

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
December 9, 2010**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, December 9, 2010 at 7:10 p.m. 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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Francesa Funk, 1625 Glen Valley, Irving, TX - Ms. Funk spoke to the Council about events that are occurring at the Irving Arts Center.

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**INVOCATION**

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The invocation was delivered by Reverend Albano Tayengo, Kirkwood United Church 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 at tonight's meeting.

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**CITY COUNCIL AGENDA**

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Motioned by Councilman Stopfer, seconded by Councilman Farris to approve consent agenda items 2-28, and pull items 8, 15, 16, 17 and 28 for discussion.

Motion approved 9-0.

1 City Operations Update

There was no operations update at tonight's meeting.

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**CONSENT AGENDA**

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Motioned by Councilman Stopfer, seconded by Councilman Farris to approve consent agenda items 2-28, and pull items 8, 15, 16, 17 and 28 for discussion.

Motion approved 9-0.

2 Approving Minutes for Wednesday, November 10, 2010

3 Approving Minutes for Thursday, November 11, 2010

4 Resolution No. RES-2010-356 -- **Approving a Records Control Schedule for Fire Documents**

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

5 Resolution No. RES-2010-357 -- **Authorizing the 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>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

6 Resolution No. RES-2010-358 -- **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>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 7      **Resolution No. RES-2010-359 -- Authorizing the Mayor to Sign an Interlocal Agreement Between the City of Irving and the North Central Texas Council of Governments for Videoconference (VTC) Network Services**

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

- 8      **Resolution No. RES-2010-360 -- Approving the Trust Fund Agreement with North Texas Super Bowl XLV Host Committee, Inc.**

Motioned by Councilwoman Cannaday, seconded by Councilman Gallaway to approve a resolution approving the Trust Fund Agreement with North Texas Super Bowl XLV Host Committee, Inc.  
Motion approved 9-0.

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

- 9      **Resolution No. RES-2010-361 -- Approving an Economic Incentive Agreement Between the City of Irving and Consolidated Electrical Distributors, Inc.**

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

- 10 Resolution No. RES-2010-362 -- **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**

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

- 11 Resolution No. RES-2010-363 -- **Approving an Interlocal Agreement Between the City of Irving and the Irving Flood Control District Section I for Desiltation and Maintenance Related to District Waterways**

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

- 12 Resolution No. RES-2010-364 -- **Approving a Discretionary Service Agreement Between the City of Irving and Oncor Electric Delivery Company, LLC, for Phase 1 - Part 3 Undergrounding of Existing Aerial Utilities at Las Colinas Boulevard Between Lake Carolyn Parkway and Fuller Drive**

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

- 13 **Resolution No. RES-2010-365 -- Approving an Interlocal Agreement Between the City of Irving and Dallas County Community College District for Proposed Improvements to the North Lake College South Campus**

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

- 14 **Resolution No. RES-2010-366 -- Approving a Revised Joint Use Agreement Between the City of Irving and the Dallas County Community College District (DCCCD) to Provide Joint Use of North Lake College Property for Public Mass Transit Facilities, Including the DART Light Rail Orange Line**

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

- 15 **Resolution No. RES-2010-367 -- Supporting the Home Mortgage Interest Deduction and Its Impact to the Irving Housing Market**

The following individuals signed up to speak in favor of this item:  
Sharon Barbosa-Crain, 2608 Allan- a - Dale, Irving, TX

Motioned by Councilwoman Cannaday, seconded by Councilman Philipp to approve a resolution supporting the Home Mortgage Interest Deduction and its impact to the Irving Housing Market.

Motion approved 9-0.

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

- 16 **Resolution No. RES-2010-368 -- Approving a Fee Agreement with Smith, Jackson, Boyer & Bovard P.L.L.C. to Conduct a Review of the Entertainment Center's Expenditures**

The following individuals signed up to speak in favor of this item:

Kensley Stewart, 3916 Tacoma Ct, Irving, TX

Emmanuel Lewis Jr., 1909 Anderson St, Irving, TX

Motioned by Councilwoman Cannaday, seconded by Councilman Stopfer to approve a resolution approving a fee agreement with Smith, Jackson, Boyer & Bovard P.L.L.C. to Conduct a Review of the Entertainment Center's Expenditures.

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, Gallaway

- 17 **Resolution No. RES-2010-341 -- Authorizing the Submittal of a Substantial Amendment to the 2009-2014 Consolidated Plan to the U.S. Department of Housing and Urban Development for the Use of Federal Funding in Support of Public Improvements (Postponed at The November 11, 2010 City Council Meeting)**

Chris Hooper, Director of Housing and Human Services, provided an update to the amendments made to the Consolidated Plan and conveyed the staff recommendations as well as Housing and Human Services recommendations for this project.

The Board originally desired to use this funding for a street lighting project.

The following individuals signed up to speak in favor of this item:  
Phil Smith, 1802 Puritan Drive, Irving, TX

The following individuals signed up to speak in opposition of this item:  
Don Van Slyke, 2617 Castle St., Irving, TX  
Cynthia Faust, 4000 Colony Ct, Irving, TX

The compromise proposed to this project is to put the project out to bid and see what comes back to the City as a proposal for how to proceed on this cost, in an effort to maximize the project and minimize the costs.

Motioned by Councilman Patrick, seconded by Councilwoman Cannaday, to approve a resolution authorizing the submittal of a Substantial Amendment to the 2009-2014 Consolidated Plan to the U.S. Department of Housing and Urban Development for the use of Federal funding in support of public improvements with the understanding that staff is directed to proceed with bidding the project and include in the specifications an opportunity to provide alternatives and that this bid will come back to the Housing and Human Service Board and the Community Services Committee prior to coming back before Council for final approval.

