

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
December 3, 2009**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, December 3, 2009. 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 Duynes	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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Archie Stephenson, President of the West Irving Improvement Association, asked for the approval by the City Council to fund the construction and placement of a large two-sided marker designating the entry way into the Bear Creek Community.

Jennifer Wilson, Irving Arts Center, invited the Council and citizens to attend the 17<sup>th</sup> Annual Holiday Open House, this Friday, December 4, 2009 from 5:30 p.m. until 7:30 p.m. The free event features themed art projects, photos with Santa, performances, and a train ride she stated. The Arts Center will end the evening with a free performance by Tapestry Dance at 7:30 pm in the Carpenter Hall.

Sharon Barbosa-Crain, 2609 Alan-a-Dale, representing the Irving Count committee, she stated that this committee will be hosting a poster contest, the contest will be held in January in the Irving Schools to promote participation in the 2010 U.S. Census. She also spoke about Keep Irving Beautiful (KIB), and provided a gift to the Mayor and Council from KIB. She also invited the Council to their Christmas Party that will be held at her home, next Thursday. And thirdly, on behalf of the Salvation Army, Ms. Barbosa thanked the Council for all the support they provide to the Salvation Army throughout the year.

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**INVOCATION**

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The invocation was delivered by Pastor Andrew Jackson, West Irving Church of God in Christ 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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There were no proclamations or announcements made.

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**CITY COUNCIL AGENDA**


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**1 City Manager's Strategic Plan Update**

A video was shown giving an update on the strategic goals.

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**CONSENT AGENDA**


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The consent agenda items #2-#61 were presented for approval. Mayor Gears stated that Items #31 and #33 would be pulled from this agenda and moved to the December 10, 2009 City Council meeting. Mayor Gears also stated that the following items would be heard separately #32, #34, #54 and #57. **Councilman Philipp moved to approve the consent agenda items 2-61, excluding items #32, #34, #54, and #57. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.**

**2 Approving Minutes for Wednesday, November 04, 2009**
**3 Approving Minutes for Thursday, November 05, 2009**
**4 Resolution No. RES-2009-503 -- Destruction of Obsolete Records in Accordance with the City of Irving's Records Management Policy**

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

**5 Resolution No. RES-2009-504 -- Approving a Texas Traffic Safety Program Grant Agreement Between the City of Irving and the State of Texas, Acting by and through the Texas Department of Transportation, for a Selective Traffic Enforcement Program (STEP) Grant for Holiday DWI Enforcement**

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

- 6 **Resolution No. RES-2009-505** -- Authorizing the Mayor to Approve a Satellite Office Lease Agreement

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

- 7 **Resolution No. RES-2009-506** -- Approving the Request to Negotiate a Professional Services Contract with Baird, Hampton, & Brown, Inc., for Engineering Consulting for Generator Equipment at the Criminal Justice Center

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

- 8 **Resolution No. RES-2009-507** -- Approving the City of Irving Annual Investment Policy

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 9 **Resolution No. RES-2009-508** -- Approving the Training Agreement Between the City of Irving and The Bartlett Alliance

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

- 10 **Resolution No. RES-2009-509** -- Approving an Amendment to the Group Health Benefit Plan for Employees and Retirees of the City of Irving and Authorizing the Mayor to Execute any Necessary Documents Related to the Amendment

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

- 11 **Resolution No. RES-2009-510** -- Approving Settlement of a Lawsuit with Chenequa S. Bibles, et al.

The following registered to speak in favor of this item:  
Anthony E. Bond, 4109 W. Northgate #821

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 12 **Resolution No. RES-2009-511** -- Approving an Engineering Services Agreement with Alpha Testing for the Annual Geotechnical Engineering and Construction Materials Testing and Inspection Contract

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

- 13 **Resolution No. RES-2009-512** -- Approving an Engineering Services Agreement with CTL/Thompson Texas, LLC for the Annual Geotechnical Engineering and Construction Materials Testing and Inspection Contract

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

- 14 **Resolution No. RES-2009-513** -- Awarding a Contract to JDK Associates, Inc., for Champion Trails Extension - Twin Wells Park to Trinity View Park Project

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 15 **Resolution No. RES-2009-514** -- Approving a Discretionary Service Agreement Between the City of Irving and Oncor Electric Delivery Company, LLC, for the Undergrounding of Overhead Electric Facilities at the Irving Arts Center

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

- 16 **Resolution No. RES-2009-515** -- Approving a Discretionary Service Agreement Between the City of Irving and Verizon for the Undergrounding of Overhead Telecommunication Facilities at the Irving Arts Center

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

- 17 **Resolution No. RES-2009-516** -- Annuling the Contract with ForceCon Services, LLC and Awarding a Contract to Concrete Paver Systems for MacArthur Boulevard Lighting Infrastructure, Median, and Landscape Improvements - Metker Street to Northgate Drive Project

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

- 18 Resolution No. RES-2009-517 --** Annulling a Contract with ForceCon Services, LLC and Awarding a Contract to Mid-America Texas, Inc., for the Sub-Surface Utility Exploration (Potholing) Annual Contract

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

- 19 Resolution No. RES-2009-518 --** Approving Emergency Repairs to Dry Branch (Irving Mall Drainage Channel)

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

- 20 Resolution No. RES-2009-519 --** Approving Change Order No. 1 to EMJ Corporation for West Irving Aquatic Center Project

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 21 **Resolution No. RES-2009-520** -- Authorizing the Mayor to Execute an Agreement with Oncor Electric Delivery Company LLC, for Las Colinas Underground Duct Bank Utilities

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

- 22 **Resolution No. RES-2009-521** -- Authorizing the Mayor to Execute a Memorandum of Understanding with the Las Colinas Association For Burying Overhead Utilities in Las Colinas

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

- 23 **Resolution No. RES-2009-522** -- Authorizing the Mayor to Execute an Agreement with Hines Las Colinas Land Limited Partnership for the Design, Construction, and Installation of Underground Utilities Within the Project Area

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)



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

- 24 **Resolution No. RES-2009-523** -- Authorizing the Mayor to Execute an Advanced Funding Agreement with the Texas Department of Transportation for Voluntary Utility Relocation Contributions on State Highway Spur 348 at Las Colinas Boulevard Project

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

- 25 **Resolution No. RES-2009-524** -- Authorizing the Mayor to Execute an Agreement with the Texas Department of Transportation to Contribute Funds to Acquire Right of Way and Adjust Utilities for Highway Project on State Highway Spur 348 at Las Colinas Boulevard

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

- 26 **Resolution No. RES-2009-525** -- Authorizing the Mayor to Execute an Advanced Funding Agreement with the Texas Department of Transportation for Voluntary Utility Relocation Contributions on State Highway Spur 348 at Las Colinas Boulevard (Power Duct System)

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 27 Resolution No. RES-2009-526 --** Authorizing Mayor to Execute an Agreement with the Texas Department of Transportation to Contribute Funds to Acquire Right of Way and Adjust Utilities for Highway Project on State Highway 183 East of Loop 12

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

- 28 Resolution No. RES-2009-527 --** Authorizing the Mayor to Execute a Standard Utility Agreement with the Texas Department of Transportation for State Highway 114 East of Rochelle Boulevard to West of Tom Braniff

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

- 29 Resolution No. RES-2009-528 --** Approving Change Order No. 1 to SH 114 and SH Loop 12 Utility Relocation Contributions to Relocate Water Line Seven

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 30 **Resolution No. RES-2009-529** -- Approving Change Order No. 2 to Eagle Contracting, L.P., for the MacArthur Pump Station

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

- 31 **Resolution No. RES-2009-530** -- Approving an Agreement Between the City of Irving and Heritage District, LLC for Consulting Services Related to the Redevelopment of Downtown Irving

<b>RESULT:</b>	<b>POSTPONED NO VOTE</b> <b>Next: 12/17/2009 9:00 AM</b>
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- 32 **Resolution No. RES-2009-531** -- Approving a Chapter 380 Economic Development Program Agreement with Heritage District, LLC, to Facilitate Redevelopment of 501 and 502 West Second Street for the Heritage Crossing Project

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

Real Estate and Development Director Brenda McDonald explained this item.

The following registered to speak in opposition of this item:  
Lorriane Taylor, 321 S. O'Connor Road

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 33 Resolution No. RES-2009-532 --** Approving First Amendment to a Chapter 380 Economic Development Program Agreement with McDougal Family Partnership, Ltd., for the Delaware Project in Connection with Heritage Crossing

<b>RESULT:</b>	<b>POSTPONED NO VOTE</b> <b>Next: 12/17/2009 9:00 AM</b>
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- 34 Resolution No. RES-2009-533 --** Authorizing the Mayor to Execute Amendments to Amended and Restated Entertainment Center Lease and Development Agreement with Las Colinas Group, LP

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

Real Estate and Development Director Brenda McDonald gave a presentation on these amendments.

Councilman Philipp asked that it be explained to the public the source of the revenue for this agreement.

Ms. McDonald stated that the money will be coming from the sales tax funds authorized from the "Brimer Bill" Election that was held in November 2007, and it is not from the property tax.

The following registered to speak in opposition of this item.

David Cole, 105 E. Rochelle

Randy DeWitt, 5367 Cattail, Frisco, Texas 75034

Jack Gibbons, 2134 Clearsprings, Irving, Texas

James Jolly for Texas Restaurant Assoc., 8111 LBJ Frwy. Dallas, Texas

Councilwoman Van Duyne moved to postpone action on this agreement in order to meet with representatives from the restaurant industry concerning Section 2(iv) of the agreement. Seconded by Councilman Spink, the motion failed by a vote of 3-6, with the following voting in opposition: Mayor Gears, Councilman

Stopfer, Councilman Philipp, Mayor Pro Tem Smith and Deputy Mayor Pro Tem Cannaday.

<b>RESULT:</b>	<b>ADOPTED [6 TO 3]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Gears, Patrick, Stopfer, Smith, Philipp, Cannaday
<b>NAYS:</b>	Beth Van Duyne, Allan Meagher, Thomas Spink

- 35 Resolution No. RES-2009-534 -- Authorizing Negotiations Between the City of Irving and Hunter Public Relations for Sponsorship of the Texas Stadium Implosion**

The meeting adjourned at 9:10 p.m.

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

- 36 Resolution No. RES-2009-535 -- Authorizing Change Order No. 2 to Agreement Between the City of Irving and SMG for Pre-Opening Management Services in Connection with the Irving Convention Center and for Management Services for a Five-Year Period for the Irving Convention Center**

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

- 37 Resolution No. RES-2009-536 -- Approving and Accepting the Bid of GT Distributors, Inc., for an Annual Contract to Supply Tactical Ammunition**

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

- 38 Resolution No. RES-2009-537** -- Approving the Purchase from Metro Fire Apparatus Specialists, Inc., for Tools and Equipment for the Urban Search and Rescue (USAR) Truck 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>	Joe Philipp, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 39 Resolution No. RES-2009-538** -- Approving the Purchase from Metro Fire Apparatus Specialists, Inc., for Fire Engines (Pumpers) through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program

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

- 40 Resolution No. RES-2009-539** -- Renewing Annual Contract with Office Depot to Provide Office Supplies

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 41 Resolution No. RES-2009-540 -- Approving a Mutual Cooperative Purchasing Agreement Between the City of Irving and the City of Rowlett**

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

- 42 Resolution No. RES-2009-541 -- Approving and Accepting the Bids of Butler Animal Health Supply LLC; IDEXX Distribution, Inc.; X-Ray Sales & Service Co.; and ISI Commercial Refrigeration, Inc., for Equipment for the New Animal Care Campus**

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

- 43 Resolution No. RES-2009-542 -- Renewing the Annual Contract with Intelight, Inc., for Advanced Traffic Signal Controllers**

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

- 44 **Resolution No. RES-2009-543** -- Approving and Accepting the Bid of Structural & Steel Products, Inc., for an Annual Contract to Supply Standard Dark Bronze Signal Pole Assemblies

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

- 45 **Resolution No. RES-2009-544** -- Approving and Accepting the Bid of Consolidated Traffic Controls, Inc., for an Annual Contract to Supply Vehicle Traffic Signal Heads and Pedestrian Signal Heads

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

- 46 **Resolution No. RES-2009-545** -- Approving the Purchase from Holt Cat for a Front End Loader through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (the BuyBoard Program)

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)



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

- 47 Resolution No. RES-2009-546** -- Approving the Purchase from Interstate Trailers, Inc., for Heavy Equipment Trailers 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>	Joe Philipp, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 48 Resolution No. RES-2009-547** -- Approving the Purchase from Vermeer of Texas for Two Trailer Mounted Vacuum Systems 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>	Joe Philipp, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 49 Resolution No. RES-2009-548** -- Approving the Purchase from Pearpoint, Inc., for Two Mini Mainline Camera Systems through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program

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

- 50 **Resolution No. RES-2009-549** -- Approving Purchases from Longhorn, Inc., Luber Bros., Professional Turf Products, and SIX & Mango Equipment LLP, for Mowing Equipment 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>	Joe Philipp, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 51 **Resolution No. RES-2009-550** -- Approving the Single Source Annual Contract to TRW, LP, for the Installation of Stone Masonry Compression Walls

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

- 52 **Resolution No. RES-2009-551** -- Renewing the Annual Contracts with Aetna, CIGNA Dental Health of Texas, Inc., and National Vision Administrators, L.L.C., for Medical, Dental, and Vision Insurance for City Employees

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 53 Resolution No. RES-2009-552 --** Renewing the Single Source Software Maintenance Agreement with Tiburon, Inc., for the Computer Aided Dispatch (CAD) System

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

- 54 Ordinance No. ORD-2009-9134 --** Consider and Take Action on an Ordinance Authorizing the Issuance of City of Irving, Texas, General Obligation Bonds, Tax-Exempt Series 2010A, in an Aggregate Principal Amount that in Combination with the Aggregate Principal Amount of the City of Irving General Obligation Bonds, Taxable Series 2010B, Does Not Exceed \$19,000,000; Providing for the Award and Sale Thereof in Accordance with Specified Parameters; Authorizing the Execution and Delivery of a Purchase Contract Relating to Said Bonds; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and a Disclosure Counsel Engagement Letter; Approving the Official Statement; and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance

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

Councilman Spink asked for clarification of this item.

Assistant Chief Financial Officer Brad Duff gave a presentation on this bond issuance.

Councilman Philipp further clarified that these bonds will be used for an array of public improvements including streets, parks, library services and economic development.

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

- 55 Ordinance No. ORD-2009-9135** -- Consider and Take Action on an Ordinance Authorizing the Issuance of City of Irving, Texas, General Obligation Bonds, Series 2010B, in an Aggregate Principal Amount that in Combination with the Aggregate Principal Amount of the City of Irving General Obligation Bonds, Tax-Exempt Series 2010A Does Not Exceed \$19,000,000; Providing for the Award of the Sale Thereof in Accordance with Specified Parameters; Authorizing the Execution and Delivery of a Purchase Contract Relating to Said Bonds; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and a Disclosure Counsel Engagement Letter; Approving the Official Statement; and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance

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

- 56 Ordinance No. ORD-2009-9136** -- Consider and Take Action on an Ordinance Authorizing the Issuance and Sale of City of Irving, Texas, Municipal Drainage Utility System Revenue Bonds, Series 2010 in an Aggregate Principal Amount Not to Exceed \$2,500,000; Providing for the Award of the Sale Thereof in Accordance with Specified Parameters; Providing for the Security and Payment of Said Bonds; Approving the Official Statement; Approving Execution and Delivery of a Bond Purchase Agreement, a Paying Agent/Registrar Agreement and a Disclosure Counsel Agreement Letter; and Enacting Other Provisions Relating Thereto

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

**57 Ordinance No. ORD-2009-9137 -- Amending the Irving Policy Statement on Local Economic Development and Business Stimulation Incentives**

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

Councilwoman Van Duyne asked for an overview of this item.

Assistant Chief Financial Officer Brad Duff provided this overview.

Real Estate and Development Director Brenda McDonald gave a presentation on the corridor incentive for private property owners.

After Council discussion, the following vote was made.

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

**58 Ordinance No. ORD-2009-9138 -- Amending Chapter 8 of the City of Irving Code of Civil and Criminal Ordinances and Land Development Code of Ordinances including Adoption of 2006/2008 Editions of the Construction Codes and Regional and Local Amendments**

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

- 59 **Ordinance No. ORD-2009-9139** -- Amending Chapter 17 of the City of Irving Land Development Code of Ordinances Including the Adoption of the 2006 International Fire Code and Regional and Local Amendments

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

- 60 **Ordinance No. ORD-2009-9140** -- Amending Chapter 25 Entitled "Parks and Recreation" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Providing Duties and Responsibilities of the Parks and Recreation Board; by Adding Article V. Tree Board and Providing for the Establishment, Composition, Appointment of Officers, Terms of Office, Meetings, and Duties and Responsibilities of Said Board; by Adding Article Vi. Tree Care and Providing for the Care of Public Trees; and Providing for Severability and an Effective Date

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

- 61 **Ordinance No. ORD-2009-9141** -- Amending Subsections (B) and (C) of Section 61-3 and Section 61-8 of Chapter 61 Entitled "Irving Advisory Committee on Disabilities" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Increasing the Voting Members from Nine (9) to Eleven (11) and Providing for Voting; and Providing a Severability Clause

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

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

### INDIVIDUAL CONSIDERATION

#### ZONING CASES AND COMPANION ITEMS

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- 62 Resolution No. RES-2009-553** -- Approving Special Sign Permit No. S0911-0043 to Replace Existing Incandescent Message Center with a 15' X 5' Electronic Message Center Located at 2950 West Airport Freeway - Victoria Gaspryan, Applicant Representing Trinity Broadcasting Network

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>	Rose Cannaday, Councilwoman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 63 Resolution No. RES-2009-500** -- ZC09-0034 - Requesting a Variance to Build an Electric Security Fence - Approximately 34.5 Acres Located at 200 North Belt Line Road - Electric Guard Dog, Applicant - Roadway Express, Owner (Postponed at the November 5, 2009 City Council Meeting)

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

Michael Pate, Electric Guard Dog, 7608 Fairfield Road, Columbia, SC, presented the case.

The following were also present for this item from Roadway Express were Jaime Alaverz, Regional Manager, James Austin, Regional Security Manager and J.J. Coffee, Director of Law Enforcement Services.

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

<b>RESULT:</b>	<b>DENIED [4 TO 5]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Herbert Gears, Lewis Patrick, Joe Philipp, Rose Cannaday
<b>NAYS:</b>	Van Duyne, Meagher, Stopfer, Smith, Spink

- 64 Ordinance No. ORD-2009-9142** -- Zoning Case #ZC09-0043 - Granting S-P-2 (Generalized Site Plan) for C-O (Commercial Office) and Senior Living Facility Uses - Approximately 4.807 Acres Located at 3501 North MacArthur Boulevard - Baldwin Associates, Applicant - SCS Capital Group, LLC, Owner

Mayor Gears stated that this item would be postponed to the February 18, 2009 City Council meeting.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 2/18/2010 7:00 PM</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 65 Ordinance No. ORD-2009-9143** -- Zoning Case #ZC09-0053 - Granting C-N (Neighborhood Commercial) Uses - Approximately 1.15 Acres Located at 313 South Belt Line Road (Northwest Corner of Belt Line Road and Thousand Oaks Boulevard) - Z & R Food Corporation LLC, Owner/Applicant

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>	Allan Meagher, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 66 Ordinance No. ORD-2009-9144** -- Zoning Case #ZC09-0056 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 3.34 Acres Located on the Southeast Corner of Belt Line Road



and Willow Creek Drive - Quik Trip Corporation, Applicant - United Flotation Inc., Owner

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

The applicant Chad Stanford, Quik Trip Corporation, 1120 N. Industrial Blvd., Euless, presented this case.

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

Tom W. Frencit, 1606 Canadian Circle, Grand Prairie, Texas 75050

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

- 67 Ordinance No. ORD-2009-9145** -- Comprehensive Plan Amendment #ZC09-0057 - Amending the Comprehensive Plan to Change the Recommended Land Use from "Retail" to "Low Density Residential" Uses - Approximately 23.8 Acres Located North of Home Depot Drive, Between Ranch Trail and Market Place Boulevard - Hines Las Colinas Land, LP, Applicant - Ranch Trail Partners, LP, Owner (Postponed at the December 3, 2009 City Council Meeting)

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 1/14/2010 7:00 PM</b>
<b>MOVER:</b>	Allan Meagher, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 68 Ordinance No. ORD-2009-9146** -- Zoning Case #ZC09-0057 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 23.8 Acres Located North of Home Depot Drive Between Ranch Trail and Market Place Boulevard - Hines Las Colinas Land, LP, Applicant - Ranch Trail Partners, LP Owner (Postponed at the December 3, 2009 City Council Meeting)

Mayor Gears stated that this item would be postponed to the January 14, 2009 City Council meeting.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 1/14/2010 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

- 69 Ordinance No. ORD-2009-9147 -- Zoning Case #ZC09-0058 - Granting S-P-2 (Generalized Site Plan) for R-10 (Single Family Residential) Uses - Approximately 52.46 Acres Located on the West Side of Riverside Drive, South of Customer Way - Hines Las Colinas Land, LP, Owner/Applicant**

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

There were no speakers.

Danny Opitz, representing Land Limited Partnership presented the case.

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

- 70 Ordinance No. ORD-2009-9148 -- Zoning Case #ZC09-0061 - Granting S-P-2 (Generalized Site Plan) for P-O (Professional Office) District Uses - Approximately 2.9 Acres Located at 204 East Airport Freeway - Healthspace JVI, LLC, Applicant - Argonaut Holdings, Inc., Owner (Postponed at the December 3, 2009 City Council Meeting)**

Mayor Gears stated that this item would be postponed the January 14, 2009 City Council meeting.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 1/14/2010 7:00 PM</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

- 71 Ordinance No. ORD-2009-9149 -- Zoning Case #ZC09-0062 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial), Convention Center, Retail, Entertainment, Hotel, Restaurant and Related Uses - Approximately 23.81 Acres Located at the Northwest Corner of Las Colinas Boulevard and Fuller Road - City of Irving, Owner/Applicant**

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>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

## APPOINTMENTS AND REPORTS

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- 72 Resolution No. RES-2009-554 -- Appointment to the Irving Flood Control District Section III to Fill Two Two-Year Terms Expiring January 2012 and One Unexpired Term Expiring January 2011**

Mayor Gears introduced the item and Councilwoman Cannaday stated that this item would be postponed to a future meeting.

<b>RESULT:</b>	<b>POSTPONED NO VOTE</b>
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- 73 Resolution No. RES-2009-555 -- Appointing a Board Chair to the Tax Increment Reinvestment Zone Board with a Term Expiring January 2011**

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

Councilwoman Cannaday moved to reappoint Bobby Stewart to Chair of the Tax Increment Board.

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

**74 Resolution No. RES-2009-556** -- Appointments to Boards, Commissions, and Committees, to Fill Two Year Terms Expiring November 2011, and Various Unexpired Terms for the Following: Arts Board, Building and Standards Commission, Construction Board of Appeals, Library, and Zoning Board of Adjustments and Appeals

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

Councilwoman Cannaday moved to make the following appointments:

Irving Arts Board – to appoint Francesca Funk to a term expiring November 2010

Library Board – to appoint Maruja Lorica to a term expiring November 2011

Zoning Board of Adjustments and Appeals to appoint Oscar Ward to a term expiring November 2010

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

**75 Mayor’s Report**

Councilman Patrick announced that a Public Works meeting will be held on Monday, December 7, 2009 at 11:30 a.m.

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)

### Supplemental Item

City Attorney Charles R. Anderson read the Mayor and Council into executive session at 9:10 p.m.

Legal Advice – Irving Hospital Authority

The meeting reconvened into open session at 9:30 p.m.

#### 76 Adjournment

The meeting adjourned at 9:30.

### Citizens' Forum

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Lee Lowrie, 512 S. Jefferson, spoke and urged the Irving City Council not to adopt the new proposed registration and training requirements for restaurant workers. She said the new requirements would not only hurt the workers at the low end of the chain, but would also create undue hardship on restaurant owners. She said Irving could also lose revenue from tourist and business travelers as restaurants began to move out of Irving due to the cost of implementing the new requirements.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary

Minutes Acceptance: Minutes of Dec 3, 2009 7:00 PM (CONSENT AGENDA)