

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
November 20, 2008**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, November 20, 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	Absent	
Thomas Spink	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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Bill Walker, 1221 Balleywood, announced that they would be having their Third Annual Poverty and Homelessness Conference. This year's conference will be titled Investing in Irving Partnering for Creating Solution. They will be asking businesses and city governments to partner with them to eliminate poverty. He stated that the next meeting would be held on December 10, 2008 at City Hall. He invited everyone join them.

Rev. Tonya NeSmith, 8855 W. Valley Ranch, asked for volunteers for Hospice patients at the Silverado Hospice.

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**INVOCATION**

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The invocation was delivered by Pastor Joshua Price, Celebration Worship Center of the City Of Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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Councilman Patrick led those present in the pledge.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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**High Spirited Citizen Award** - Mayor Gears asked all the wonderful people who have been recipients of the High Spirited Citizen Award to stand as he read a proclamation honoring each of them.

Mayor Gears also presented a proclamation for "Salvation Army Red Kettle Day"; he presented the proclamation to Major Mark Craddock from the Salvation Army in Irving and former Mayor, Don Matkin.

Mr. Harris and Mr. Messer with Toys R Us presented Mayor Gears and Fire Chief Molina with a check for the New Fire Safety House.

Muscular Dystrophy Presentation - Fire Chief Molina and Summer McClendon, Jacqueline Way, and Chuck Spivey participated in presenting MDA with a check. Mayor Gears and City Manager Tommy Gonzalez received a plaque from the MDA.

## CITY COUNCIL AGENDA

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- 1 **Ordinance No. ORD-2008-9019 -- Public Hearing -- Annexation of Land 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.

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

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

City Manager Tommy Gonzalez stated that the City Manager's report was done by a video and there was nothing else to report.

## CONSENT AGENDA

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The consent agenda items #3 through #33 were considered for approval. Mayor Gears stated that there were requests to pull items #20, #22 and #33 from the consent agenda. **Councilman Stopfer moved to approve items #3-#32, excluding items #20, #22 and #33. Seconded by Councilman Patrick, the motion was approved by a vote of 8-0.**

- 3 **Approving Minutes for Monday, October 27, 2008**
- 4 **Approving Minutes for Wednesday, November 05, 2008**
- 5 **Approving Minutes for Thursday, November 06, 2008**
- 6 **Resolution No. RES-2008-543 -- Authorizing the Mayor to Accept Funding From the Office of the Governor, Criminal Justice Division, for a Gang Initiative Grant**

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

- 7 **Ordinance No. ORD-2008-9020** -- Relating to the Authorization, Issuance and Delivery of Replacement Bonds to Replace Certain Previously Destroyed, Lost, or Stolen Bonds of the City Entitled "City of Irving Junior Lien Texas Stadium Bonds, First Series" and Other Matters Relating to the Subject and Purposes Hereof

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

- 8 **Ordinance No. ORD-2008-9021** -- Relating to the Authorization, Issuance and Delivery of Replacement Bonds to Replace Certain Previously Destroyed, Lost, or Stolen Bonds of the City Entitled "City of Irving Junior Lien Texas Stadium Bonds, Second Series" and Other Matters Relating to the Subject and Purposes Hereof

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

- 9 **Resolution No. RES-2008-544** -- Authorizing the Mayor to Accept the Texas State Library and Archives Loan Star Libraries Grant

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

- 10 **Resolution No. RES-2008-545** -- Approving the Renewal of an Annual Contract with V. A. Construction, Inc., for the 2008-2009 Annual Maintenance Contract for the Concrete Repair of Sidewalks, Utility Cuts, Streets, and Alleys

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

- 11 **Resolution No. RES-2008-546** -- Approving an Interlocal Agreement Between the City of Irving and the Irving Flood Control District Section III for the Operations and Maintenance Related to District Waterways

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

- 12 **Resolution No. RES-2008-547** -- Approving an Escrow Agreement Between the City of Irving and the Cottonwood Valley Home Owner's Association for the Reconstruction of Street and Drainage Improvements Within Cottonwood Valley

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

- 13 **Resolution No. RES-2008-548** -- Awarding a Contract to McMahon Contracting, LP, for the MacArthur Boulevard/Shady Grove Road Intersection Improvements, Phase II Project

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

- 14 **Resolution No. RES-2008-549** -- Approving Change Order No. 1 to Muniz Construction, Inc., for the 2008 Water Main Replacement, Section IV Project

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

- 15 **Resolution No. RES-2008-550** -- Approving an Amendment to an Advance Funding Agreement Between the City of Irving and the Texas Department of Transportation to Provide for 10 Percent Participation in the Amount of \$172,541.00 for Utility Relocation on SH Loop 12.

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

- 16 **Resolution No. RES-2008-551** -- Award of Bid to Cole Construction, Inc., for the Cottonwood Creek Park Universal Designed Playground and Miracle League Field.

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

- 17 **Resolution No. RES-2008-552** -- Awarding a Contract to the Playwell Group for the Purchase and Installation of Universal Designed Playground Play Units at Cottonwood Creek Park Through the State of Texas Local Government Statewide Cooperative Purchase Program Administered by the Texas Association of School Boards (BuyBoard)

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

- 18 **Resolution No. RES-2008-553** -- Approving a Frequency Reconfiguration Agreement Between the City of Irving and Nextel of Texas Inc., a Wholly Owned Indirect Subsidiary of Sprint Nextel Corporation in Accordance with the Federal Communications Commission August 6, 2004, 800 MHz Frequency Reconfiguration Order

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

- 19 **Ordinance No. ORD-2008-9022** -- Authorizing the Abandonment of Main Street Right-Of-Way and Adjoining Alley North of Union Bower Road - Irving Independent School District - Applicant

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

- 20 **Resolution No. RES-2008-525** -- Authorizing the Mayor to Execute an Agreement for Economic Development Incentives Between the City of Irving and Bank of the West to Provide for Facade and Landscape Enhancement Incentives

Mayor Gears introduced the item and stated that this has been pulled from the consent agenda. He asked if anyone wished to speak in favor or opposition.

The following registered to speak in opposition:  
Ross Owen, 1225 East Union Bower Road

Director of Real Estate and Development Brenda McDonald gave the history and stated that the upgrade is not required.

Councilman Philipp asked the City Manager to explain the economic development fund.

City Manager Tommy Gonzalez stated that through the strategic plan that was put in place by the city council and the feed back from community leaders at the Town Hall meetings staff wanted to be sure that major thoroughfares were included in the upgrade and Irving Boulevard Corridor was one of the corridors.

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

- 21 Resolution No. RES-2008-554 --** Authorizing Mayor to Execute an Agreement with LG Colinas Limited Partnership to Fund Reclamation of Land and Construction of a Lake Wall and Promenade Adjacent to Lake Carolyn

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

Pam Brown, 1410 Irvin Road  
Clem Lear, 4643 O'Connor Court  
Richard Stewart, 2327 Southern Oak Drive  
Roland Medina, 1600 N. MacArthur Boulevard  
Dava Adams, 1813 Bolden Road  
Carole Shlipak, 1500 Colony Drive  
Mike Barns, 502 Hanover Lane  
Don and Mary Oberlin, 4743 Bynon Circle

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

- 22 Resolution No. RES-2008-555 --** Authorizing the Mayor to Execute a Clarification of a Nonbinding Letter of Intent Between Las Colinas Group, LP, and the City of Irving for the Development, Lease, and Operation of an Entertainment Venue on the City of Irving Convention Center Site

Mayor Gears introduced the item and stated that this has been pulled from the consent agenda. He asked if anyone wished to speak in favor or opposition.

Councilwoman Van Duyne asked for a brief presentation on this item.

Director of Real Estate and Development Brenda McDonald explained this predevelopment work.



Mayor Gears stated that the following registered in favor, but did not wish to speak:

Mike Barns, 502 Hanover Lane  
Pam Brown, 1410 Irvin Road  
Clem Lear, 4643 O'Connor Court  
Richard Stewart, 2327 Southern Oak Drive  
Roland Medina, 1600 N. MacArthur Boulevard  
Dava Adams, 1813 Bolden Road  
Carol Shlipak, 1500 Colony Drive

After lengthy Council discussion the motion was made to approve as presented.

<b>RESULT:</b>	<b>ADOPTED [6 TO 2]</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Smith, Philipp
<b>NAYS:</b>	Beth Van Duyne, Thomas Spink
<b>ABSENT:</b>	Rose Cannaday

- 23 Resolution No. RES-2008-556 -- Awarding Contract to Eagle Contracting, L.P. for the MacArthur Pump Station Project**

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

- 24 Resolution No. RES-2008-557 -- Addendum No. 1 to the Genghis Khan Exhibit Contract, Resolution 2008-323**

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

- 25 **Resolution No. RES-2008-558** -- Authorizing Application, Acceptance If Granted, and Agreement with the Texas Department of Housing and Community Affairs for Neighborhood Stabilization Program Funding

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

- 26 **Resolution No. RES-2008-559** -- Authorizing the Reprogramming of Unliquidated Community Development Block Grant Funds From Fiscal Year 2007-08 Human Services Contracts

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

- 27 **Resolution No. RES-2008-560** -- Approving and Accepting the Bid of GST Public Safety Supply, LLC, for an Annual Contract to Fire Department Uniform Trousers

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

- 28 Resolution No. RES-2008-561 -- Renewing Annual Contract Between the City of Irving and The University of Texas Southwestern Medical Center at Dallas for Medical Direction and Quality Assurance Services**

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

- 29 Resolution No. RES-2008-562 -- Approving Purchase From Professional Turf Products for Three Groundskeeper 4100-D Large Area Mowers Through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program)**

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

- 30 Resolution No. RES-2008-563 -- Approving and Accepting the Bid of Clean Air Remediation Environmental for Asbestos Abatement and Demolition of Structures**

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

- 31 **Resolution No. RES-2008-564** -- Approving Single Source Purchase From Fluid Conservation Systems Inc., for the PermaLog Plus Leak Detection System

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

- 32 **Ordinance No. ORD-2008-9010** -- Final Reading - Approving a License Agreement Between the City of Irving and the Domtar Paper Company, LLC, for the Purpose of Installing an Underground Conduit and Fiber Optic Cable Between Two Buildings Located at 8800 and 9001 Sterling Street

<b>RESULT:</b>	<b>FINAL READING [UNANIMOUS]</b> <b>Next: 12/11/2008 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, Spink
<b>ABSENT:</b>	Rose Cannaday

- 33 **Ordinance No. ORD-2008-8992** -- An Ordinance Amending Chapter 33 Entitled "Refuse, Garbage and Weeds" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Providing for the Definition of "Commercial Container"; and Providing for the Location and Screening of Commercial Containers and Related Provisions

Mayor Gears introduced the item and stated that this has been pulled from the consent agenda. He asked if anyone wished to speak in favor or opposition.

Director of Planning and Inspections Gary Miller gave a presentation on this item and presented a power point which gave an overview of this ordinance.

After discussion by Council and staff the following spoke on this item.

The following registered to speak in opposition of this item:

Patricia Owen, 1506 Ross Drive

Ross Owen, 1225 East Union Bower Road

Robert Nelson, 2417 Garden Oaks

Cathy Carlton, 226 Phoenix Drive, Trophy Club, Texas, representing the apartment association of Greater Dallas 226 Phoenix Drive

Anthony Witt, 3541 W. Northgate, representing Woodland Hills Apartments

Jennifer Mark, 4057 N. Beltline Road

Tab Werner, 2244 Maple Drive, Little Elm, Texas

Tracey Sulak, 8308 Southwestern Blvd. representing Lincoln Property

laleen Cole, 1212 Harrison Avenue, Arlington, Texas

George Stephenson, 2105 Druid Drive

The following spoke in favor of this item:

Randy Boatright

After lengthy discussion by Council, Councilman Smith moved for approval of this ordinance, Councilman Stopfer said he would second the motion if he would change the time frame to 12 months to come into compliance.

Councilman Patrick asked if Councilman Smith would consider wood to be used for enclosure.

Councilman Smith would not compromise his motion regarding the wood.

The motion failed extending the compliance time to 12 months by a vote of 4-4 with the following Council members voting for this motion: Councilman Stopfer, Councilman Philipp Councilman Smith and Councilwoman Van Duyne; and the following voting in opposition: Councilman Meagher, Councilman Patrick, Councilman Spink, and Mayor Gears.

Mayor Gears stated that he will support this ordinance if the time for compliance was extended to two years.

Councilman Meagher moved to approve the ordinance with an extension to two years for compliance.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [6 TO 2]</b>
<b>MOVER:</b>	Allan Meagher, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Stopfer, Smith, Philipp
<b>NAYS:</b>	Lewis Patrick, Thomas Spink
<b>ABSENT:</b>	Rose Cannaday

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### INDIVIDUAL CONSIDERATION

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- 34 Resolution No. RES-2008-565 -- Reimbursing the City of Irving for Capital Expenditures for Streets, Parks, Library, Facilities, Landfill, Fire Services, and Gateway Public Improvements in Advance of the 2009 General Obligation Bond Sale**

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

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

- 35 Resolution No. RES-2008-566 -- Giving of Notice of Intention to Issue City of Irving, Texas Combination Tax and Revenue Certificates of Obligation, Series 2009**

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

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

**ZONING CASES AND COMPANION ITEMS**

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- 36 Ordinance No. ORD-2008-9023** -- Zoning Case ZC08-0024 - Granting S-P-1 (Detailed Site Plan) for C-OU-2 (Commercial Outdoor) Uses - Approximately 0.585 Acres Located at 1600 and 1616 East Irving Boulevard - Armando Betancourt, Applicant/Owner

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

The applicant, Armando Betancourt was present to would answer any questions.

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

- 37 Ordinance No. ORD-2008-9024** -- Zoning Case #ZC08-0052 - Granting S-P-1 (Detailed Site Plan) for Hotel and R-AB (Restaurant with Alcoholic Beverage Sales) Uses - Approximately 2.89 Acres Located at 4800 Plaza Drive - Chase Hospitality II, LLC, Applicant - Nations Property Development LTD/The Smart Partnership, Owner

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

There were no speakers.

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

- 38 Ordinance No. ORD-2008-9025** -- Zoning Case #ZC08-0062 - Granting S-P-2 (Generalized Site Plan) for FWY (Freeway) Uses - Approximately 12.29 Acres Located at 4140 Valley View Lane - City of Irving, Applicant/Owner

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

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

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## **APPOINTMENTS AND REPORTS**

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### **39 Adjournment**

The meeting adjourned at 9:44 P.M.

### **Citizens' Forum**

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Patricia Yates, 1723 Meadowbrook, requested the Council consider banning of owning roosters within the city limits on land less than one acre.