Motion approved 7-2.

With the following members voting in opposition: Mayor Gears and Councilman Gallaway.

<b>RESULT:</b>	<b>ADOPTED [7 TO 2]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Rose Cannaday, Councilwoman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy
<b>NAYS:</b>	Herbert Gears, Mike Gallaway

- 18     **Resolution No. RES-2010-369 -- Authorizing Staff to Negotiate an Engineering Services Agreement with RJN Group, Inc., for a Sanitary Sewer Evaluation Survey (SSES)**

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

- 19 Resolution No. RES-2010-370 -- **Canceling the Contract with DMD Consultants, Inc., for Painting Fire Hydrants**

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

- 20 Resolution No. RES-2010-371 -- **Renewing the Annual Contract with Waste Partners of Texas, Inc., dba Jackpot Sanitation Services (formerly Texas Toilets) for Portable Toilet Rental and Cleaning Services**

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

- 21 Resolution No. RES-2010-372 -- **Approving and Accepting the Bids of Crouch Sand & Gravel, Inc., and Lowery Sand & Gravel Co Inc., for Annual Contracts to Provide Park Grounds Maintenance Materials**



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

- 22 Resolution No. RES-2010-373 -- **Awarding the Contract to Kraftsman Playground & Park Equipment for the Purchase and Installation of two Circulating Sprayground 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>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Gears, Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway

- 23 Resolution No. RES-2010-374 -- **Approving the Purchase from Libra-Tech Corporation for Furnishings for the West Irving Library through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (the BuyBoard Program)**

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

- 24 Resolution No. RES-2010-375 -- **Approving the Purchase from Intelligent Interiors, Inc., for Furnishings for the West Irving Library through the Texas Multiple Award Schedule (TXMAS) Local Government Statewide Cooperative Purchasing Program**

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

- 25 Resolution No. RES-2010-376 -- **Approving the Purchase from AGATI, Inc., for Furnishings for the West Irving Library through the Texas Multiple Award Schedule (TXMAS) Local Government Statewide Cooperative Purchasing Program**

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

- 26 Resolution No. RES-2010-377 -- **Awarding the Single Source Agreement to Black Box Network Services for the Purchase of a 3-Year PASS PLUS Program for the Citywide Telecommunication System**

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

- 27 Ordinance No. ORD-2010-9228 -- **Amending Chapter 7 “Billboards and Signs” of the Land Development Code of the City of Irving, Texas; Providing Penalty, Savings, Severability, and an Effective Date.**

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

- 28 Ordinance No. ORD-2010-9229 -- **Designating a Certain Contiguous Geographic Area in the City of Irving as "Tax Increment Reinvestment Zone Number Two, City of Irving, Texas - Irving Boulevard"; Providing the Effective and Termination Dates for the Zone; Establishing a Tax Increment Fund for the Zone; and Containing Other Matters Related to the Zone**

Mayor Gears opened the public hearing at approximately 8:32 p.m.

The following individuals signed up to speak in opposition of this item:  
Don Van Slyke, 2617 Castle St., Irving, TX  
Lee Lowrie, 512 S. Jefferson St., Irving, TX

Mayor Gears closed the public hearing at approximately 8:45 p.m.

Motioned by Councilman Santoscoy, seconded by Councilman Gallaway to approve an Ordinance designating a Certain Contiguous Geographic Area in the City of Irving as "Tax Increment Reinvestment Zone Number Two, City of Irving, Texas - Irving Boulevard"; Providing the Effective and Termination Dates for the Zone; Establishing a Tax Increment Fund for the Zone; and Containing Other Matters Related to the Zone

Motion approved 8-0.

Councilman Meagher stepped away from the dias.

<b>RESULT:</b>	<b>ADOPTED [8 TO 0]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Mike Gallaway, Councilman
<b>AYES:</b>	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
<b>AWAY:</b>	Allan Meagher

## APPOINTMENTS AND REPORTS

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- 29 Resolution No. RES-2010-378 -- **Confirming the Appointment of the Friends of the Library Liaison to the Library Board**

Motioned by Councilwoman Cannaday, seconded by Councilman Stopfer to confirm the appointment of Carroll Bowers as the Library Liaison to the Friends of the Library Board to a term expiring November 2011.

Motion approved 8-0

Councilman Meagher stepped away from the dias.

<b>RESULT:</b>	<b>ADOPTED [8 TO 0]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
<b>AWAY:</b>	Allan Meagher

- 30 Resolution No. RES-2010-379 -- **Appointments to the Irving Flood Control District Section III to Fill Two-Year Terms Expiring January 2013**

Motioned by Councilwoman Cannaday, seconded by Councilman Patrick to reappoint the following to the Irving Flood Control District, Section III to terms expiring January 2013: Kim Andres, Chris Calvery and Doctor Mazhar Islamraja.  
Motion approved 8-0.

Councilman Meagher stepped away from the dias.

<b>RESULT:</b>	<b>ADOPTED [8 TO 0]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
<b>AWAY:</b>	Allan Meagher

31 Mayor's Report

Mayor Gears had no Mayor's report at tonight's meeting.

32 Adjournment

The meeting adjourned at approximately 9:03 p.m.

**Citizens' Forum**

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Don Van Slyke, 2617 Castle St, Irving, TX - Mr. Van Slyke spoke to the Council regarding the sense of empathy and sensitivity of the staff of Irving to assist those who are more needy than others. He would like to make sure that Irving staff is treating those that need their help with the utmost care and concern.

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Herbert A. Gears, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary