smith announced that there will be a Community Services Meeting the evening of June 26, 2008.

Councilman Patrick asked that staff notify the citizens that signed the petition, so that they can speak at the public hearing.

**52 Mayor's Report**

There was no report given.

**53 Adjournment**

The meeting adjourned at 10:30 P.M.

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**CITIZEN FORUM**

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Betty Yarbrough, 204 W. 7<sup>th</sup> Street, spoke against tasers and asked that an ordinance to prohibit sale of animals on the side of the road be considered by the Council.

Holly Elms Niederhaus, 1806 Glenbrook, invited everyone to come the Animal Advisory Committee meeting. They have a meeting on July 10, 2008 at 2:00 p.m. She also spoke against tasers.

ATTEST:

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Herbert A. Gears, Mayor

\_\_\_\_\_  
Janice Carroll, TRMC  
City Secretary