

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
March 26, 2009**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, March 26, 2009. 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	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Jennifer Wilson, with the Irving Arts Center announced that the 9th annual Art Adventure Fest will be held this weekend March 28-2009 at the Irving Arts Center located at 3333 N. MacArthur Blvd.

INVOCATION

The invocation was delivered by Pastor Grady King, South MacArthur Church of Christ in the city.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears presented a proclamation to Chris Wallace, President and CEO of the Chamber of Commerce and to Carter Holston, Chairman of the Chamber of Commerce Board for the 5-Star Accreditation the chamber received from the National Chamber of Commerce.

High Spirited Award:

Mayor Gears presented Martha McMurray with the High Spirited Award.

Mayor Gears also presented a Special Recognition Certificate to the Universal Academy, an Irving Charter School, for their excellence in education.

Proclamation to the Irving Heritage Society:

Mayor Gears presented a proclamation to Dan Matkin, Irving Heritage Society, Jan Bodnar, Irving Public Library and Dr. Lea Bailey, Irving ISD.

Councilman Philipp commended police officers for there exemplary efforts in keeping our citizens safe.

CITY COUNCIL AGENDA

1 City Manager's Strategic Plan Update

City Manager Tommy Gonzalez gave a brief update and a video on neighborhood improvements was shown.

CONSENT AGENDA

The consent agenda items 2-32 were presented for approval. Mayor Gears stated that items #4, #7, and #20 would be pulled from the consent agenda and heard separately. **Councilman Phillip moved to approve the consent agenda items 2-32, excluding items #4, #17 and #20. Seconded by Councilman Spink, the motion was approved by a vote of 9-0.**

2 Approving Minutes for Wednesday, March 04, 2009

3 Approving Minutes for Thursday, March 05, 2009

4 Resolution No. RES-2009-114 -- Supporting the United States Congress to Enact Legislation Facilitating Access to Appropriate Financing for Cities and Furthering Our Nation's Economic Recovery Efforts

Mayor Gears introduced the item and explained why the city has initiated this legislation.

The following registered to speak in opposition:
Don Van Slyke, 2617 Castle Street

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

- 5 **Resolution No. RES-2009-115** -- Supporting the Texas Local Option Transportation Act (TLOTA) for the 81St Texas Legislative Session

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

- 6 **Resolution No. RES-2009-116** -- Authorizing the Destruction of Obsolete Records in Accordance with City of Irving's Records Management Policy

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

- 7 **Resolution No. RES-2009-117** -- Approving Memorandum of Agreement for Mutual Aid of Emergency Medical Services for Public Assistance to Provide Mutual Aid in a Pending or Actual Disaster Between: the Department of State Health Services and DSHS Licensed EMS Providers

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

- 8 **Resolution No. RES-2009-118** -- Approving a Waiver of the Six-Month Notice of Claim Requirement as Requested by Joe Simpson

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

- 9 **Resolution No. RES-2009-119** -- Approving a Waiver of the Six-Month Notice of Claim Requirement as Requested by United States Postal Service

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

- 10 **Resolution No. RES-2009-120** -- Approving the Assignment of the Economic Incentive Agreement Between the City of Irving and Lauth Property Group, LLC

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

- 11 **Resolution No. RES-2009-121** -- Approving an Interlocal Agreement Between the City of Irving and the Dallas County Utility and Reclamation District (DCURD) for the Desiltation of District Waterways and the Maintenance of the Levee, Waterway Slopes and Structures

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

- 12 Resolution No. RES-2009-122 -- Approving a Discretionary Service Agreement Between the City of Irving and Oncor Delivery Company, LLC, for the Relocation of Overhead Lines Along the East Side of Valley View Lane in Connection with the Animal Shelter/Dog Park Facility**

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

- 13 Resolution No. RES-2009-123 -- Approving a Memorandum of Understanding Between the City of Irving and the Dallas Fort Worth International Airport Board for the Use of City of Irving Licensed Frequencies**

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

- 14 Resolution No. RES-2009-124 -- Approving a Memorandum of Understanding Between the City of Irving and the Texas Department of Public Safety - Aircraft Section for the Use of City of Irving Licensed Frequencies**

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

- 15 **Resolution No. RES-2009-125** -- Approving a Memorandum of Understanding Between the City of Irving and the Texas Department of Public Safety for the Texas Statewide Interoperability Channel Plan (TSICP)

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

- 16 **Resolution No. RES-2009-126** -- Approving a Memorandum of Understanding Between the City of Irving and the Texas Department of Public Safety for Participation in the Texas Data Exchange (TDEx)

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

- 17 **Resolution No. RES-2009-127** -- Approving a Professional Services Agreement with Jacobs Engineering Group, Inc., for the Development of Plans and Specifications for the Demolition of Texas Stadium

Mayor Gears introduced the item and gave a brief presentation on this scope of the services provided by this program.

Don Van Slyke, 2617 Castle Street
Chelsea Bartlett, 411 Collins Drive
Elizabeth Martinez, 1500 Highcrest Ct. Not present

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

Leslie Brown, 909 Manning Road
Christopher Wilson, 513 W. Dickey Road #115, Grand Prairie, Texas 75051
Edward Garcia, 1500 Highcrest Court
Dana Chivers, 909 Mand
Eric Moreno, 1500 Highcrest
Christopher A. Sorensen, 1334 Knollridge Court
Ashley Walser, 1001 S. Delaware

Councilwoman Van Duyne requested additional explanation.

Assistant Director of Real Estate and Developmental Services Doug Janeway presented the details of this design.

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

- 18 Resolution No. RES-2009-128 -- - Authorizing Staff to Negotiate an Engineering Services Agreement with Freese and Nichols, Inc., for Improvements to the Hackberry and Northgate Pump Stations**

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

- 19 Resolution No. RES-2009-129 -- Approving Amendment No. 6 to 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 06 for Finishes/Balance of Project**

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

- 20 Resolution No. RES-2009-130 -- Approve Professional Services Agreement with the Burrell Group Relative to the City's M/WBE Program Objectives and Stated Participation Goals for the Irving Convention Center**

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

The following registered to speak in opposition of this item:

Don Van Slyke, 2617 Castle

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

- 21 Resolution No. RES-2009-131 -- Approving Addendum No. 1 to an Agreement with New Media Gateway for an Upgrade to the CRM/DBS System and a Visitor Inquiry Module**

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

- 22 Resolution No. RES-2009-132 -- Approving Contours Community Development Corporation Contract Extension #1**

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

- 23 Resolution No. RES-2009-133 -- Approving Single Source Purchase from L-3 Communications Mobile-Vision, Inc., for Digital In-Car Video Units**

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

- 24 Resolution No. RES-2009-134 -- Approving and Accepting the Bid of Walters Group Inc., for a Fire Safety House**

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

- 25 Resolution No. RES-2009-135 -- Approving Purchase from Metro Fire Apparatus Specialists, Inc., for Fire Hose through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (the BuyBoard Program)**

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

- 26 Resolution No. RES-2009-136** -- Approving and Accepting Proposal of Greenstar North America for an Annual Contract for the Curbside Recycling Program

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

- 27 Resolution No. RES-2009-137** -- Approving and Accepting the Bid of Artistic Painting Company, Inc., for Painting of Bridges and Park Facilities

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

- 28 Resolution No. RES-2009-138** -- Approving and Accepting the Bids of Justin Seed Company Inc., and RNDM Lonestar Farm and Ranch dba Mann Farm & Ranch Supply for Turf Fertilizers

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

- 29 Resolution No. RES-2009-139 -- Approving and Accepting the Bid from Trinity Armored Security, Inc., for an Annual Contract to Supply Armored Car Services**

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

- 30 Resolution No. RES-2009-140 -- Approving and Accepting the Bids of Morrison Supply Company and Metro Valve & Pipe Inc., for Valves**

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

- 31 Ordinance No. ORD-2009-9057 -- Amending Ordinance No. 8872 by Approving a Schedule of Classified Personnel for the Police Department; Providing for a Severability Clause; Effective April 1, 2009**

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

- 32 Ordinance No. ORD-2009-9048 -- Public Hearing - Final Reading - Amending the Franchise with Oncor Electric Delivery Company, LLC, to Allow Quarterly Payment of Franchise Fees and to Extend the Franchise Term for an Additional Five Years to the Year 2022**

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

ZONING CASES AND COMPANION ITEMS

- 33 Resolution No. RES-2009-141 -- Street Name Change - ZC09-0002 - Changing the Name of Bridlewood Lane to Stallion Crossing - City of Irving, Applicant (Postponed at March 26, 2009 City Council Meeting)**

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

Manager of Planning and Inspections Steve Reed gave a presentation on this item. He noted that this is requested by the City as there is a Bridlewood Lane in another area of the city.

Troy Volkman, 3024 Bridlewood Lane, asked if the name change could be Stallion Drive or Mustang Alley rather than Bridlewood Downs.

Mayor Gears and the Council agreed to postpone to give the citizens an opportunity for input.

Councilman Patrick asked that the developer also be contacted.

RESULT:	POSTPONED [UNANIMOUS] Next: 4/9/2009 7:00 PM
MOVER:	Rick Stopfer, Councilman
SECONDER:	Lewis Patrick, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 34 Ordinance No. ORD-2009-9058 -- Zoning Case #ZC09-0004 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 0.35 Acres Located at 520 West Sixth Street - Mohammed A. Memon, Owner/Applicant**

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

The applicant Mohammed A. Memom, 520 West Sixth Street, was present.

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

- 35 Ordinance No. ORD-2009-9041 -- Amending the Comprehensive Plan to Change the Recommended Land Use from High Density Residential to Low Density Residential and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) in Zoning Case #ZC08-0054 - Approximately 5.107 Acres Located on the West Side of Homestead Court, West of Compton Road - James Trinkle, Applicant - Victor Abraham, Owner (Postponed at March 5, 2009 City Council Meeting)**

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

John Danish, 1113 Capitol Court, representing the applicant presented the case.

Mayor Gears noted that a three fourths vote of the entire Council is required on this item.

Mr. Danish stated that the applicant wishes to request that this zoning case be withdrawn and asked that the fee paid be applied to a future concept plan application.

The following registered to speak in opposition of this item:
Chris Austin, 1405 Homestead Court
Larry Causey, 1401 Homestead Court (did not speak)

After Council discussion, Councilman Patrick moved to deny this zoning case.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Beth Van Duyne, Councilwoman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

APPOINTMENTS AND REPORTS

- 36 Resolution No. RES-2009-113 --** Appointments to Boards, Commissions, and Committees to Fill Two-Year Terms Expiring November 2010, and Various Unexpired Terms for the Following: Arts Board and Convention and Visitors Bureau

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

Councilman Stopfer moved to appoint Paul Brouillette to Place 10, a voting hotelier position on the Irving Convention and Visitors Bureau Board with term expiring November 2010 and also to appoint to the nonvoting hotelier positions Jacquie Sieveking, Place 1 term expiring November 2009, and Robert Bula, Place 2 term expiring November 2010.

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

37 Adjournment

The meeting adjourned at 8:30 p.m.

Citizens' Forum

There were no speakers.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, City Secretary
TRMC