

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
August 6, 2009**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, August 6, 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 Duyne	Irving City Council	Councilwoman	Present	
Allan Meagher	Irving City Council	Councilman	Present	
Lewis Patrick	Irving City Council	Councilman	Present	
Rick Stopfer	Irving City Council	Councilman	Present	
Sam Smith	Irving City Council	Councilman	Present	
Joe Philipp	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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There were no organizational service announcements made.

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**INVOCATION**

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The invocation was delivered by Reverend John Fletcher, Oak Haven United Methodist Church of the City Of Irving.

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**PLEDGE OF ALLEGIANCE**

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Councilman Patrick led those present in the pledge.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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High Spirited Citizen Award:

Mayor Gears presented the following with a High Spirited Citizen Award:

Mary Gardner  
Barbara Terrill  
Jean Werry

Also know as the "House Ladies" as they have been faithfully responsible for the care of the Heritage House.

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**CITY COUNCIL AGENDA**

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

City Manager Tommy Gonzalez announced that the Irving Community Television Network has been recognized for the best government programming in the entire state. The station received the first-

place award in the most coveted category - Overall Excellence in Government Programming. In addition, ICTN received:

First place in Community Event Coverage category for Irving: Game of the Week

Second place in the Best Magazine Series category for City Source

Second place in Special Audience Programming category for Resident Report

Third place in the Special Audience Programming category for La Ciudad de Irving- Con la Comunidad

The City Manager's video was also shown providing an update on the strategic plan goals.

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## **CONSENT AGENDA**

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The consent agenda items 2 through 30 were considered for approval. Mayor Gears stated that Councilwoman Van Duyne requested to pull items #10, #29 and #30. Mayor Gears also stated that item #27 would also be pulled from the Consent agenda. Councilman Philipp moved to approve the consent agenda items 2-30, excluding Items #10 #27 #29 and #30. Seconded by Councilman Meagher, the motion was approved by a vote of 9-0.

**2 Approving Minutes for Wednesday, July 22, 2009**

**3 Approving Minutes for Thursday, July 23, 2009**

**4 Resolution No. RES-2009-337 -- Approving Articles of Incorporation and Bylaws for a Local Government Corporation to Aid and Assist the Development of High-Speed Passenger Rail Service Within the South Central and Gulf Coast High-Speed Rail Corridors and Appointing Directors**

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

**5 Resolution No. RES-2009-338 -- Authorizing the Mayor to Accept Grant Funds Through the Fiscal Year 2009 Emergency Management Performance Grant (EMPG) Offered by the Governor's Division of Emergency Management**

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

- 6 Resolution No. RES-2009-339 -- **Approving an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Irving Independent School District (IISD) to Maintain the School Resource Officer Program at IISD Campuses**

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

- 7 Resolution No. RES-2009-340 -- **Approving an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Carrollton-Farmers Branch Independent School District (C-FBISD) to Maintain the School Resource Officer Program at C-FBISD Campuses Located in the City of Irving**

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

- 8 Resolution No. RES-2009-341 -- **Renewing the Annual Contract with Grant Thornton, LLP for the Purpose of Examining the Books and Records of the City of Irving for FY2008-2009**

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

- 9 Resolution No. RES-2009-342 -- **Approving Policy Concerning Disposition of Surplus Property – Texas Stadium**

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

- 10 Resolution No. RES-2009-343 -- **Approving a Professional Services Agreement with Gideon Toal Incorporated for Planning and Economic Development Services Related to the Creation of a Tax Increment Reinvestment Zone (TIRZ) for the Irving Boulevard Corridor**

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

Councilwoman Van Duyne requested that a presentation on this item be made. Advanced Planning Manager Kevin Kass, explained the terms of the agreement and the role the consultant will play in the creation of a TIF.

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

- 11 Resolution No. RES-2009-344 -- **Approving a Sales Contract for the Acquisition of Property Located at 1521 Cooper Drive for the Grauwlyer Road Paving Improvements from Carl Road to Loop 12 Project - Charlie Faye Miller, Property Owner**

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

- 12 Resolution No. RES-2009-345 -- **Approving a Contract for the Acquisition of a of Single-Family Residence Located at 1403 Sixth Street – J. C. Leasing, LLP, Property Owner**

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

- 13 Resolution No. RES-2009-346 -- **Approving a Purchase Contract for the Acquisition of a Fourplex Located at 2825 Tudor Lane - Fannie Mae, Property Owner**

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

- 14 Resolution No. RES-2009-347 -- **Approving an Assignment of Contract of Sale to the City of Irving for the Acquisition of a Fourplex Located at 2905 Tudor Lane - L. A. Garcia, Assignor**

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

- 15 Resolution No. RES-2009-348 -- **Approving an Assignment of Contract of Sale to the City of Irving for the Acquisition of a Fourplex Located at 2909 Tudor Lane - Brian Garcia, Assignor**

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

- 16 Resolution No. RES-2009-349 -- **Approving an Assignment of Contract of Sale to the City of Irving for the Acquisition of a Fourplex Located at 2913 Tudor Lane - Brian Garcia, Assignor**

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

- 17 Resolution No. RES-2009-350 -- **Approving an Assignment of Contract of Sale to the City of Irving for the Acquisition of a Fourplex Located at 3017 Tudor Lane - L. A. Garcia, Assignor**

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

- 18 Resolution No. RES-2009-351 -- **Approving Change Order No. 1 to Eagle Contracting, L.P., for the MacArthur Pump Station**

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

- 19 Resolution No. RES-2009-352 -- **Approving Amendment No. 1 to the HOME Investment Partnership Grant Agreement, Entered into by and Between the Irving Community Development Corporation and the City of Irving, Extending the Term of the Agreement to September 11, 2009**

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

- 20 Resolution No. RES-2009-353 -- **Approving Single Source Award to Dallas County Institute of Forensic Sciences Utilizing Southwest Institute of Forensic Sciences (SWIFS) for Toxicological, Forensic, Environmental, and Physical Evidence Analysis**

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

- 21 Resolution No. RES-2009-354 -- **Renewing Annual Contract with IESI TX Corporation for the Sale of Capacity at Hunter Ferrell Landfill**

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

- 22 Resolution No. RES-2009-355 -- **Renewing Annual Contract with Dyna Pak Corporation for Polyethylene Refuse and Recycling Bags**

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

- 23 Resolution No. RES-2009-356 -- **Approving and Accepting the Bid of Dallas Freightliner - Western Star for a Refuse Collection Boom Truck**

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

- 24 Resolution No. RES-2009-357 -- **Approving and Accepting the Bid of Dallas Lite & Barricade, Inc., for Trailer Mounted Solar Powered Portable Message Signs**

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

- 25 Resolution No. RES-2009-358 -- **Approving and Accepting the Bid of Dallas Freightliner - Western Star for Two Crew Cab Trucks with Long Utility Bodies**

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

- 26 Resolution No. RES-2009-359 -- **Approving and Accepting the Bid of Equipment Southwest, Inc., for an Annual Contract to Provide Parts and Repair Service for Refuse Trucks and Dump Trucks**

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

- 27 Resolution No. RES-2009-360 -- **Establishing a Fee for Emergency Medical Services**

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

Budget Administrator Bret Starr gave a presentation on this item, advising the Council that the fee will be \$1.50 per month added to their Municipal Utility Statement, and the funds will be dedicated to the Fire and Medical Services.

The following registered to speak in opposition of this item.

Andrew Goldsmith, 3000 Wingren Road  
Lucia Rottenberg, 2220 Indian Creek Drive  
Tom Duncan, 925 Murl  
Michael T. Brown, 4729 N. O'Connor Road #1051  
Wally Banks, 3413 Briarcliff Court South

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

G. Peters, 601 Bellah Drive

Councilman Philipp asked for Chief Molina to respond to the citizens concerns.

Fire Chief Molina stated that approximately seventy-seven percent of our transports are residents. Meaning that out of 100% of the time that they transport a patient, 77% are Irving citizens. 60% of their transports are seniors, that are 65 or older. The basic ambulance fee is \$500.00 a month, with the proposed discount that would lower the fee to \$400.00. The city would have the lowest ambulance fee for seniors in the metroplex with the highest quality in the state of Texas. As far as cardiac survival rate, the Irving Fire Department is the highest in the state Texas and second in the nation.

Councilwoman Van Duyne expressed her opposition to this fee.

After lengthy discussion by the Council, the following was noted.

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

- 28 Ordinance No. ORD-2009-9104 -- Amending Chapter 5 Entitled "Ambulance Service" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, to Reduce the Base Fee for Residents and Establish a New Fee for Residents Age 65 or Older Transported by Emergency Ambulance**

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

Wally Banks, 3413 Briarcliff Court South  
G. Peters, 601 Bellah Drive

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

- 29 Ordinance No. ORD-2009-9105 -- **Amending Chapter 25 Entitled “Parks and Recreation” of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing Fees for Use of Facilities and Fees for Use of Natatorium and Aquatic Centers**

Mayor Gear introduced the item and asked for staff to give a presentation on this item. Director of Parks and Building Maintenance Chris Michalski explained the change in nonresident fees and stated that the city would be leave all current resident fees.

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

- 30 Ordinance No. ORD-2009-9106 -- **Providing for the Issuance and Sale of City of Irving, Texas, Hotel Occupancy Tax Revenue Bonds, Taxable Series 2009A, in the Aggregate Principal Amount of \$8,000,000; Approving and Authorizing the Execution and Delivery of a Bond Installment Agreement and a Paying Agent/Registrar Agreement; and Prescribing Other Matters with Respect Thereto**

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

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

## INDIVIDUAL CONSIDERATION

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- 31** Resolution No. RES-2009-361 -- **Approving Special Sign Permit No. S0906-0063 to Install a Sign with Digital Images on an Existing Pole Sign Located at 4221 West John W. Carpenter Freeway - Melanie Hancock, Applicant Representing Protection One**

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

Melanie Hancock, Hancock Sign Company, representing the applicant presented the case.

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

- 32** Resolution No. RES-2009-362 -- **Approving Special Sign Permit No. S0906-0068 to Install a Sign with Digital Images on a Pole Sign Relocated at 2611 West Airport Freeway - Zeke Bullock, Applicant Representing Accor Hotels**

Mayor Gears stated that the applicant has requested to be posted indefinitely.

<b>RESULT:</b>	<b>POSTPONED [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

- 33** Resolution No. RES-2009-363 -- **Approving Special Sign Permits S0907-0053 and S0907-0054 to Install Digital Displays on the Advertising Structures Located at Texas Stadium - Teresa Moore, Applicant Representing Clear Channel - City of Irving, Property Owner**

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition. Mayor Gears noted that items #33, #34 and #35 are companion items. Director of Building Inspections Gary Miller gave an update of this item. Mr. Miller stated that a power point presentation was presented at work session.

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

**34 Resolution No. RES-2009-364 -- Approving Special Sign Permit S0907-0061 to Install a Digital Billboard on One Face of a Relocated Billboard at 5110 West Airport Freeway - Teresa Moore, Applicant Representing Clear Channel**

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

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

Dan Strimple, 5310 W. Airport Freeway

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

**35 Resolution No. RES-2009-365 -- Approving Special Sign Permit No. S0907-0062 to Install a Digital Billboard on One Face of an Existing Billboard Located at 4402 West LBJ Freeway - Teresa Moore, Applicant Representing Clear Channel**

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

**36 Resolution No. RES-2009-366 -- Authorizing the City Attorney's Office to File a Lawsuit to Require Code Compliance and Platting on Properties Located at 1200-1250 Jim Drive, Irving, Texas**

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

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### ZONING CASES AND COMPANION ITEMS

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- 37** Ordinance No. ORD-2009-9101 -- **Zoning Case #ZC09-0038 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) Uses - Approximately 1.5 Acres Located at 4300 West Airport Freeway (South Side of SH 183, East of Hard Rock Drive) - Greenberg Farrow, Applicant - Drury Southwest Inc., Owner (Postponed at the August 6, 2009 City Council Meeting)**

Mayor Gears introduced the item and stated that it would be postponed to the September 3, 2009 City Council meeting.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 9/3/2009 7:00 PM</b>
<b>MOVER:</b>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 38** Ordinance No. ORD-2009-9107 -- **Zoning Case #ZC09-0041 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.4591 Acres Located at 210 Maltby - JDJR Engineers and Consultants, Inc., Applicant - Irving Housing Finance Corporation, Owner**

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

Jim Dewey, JDJR Engineers, 2500 Texas Drive #100 representing the applicant presented the case.

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

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## APPOINTMENTS AND REPORTS

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- 39** Resolution No. RES-2009-367 -- **Confirming the Appointment by the City Manager of a Commissioner to Serve on the Fire Fighters' and Police Officers' Civil Service Commission to Fill a Term Expiring November 2011**

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition. There were no speakers.  
Councilman Patrick moved to confirm the appointment of Alicia Fernandez-Mott to the Civil Service Commission to a term expiring 2011.

<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

- 40** Resolution No. RES-2009-368 -- **Appointments to the Board of Directors of the Dallas County Flood Control District No. 1**

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition. There were no speakers.  
Councilman Patrick moved that the following appointments be made to the Dallas County Flood Control District Number One: Donna Leipsic to a term expiring August 2010 and to reappoint Robert M. Nelson and Helen Carr to terms expiring August 2011.

<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, Cannaday, Spink

**41 Resolution No. RES-2009-369 -- Appointments to Boards, Commissions, and Committees to Fill Various Unexpired Terms for the Following: Arts Board, Building and Standards Commission, Board of Health, Museum Board, Zoning Board of Adjustments and Appeals**

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

Councilman Patrick moved that the following appointments be made to the City of Irving Board, Commissions and Committee. Arts Board to appoint Tiffany Zielins to Non- Voting Hotlier, Place 2, to a term expiring November 2009 and to the Museum Board to appoint Jane Schwartzman to Place 6 to a term expiring November 2010.

<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, Cannaday, Spink

**42 Adjournment**

The meeting adjourned at 8:45 p.m.

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**Citizens' Forum**

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There were no speakers.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary