

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
June 24, 2010**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, June 24, 2010. 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	
Allan Meagher	Irving City Council	Councilman	Present	
Lewis Patrick	Irving City Council	Councilman	Present	
Rick Stopfer	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Joe Philipp	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Roy Santoscoy	Irving City Council	Councilman	Present	
Mike Gallaway	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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There were no organizational service announcements at tonight's meeting.

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**INVOCATION**

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The invocation was delivered by Pastor Isnel Castro of the House of God Ministries.

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**PLEDGE OF ALLEGIANCE**

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Councilman Patrick led those present in the pledge.

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**SWEARING IN CEREMONY AND RECEPTION**

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Judge Whisler swore in newly elected Council member Gerald Farris to Place 7. Mayor Gears announced that we would break for a reception in honor of the new council member.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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There were no proclamations or announcements at tonight's meeting.

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**CITY COUNCIL AGENDA**

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- 1 Public Hearing** -- Public Input on the 2010-2011 City of Irving Fiscal Year Budget

Mayor Gears opened the public hearing at approximately 7:45 p.m.  
The following individuals signed up to speak:  
Jacqualea Cooley, 1633 Drexel Drive, Irving, TX  
Joyce Howard, 1401 Colony Drive, Irving, TX  
Joe Mapes, 504 N. Main Street, Euless, TX  
Bob McDaniel, 3932 Twin Falls, Irving, TX

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

This item is now being called the "City's Operations Update."

Paul Gooch introduced the following videos:

Operations Update, West Irving Aquatic Center and McDonald's/Heritage Crossing

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**CONSENT AGENDA**

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Motioned by Councilwoman Cannaday, seconded by Councilman Stopfer to approve consent agenda items 3-20, pull item 10 from consideration on the agenda and pull item(s) 5 and 9 for discussion.

Motion approved 9-0.

Note: Councilman Farris abstained from item number 5 on the agenda. An abstention affidavit has been filed with the City Secretary's Office.

**3 Approving Minutes for Wednesday, June 09, 2010**

**4 Approving Minutes for Thursday, June 10, 2010**

**5 Resolution No. RES-2010-141 -- Approving Approximately 1.43 Acre Tract Located in the 1700 Block of Sunnybrook Drive, to be Designated as Public Open Space for Municipal Uses**

The following individuals signed up to speak in opposition of the item:  
Troy Deubler, 1719 Sunnybrook, Irving, TX  
Joyce Howard, 1401 Colony Drive, Irving, TX

The following individuals signed up to speak in favor of the item:  
Vicki Tate, 1710 Timbers Drive, Irving, TX  
Carole Shlipak, 1500 Colony Drive, Irving, TX

The following individuals signed up in opposition to this item but do not wish to speak:

Lisa Deubler, 1719 Sunnybrook Drive, Irving, TX  
Jacqualea Cooley, 1633 Drexel Drive, Irving, TX  
Linda Taylor, 1619 Sunnybrook, Irving, TX

The following individual signed up in support of this item but did not wish to speak:  
Jo Ann Maykus, 1525 Canyon Oaks, Irving, TX

It was requested that staff come back with an update on the drainage issues at a later date, so that it can continue to be addressed.

Motioned by Councilman Philipp, seconded by Councilman Patrick to approve a resolution for approximately 1.43 Acre Tract Located in the 1700 Block of Sunnybrook Drive, to be designated as Public Open Space for Municipal Uses.

Motion approved 8-0-1

Councilman Farris abstained from voting on this item. An abstention affidavit was filed with the City Secretary's Office prior to the meeting.

<b>RESULT:</b>	<b>ADOPTED [8 TO 0]</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Philipp, Cannaday, Santoscoy, Gallaway
<b>ABSTAIN:</b>	Gerald Farris

- 6 Resolution No. RES-2010-142 -- Authorizing the Submission of an Application for a Permit Amendment Relating to the Hunter Ferrell Landfill**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 7 Resolution No. RES-2010-143 -- Authorizing the Submission of an Application to the Texas Forest Service for a Grant of \$10,000 from Urban Forestry Partnership Grant Program Which Will Provide Funding for Tree Assessment on**

Medians and Rights of Way, and If Awarded, Authorizing the Mayor to Execute a Grant Agreement

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 8 Resolution No. RES-2010-50 -- Approving a Professional Services Agreement with Gideon Toal to Provide Consultant Services Within Tax Increment Reinvestment Zone No. 1**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 9 Resolution No. RES-2010-144 -- Approving an Engagement Letter with Vinson & Elkins, L.L.P., for Legal Services Related to the 2010 Entertainment Venue Project Bonds**

The following individuals signed up to speak in opposition of the item:  
Jacqualea Cooley, 1633 Drexel Drive, Irving, TX  
Joyce Howard, 1401 Colony Drive, Irving, TX

The following individuals signed up in opposition to this item but do not wish to speak:  
Kenneth Ewing, 2524 Crestview Circle, Irving, TX  
Cathy Reeves, 1413 McHam Street, Irving, TX  
Oscar Ward, 608 Farine Drive, Irving, TX

Motioned by Councilman Patrick, seconded by Councilman Meagher to approve a resolution for an engagement letter with Vinson and Elkins, LLP, for legal services related to the 2010 Entertainment Venue Project Bonds.

Motion approved 8-1.

Councilman Farris voted in opposition to this motion.

<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, Philipp, Cannaday, Santoscoy, Gallaway
<b>NAYS:</b>	Gerald Farris

- 10 **Resolution No. RES-2010-145** -- Approving an Addendum to the Employment Agreement Between the City of Irving and Tomas Gonzalez

<b>RESULT:</b>	<b>POSTPONED NO VOTE</b>
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- 11 **Resolution No. RES-2010-146** -- Awarding a Contract to CHA, Inc., for Annual Structural Engineering Services

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 12 **Resolution No. RES-2010-147** -- Awarding a Contract to F&F Concrete, LLC, for the Grauwyler Heights Alley Improvements, Section IV Project

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 13 Resolution No. RES-2010-148 -- Approving a Letter Agreement for Acquisition of Easements for the DART LRT Orange Line Project on Property Owned by BH O'Connor Partners, LP**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 14 Resolution No. RES-2010-149 -- Approving an Agreement for Purchase and Sale of Real Estate for the DART LRT Orange Line Project on Property Owned by Tract 10 Properties, L.P.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 15 Resolution No. RES-2010-150 -- Authorizing the Submission of an Application to the Environmental Protection Agency for a Brownfields Community-Wide Petroleum Assessment Grant, and If Awarded, Authorizing the Mayor to Execute a Grant Agreement**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 16 Resolution No. RES-2010-151 -- Approving Dallas County Utility and Reclamation District (DCURD) Raw Water Sale Contract for the Irving Convention Center**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 17 **Resolution No. RES-2010-152** -- Approving the Agreement with Sprint Solutions, Inc., for Cellular Services through the State of Texas Department of Information Resources (DIR) Program

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 18 **Resolution No. RES-2010-153** -- Renewing the Annual Contract with Convergent Technologies for the LENEL Security Systems Hardware Support Services

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 19 **Resolution No. RES-2010-154** -- Approving the Annual Professional Services Agreement with LCA Environmental, Inc., for Environmental Assessment Services

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway

- 20 Resolution No. RES-2010-155 -- Rejecting the Proposals for Museum Retail Store Consultant**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway

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### ZONING CASES AND COMPANION ITEMS

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- 21 Resolution No. RES-2010-156 -- Approving Sign Variance #S1005-0024 - to Allow for Non-Street Facing Wall Signs at 2515 W. Airport Freeway - Consolidated Development Services/Whataburger, Applicant - MSC-1 LTD, Owner**

Mayor Gears opened the public hearing at 9:20 p.m.

Mayor Gears closed the public hearing at 9:24 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman Stopfer to approve sign variance #S1005-0024 located at 2515 W. Airport Freeway.

Motion approved 9-0.



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway

- 22 Resolution No. RES-2010-157** -- Approving Special Fence Plan #ZC10-0008 to Allow a Variance to the Fence Ordinance to Use Electrically Charged Fences - Located at 3100 South Belt Line Road - Sentry Security Systems, Applicant - FedEx Freight East Inc., Owner

The applicant requested that this item be moved to the first meeting in September.

Motioned by Councilman Santoscoy, seconded by Councilman Stopfer to postpone this item to the September 9, 2010 City Council meeting.

Motion approved 9-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 9/9/2010 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway

- 23 Ordinance No. ORD-2010-9198** -- Zoning Case #ZC10-0021 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) and Outdoor Seating Uses - Approximately 2,268 Square Feet Located at 3501 North Belt Line Road - the Dimension Group, Applicant - Town North SC Partner, Ltd., Owner

Mayor Gear opened the public hearing at 9:26 p.m.

The following individual signed up to speak:

Mostafa Setayesh, The Dimension Group, 10755 Sandhill Road, Dallas, TX - Mr. Setayesh is in favor of this item.

Mayor Gears closed the public hearing at 9:26 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman Patrick to approve zoning case ZC10-0021 located at 3501 North Belt Line Road.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

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### APPOINTMENTS AND REPORTS

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- 24 Resolution No. RES-2010-158** -- Appointment to Boards, Commissions, and Committees, to Fill an Unexpired Term for the Housing and Human Services Board

Motioned by Councilwoman Cannaday, seconded by Councilman Patrick to appoint James Dickens, Place 7, to the Housing and Human Services Board, with the term expiring November 2011.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 25 Mayor's Report**

A video from the City Manager's Report was shown.

- 26 Adjournment**

Mayor Gears adjourned the meeting at approximately 9:44 p.m.

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### Citizens' Forum

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Manuel Benavidez, 2108 Meadow Glen, Irving, TX - Mr. Benavidez signed up to speak at citizens' forum but left prior to the meeting adjournment.

Emmanuel Lewis, 1909 Anderson Street, Irving, TX - Mr. Lewis spoke about Irving's evaluation of the immigration process. He distributed information to the Council.

Joe Mapes, 504 N. Main Street, Euless, TX - Mr. Mapes questioned a recent resignation of an employee at city hall.

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Herbert A. Gears, Mayor

ATTEST:

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Shanae Jennings, TRMC  
Acting City Secretary