

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
October 16, 2008**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, October 16, 2008. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
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	Absent	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Genie Mitchell announced that the Irving League of Women Voters will have a Voters Forum at City Hall on October 21, 2008, in the Council Chambers they will be discussing the wet/dry proposition on the ballot for this coming November election.

INVOCATION

The invocation was delivered by Pastor Norma Cooper, Holy Trinity Lutheran Church of the City Of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears asked that the Winners for the Advisory Disability Committees Arts Contest from the Irving ISD come forward to receive a certificate and a ribbon. The following contestants were awarded:

First Place

Kamile Newton - Bowie Middle School

Alexia Sosa - Barton Elementary

Kristina Valex - Stipes Elementary

Carlos Valdez - J.O. Davis

Honorable Mention

Sabrina Wheeler - Sam Houston Middle School
Kendra Corona - Townley Elementary
Iris Reyes - Keyes Elementary

CITY COUNCIL AGENDA

- 1 Public Hearing No. (ID # 2112) -- Proposed Annexation of Certain Property by the City of Irving, Texas, Located East of Tom Braniff Drive, South of the Trinity River, and West of State Highway Loop 12 As Petitioned by the University of Dallas**

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

- 2 City Manager's Report - Strategic Plan Update**

City Manager Tommy Gonzalez stated that a video would be shown regarding all the changes that are occurring in the City of Irving.

CONSENT AGENDA

Mayor Gears introduced the items and asked if anyone wished to pull an item from the consent agenda. There were no request to pull an item. Councilman Stopfer moved to approve the consent agenda items 3-40. Seconded by Councilman Smith, the motion was approved by a vote of 8-0.

- 3 Approving Minutes for Wednesday, October 01, 2008**
- 4 Approving Minutes for Thursday, October 02, 2008**
- 5 Resolution No. RES-2008-475 -- Supporting Film and Television Incentive Legislation During the 2009 81st Session of the Texas Legislature**

RESULT:	ADOPTED [UNANIMOUS]
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 6 Resolution No. RES-2008-476 -- Authorizing the Mayor to Accept Grant Funds Through the Fiscal Year 2008 Emergency Management Performance Grant (EMPG) Offered by the Governor's Division of Emergency Management**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 7 **Resolution No. RES-2008-477** -- Requesting an Amendment to Sign Variance Case No. S0807-0016 for El Pollo Regio Located at 1105 West Shady Grove Road – City of Irving, Applicant - Stephanie Basinger, Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 8 **Resolution No. RES-2008-478** -- Denying Oncor Electric Delivery Company's Requested Rate Increase

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 9 **Resolution No. RES-2008-479** -- Approving Fiscal Year 2009 Funding Commitment to the North Central Texas Council of Governments (NCTCOG) for the Regional Public Works Program for Integrated Storm Water Management (iSWM) Implementation Guidance and Training

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 10 **Resolution No. RES-2008-480** -- Approving Two Letters of Authorization Between the City of Irving and the North Central Texas Council of Governments (NCTCOG) for the Regional Storm Water Monitoring Program and Authorizing Fiscal Year 2009 Funding for the Regional Storm Water Monitoring Program and for the Regional Storm Water Management Program

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 11 **Resolution No. RES-2008-481** -- Amending Resolution No. 2008-427 to Correct the Contract Amount Awarded to RKM Utility Services, Inc., for the 2008 Sanitary Sewer Main Replacement, Section I and Redbud Lane Water Main Replacement Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 12 **Resolution No. RES-2008-482** -- Approving Change Order No. 1 to SYB Construction Co., Inc., for the MacArthur Boulevard/Shady Grove Road Intersection Improvements Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 13 **Resolution No. RES-2008-483** -- Authorizing the Mayor to Execute an Interlocal Cooperative Agreement Between the City of Irving and the North Central Texas Council of Governments for the Las Colinas Urban Center Sustainable Development Transportation Infrastructure Project and Related Documents

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 14 **Resolution No. RES-2008-484** -- Authorizing the Mayor to Execute an Advance Funding Agreement for Voluntary Utility Relocation Contributions on State Highway Improvement Projects Between the Texas Department of Transportation and the City of Irving for Utility Relocation Participation at the Interchange of State Highway 114 and State Highway Loop 12

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 15 **Resolution No. RES-2008-485** -- Authorizing Payment to Pfeiffer Architects for Services Rendered in Connection with the Convention Center Entertainment Venue

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 16 **Resolution No. RES-2008-486** -- Approving a Purchase Contract for the Acquisition of Property Located at 1727 Sunnybrook Drive - Ann Ridley Lewis, Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 17 **Resolution No. RES-2008-487** -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 1100 Hidden Ridge for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project - LMI Rosemont, LLC, Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 18 **Resolution No. RES-2008-488** -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 5020 Riverside Drive for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project - 5000 Riverside Associates, L. P., Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 19 **Resolution No. RES-2008-489** -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 5100 Riverside Drive for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project - Inez Bloomingdale, Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 20 **Resolution No. RES-2008-490** -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 3820 Teleport Boulevard for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project - Transcontinental Realty Investors, Inc., Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 21 **Resolution No. RES-2008-491** -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 3838 Teleport Boulevard for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project - Transcontinental Realty Investors, Inc., Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 22 Resolution No. RES-2008-492** -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 5021 Teleport Boulevard for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project - American Realty Trust, Inc., Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 23 Resolution No. RES-2008-493** -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 2615 Spur 482 for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project - Services Development Corporation, Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 24 Resolution No. RES-2008-494** -- Approving Amendment No. 3 to the Construction Management at Risk Contract Between Austin Commercial, L.P., and the City of Irving, Texas, for the Irving Convention Center; and Authorizes Austin Commercial, L.P., to Award Bid Package 03 for Copper Panels/Concrete Piers

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 25 Resolution No. RES-2008-495 -- Approving Agreement for NASA/ART: 50 Years of Exploration Exhibit**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 26 Resolution No. RES-2008-496 -- Accepting and Approving the Bid of GT Distributors, Inc., for an Annual Contract to Provide Police Ammunition**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 27 Resolution No. RES-2008-497 -- Renewal of Interlocal Agreement with the City of Dallas to Receive BioTel Systems Services for the City of Irving Fire Department**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 28 Resolution No. RES-2008-498 -- Approving and Accepting the Bid of Dyna Pak Corporation for Polyethylene Refuse Bags**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 29 Resolution No. RES-2008-499 -- Approving and Accepting the Proposal of Columbia Medical Center of Plano Subsidiary, L.P., dba Medical Center of Plano (Center for Lifestyle Enhancement) for an Annual Contract to Provide Wellness Programs and Health Screening**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 30 Resolution No. RES-2008-500 -- Rejecting the Bids for Field Employee Uniforms**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 31 Resolution No. RES-2008-501 -- Renewing Contract with Sprint PCS for Purchase of Broadband Data Cards and Payment of Services for Existing and New Wireless Services**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 32 Resolution No. RES-2008-502 -- Renewing Annual Contract with A T & T for Existing and New Telecommunication Services**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 33 Resolution No. RES-2008-503 -- Renewing Agreement with M/A-COM for the Annual Maintenance for Features Extended (FX) Software for the Enhanced Digital Access Communications System (EDACS)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 34 **Resolution No. RES-2008-504** -- Approving Award to Black Box Network Services for Annual Maintenance and Onsite Technician Support for the City's Telecommunications Equipment

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 35 **Resolution No. RES-2008-505** -- Approving and Accepting the Bid of F. Hall Mowing for Asbestos Abatement and Demolition of Structures

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 36 **Resolution No. RES-2008-506** -- Rejecting Bids for Water Meter Boxes

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 37 Resolution No. RES-2008-507 -- Ratifying Emergency Award to Holt Cat for Generator Rental for the Carbon Road Pump Station**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 38 Resolution No. RES-2008-508 -- Approving Purchase From Caldwell Country Chevrolet for a Tahoe Through the State of Texas Local Government Statewide Cooperative Purchasing Program Administred by the Texas Association of School Boards (the BuyBoard Program)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 39 Ordinance No. ORD-2008-9002 -- Rescinding the Annual Repeating 70% of CPI Increase (COLA) to Annuitants**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 40 Ordinance No. ORD-2008-9003** -- Amending Ordinance No. 8933 by Approving a Schedule of Classified Personnel for the Fire Department; Providing for a Severability Clause; Effective October 19, 2008

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

INDIVIDUAL CONSIDERATION

- 41 Resolution No. RES-2008-509** -- Approving an Economic Development Incentive Agreement with GE Aviation for Rebate of Taxes Paid on "Freeport" Inventory

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

The following spoke in favor of this item.

John Bonnot, Irving Economic Development Partnership, 5201 N.O' Connor Blvd., Suite 100, Irving, Texas

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

42 Resolution No. RES-2008-510 -- Reimbursement Resolution with the City of Irving for the Construction of a New Roof at the Irving Arts Center

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Beth Van Duyne, Councilwoman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

43 Ordinance No. ORD-2008-8977 -- Public Hearing and Final Reading - Amending Subsection (D) of Section 41-57 of Chapter 41 Entitled "Water and Sewer Systems" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Setting a New Schedule of Drainage Fees; Providing an Effective Date; and Providing a Severability Clause

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Beth Van Duyne, Councilwoman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

44 Ordinance No. ORD-2008-9004 -- Amending Section 21-87 of Chapter 21 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Adding School Zones on East LaVillita Boulevard From 100' East of Deseo to 380' East of Camino Lago, Camino Lago From 280' North of LaVillita to 100' South of Arbol, Arbol From 220' West of Verde to 220' East of Camino Lago. Verde From LaVillita Boulevard to 200' South of Arbol. Estrella From Arbol to Senda, San Benito From Camino Lago East 200', Laguna From Camino Lago East 200', Fuente From Verde West 100'

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

ZONING CASES AND COMPANION ITEMS

- 45 Resolution No. RES-2008-511** -- Approving Final Plat - Hackberry Creek Village, Phase VI, Section 3, 1st Revision - Approximately 0.48 Acres Located at 2000 and 2004 Boxwood Drive - Jorge Lastra, Owner - Buena Tierra Group, Surveyor

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

RESULT:	ADOPTED [7 TO 0]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Gears, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSTAIN:	Beth Van Duyne
ABSENT:	Joe Philipp

- 46 Resolution No. RES-2008-512** -- Approving Preliminary/Final Plat - Holiday Inn - DFW North - Approximately 3.5355 Acres Located at 4940 Regent Boulevard - Pate Engineers, Surveyor - Roger Pate, Owner

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

- 47 Ordinance No. ORD-2008-8961** -- Zoning Case ZC08-0019 - Granting S-P-1 (Detailed Site Plan) for C-C (Community Commercial) District Uses - Approximately 0.89 Acres

Located at 3202 W. Irving Blvd. - East Bluff LLC, Applicant (Postponed From June 12, 2008)

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

Brent Lovelady, Daniels Lovelady and Associates, 4324 N. Beltline, Irving, Texas representing the applicant presented the case.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 48 Ordinance No. ORD-2008-8985** -- Zoning Case #ZC08-0038 - Granting R-6 (Single Family) District Uses - Approximately 1.435 Acres Located at 614 South Macarthur Boulevard - Memorial Baptist Church, Owner/Applicant (Postponed From September 4, 2008)

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Rick Stopfer, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 49 Ordinance No. ORD-2008-8994** -- Zoning Case #ZC08-0029 - Granting S-P-1 (Detailed Site Plan) for Convenience Store and Gasoline Sales Uses - Approximately 0.7425 Acres Located at 1101 West Airport Freeway - Quick-Way Retail Associates II, Ltd., Owner - Winstead PC, Applicant (Postponed From October 16, 2008)

Mayor Gears introduced the item and stated that there was a request to postpone this item to the November 6, 2008 City Council meeting.

RESULT:	POSTPONED [UNANIMOUS] Next: 11/6/2008 7:00 PM
MOVER:	Beth Van Duyne, Councilwoman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 50 Ordinance No. ORD-2008-8995** -- Zoning Case #ZC08-0051 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 0.7185 Acres Located at 1025 W. Airport Freeway - 7-Eleven, Inc., Owner - City of Irving, Applicant (Postponed From October 16, 2008)

Mayor Gears introduced the item and stated that this is a companion item to #49, and would also be postponed to the November 6, 2008 City Council meeting.

RESULT:	POSTPONED [UNANIMOUS] Next: 11/6/2008 7:00 PM
MOVER:	Sam Smith, Councilman
SECONDER:	Beth Van Duyne, Councilwoman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 51 Ordinance No. ORD-2008-9005** -- Zoning Case #ZC08-0053 - Granting S-P-2 (Generalized Site Plan) for Fwy (Freeway) Uses - Approximately 24.57 Acres Located at 4050 Valley View Lane - Republic Property Company, Inc., Applicant - Northgate Commerce Center, LLC, Owner

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

Todd Jones, with Republic Property Company, 4392 Peachtree Road, Atlanta, George presented the case.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

52 Ordinance No. ORD-2008-9006 -- Amending the Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas by Comprehensively Regulating Residential Carports Including But Not Limited to Location, Building Materials, and Other Requirements; Repealing Section 52-32b.(i) Regarding Applications for Zoning Changes for Carports; and Amending Portions of Section 52-36 Regarding Parking Requirements for Residential Zoning Districts and Section 52-40(l) Regarding Carports in Residential Zoning Districts - City of Irving, Applicant

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

Steve Reed, Manager of Planning and Inspections gave a presentation on this item and went over the changes.

The following registered in opposition of this item, but did not wish to speak:
Joyce Eckles, 1827 Dory Lane

The ordinance was approved with the stipulation that all new houses must provide a two car garage.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Lewis Patrick, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

53 Ordinance No. ORD-2008-9007 -- Amending the Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas by the Addition of a New Section 52-35c Commercial Design Standards Comprehensively Regulating the Required Materials and Design of Nonresidential Structures - City of Irving, Applicant

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

Steve Reed, Manager of Planning and Inspections gave an overview on this item.

The following registered to speak in opposition of this item:
Vernon Proctor, 1111 E. Lby Street

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Lewis Patrick, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 54 Ordinance No. ORD-2008-9008** -- Amending the Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas by the Addition of a New Section 52-35d Convenience Store Design Standards Comprehensively Regulating the Required Materials and Design of Convenience Stores - City of Irving, Applicant

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

Steve Reed, Planning and Inspections Manager gave a presentation on this item.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Lewis Patrick, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

- 55 Ordinance No. ORD-2008-9009** -- Amending Section 52-49 Sale, Serving or Storage of Alcoholic Beverages to Add Private Schools to the Uses for Which There Must be Separation Between the Use and an Establishment Selling Alcoholic Beverages, Modify the Method of Measuring the Separation Between Public and Private Schools and an Establishment Selling Alcoholic Beverages, Provide for a Variance to the Separation Requirements Between Certain Residentially Zoned Property and Property Zoned Transit Mall Overlay District or Transit Oriented Development District, and Provide that the City Council May Grant a Variance to the Separation Requirements Between Certain Uses and an Establishment Selling Alcoholic Beverages in an Area Bounded by the Trinity Railway Express Railroad on the North, Macarthur Boulevard on the West, Shady Grove Road on the South and Britain Road on the East - City of Irving, Applicant

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

Steve Reed, Manager of Planning and Inspections gave a presentation on this item.

Real Estate and Development Director Brenda McDonald stated that Delbert McDougal discussed this issue with Ministers in the area.

The following registered to speak in favor of this item:
Lorraine Taylor, 321 S. O'Connor

Mayor Gears stated that the ordinance would be approved with a modification that any zoning change request for alcohol beverage use in the Heritage Crossing area be advertised to property owners within a 500 feet radius.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
ABSENT:	Joe Philipp

APPOINTMENTS

56 Adjournment

The meeting adjourned at 8:15 p.m.

Citizens' Forum

Lorraine Taylor, 321 S. O'Connor Road, spoke to the Mayor and Council regarding the Heritage Crossing Advisory Committee; she thanked them for appointing this board and that the meetings have been very positive and beneficial.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary