

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
November 11, 2010**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, November 11, 2010 at 7:14 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	Absent	
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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Sharon Barbosa-Crain, 2608 Alan-A-Dale, Irving, TX. - Ms. Barbosa-Crain invited everyone to a special concert in honor of Veteran's Day. She also wanted to thank the Council for the Veteran's Park Celebration today at the library.

Kass Prince, 305 San Mateo Court, Irving, TX. - Ms. Prince invited everyone to attend the Irving Arts Center Holiday Open House; it will be held on December 3, 2010, from 5:30 p.m. until 7:30 p.m. at the Irving Arts Center located at 3333 N. MacArthur Blvd.

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**INVOCATION**

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The invocation was delivered by Pastor Robert Corser, Joy Fellowship Foursquare Church in 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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Mayor Pro Tem Cannaday asked Major Mark Craddock to come forward and presented him with the Red Kettle Campaign Proclamation.

Mayor Pro Tem Cannaday asked Manager of Parks and Recreation Mike Griffith to come forward and presented him and the members of the Tree Board that were present

with the Arbor Day Proclamation.

Mayor Pro Tem Cannaday asked Linda Von Quintus, Group Manager of Public Government Affairs and Anne O’Ryan, Public Policy Strategist and Legislative Advocate to come forward and presented them with the Teen Driver Safety Week Proclamation.

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## CITY COUNCIL AGENDA

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### 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 Patrick, seconded by Councilman Gallaway to approve consent agenda items 2-37, postpone item 29, and pull items 9, 13, 14, 20, 31, 32 and 33 for discussion and individual consideration.

Motion approved 8-0.

### 2 Approving Minutes for Wednesday, October 20, 2010

### 3 Approving Minutes for Thursday, October 21, 2010

### 4 Resolution No. RES-2010-325 -- Authorizing the Mayor to Accept Funding from the Office of the Governor, Criminal Justice Division, for a Gang Initiative Grant

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

### 5 Resolution No. RES-2010-326 -- Authorizing the Mayor to Enter into an Agreement with the Texas Department of Public Safety/State Administrative

**Agency (DPS/SAA) to Receive and Participate in the Fiscal Year 2010  
Homeland Security Grant Program**

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

- 6** Resolution No. RES-2010-327 -- **Approving the Agreement Between the City of Irving, Dallas County Department of Health and Human Services Older Adult Services Program, and the Dallas Area Agency on Aging to Extend Nutrition Services and Provide Daily Meals to Senior Citizens at the Heritage Senior Activity Center through September 30, 2011**

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

- 7** Resolution No. RES-2010-328 -- **Reimbursing the City of Irving for Capital Expenditures for Streets, Parks, Libraries, Water/Sanitary Sewer Projects and Municipal Drainage Public Improvements in Advance of the Fiscal Year 2011 Bond Sales**

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

**8 Resolution No. RES-2010-329 -- Authorizing the Mayor to Waive the City of Irving's Allocation of State of Texas Recovery Zone Bonds**

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

**9 Resolution No. RES-2010-330 -- Approve Allocating Savings Associated with the Refunding of General Obligation Bonds as a Loan to Provide Payment Relief to a Portion of the Convention Center Certificates of Obligation, Series 2001 and 2009, and the Terms of Repayment of the Loan.**

The following individual signed up to speak in opposition of this item:  
Kensley Stewart, 3916 Tacoma Street, Irving, TX

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

Kenneth Ewing, 2524 Crestview Circle, Irving, TX  
James Baker, 2724 Lake Gardens Drive, Irving, TX

Motioned by Councilman Philipp, seconded by Councilman Patrick to approve allocating savings associated with the refunding of General Obligation Bonds as a loan to provide payment relief to a portion of the Convention Center Certificates of Obligation, Series 2001 and 2009, and the Terms of Repayment of the Loan.

Motion approved 8-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
<b>ABSENT:</b>	Herbert Gears

- 10 Resolution No. RES-2010-331 -- **Awarding a Professional Services Contract to Hidell and Associates Architects for the Design and Implementation of the South Irving Library**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Galloway, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
<b>ABSENT:</b>	Herbert Gears

- 11 Resolution No. RES-2010-332 -- **Awarding a Contract to RKM Utility Services, Inc., for 2009 Water Main Replacement Section III Project**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Galloway, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
<b>ABSENT:</b>	Herbert Gears

- 12 Resolution No. RES-2010-333 -- **Awarding a Contract to SYB Construction Inc., for the Hard Rock Road and Pioneer Drive Paving Improvements Phase 1A Project**

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

**13 Resolution No. RES-2010-334 -- Approving a Sales Contract for the Acquisition of Properties Located at 123 West Irving Boulevard and 100 Rock Island Road**

The following individuals signed up to speak in opposition of this item:  
Lorraine Taylor, 321 S. O'Connor Road, Irving, TX

The following individuals signed up in opposition of this item but did not wish to speak:  
Kenneth Ewing, 2524 Crestview Circle, Irving, TX  
James Baker, 2724 Lake Gardens Drive, Irving, TX

Motioned by Councilman Stopfer, seconded by Councilman Patrick to approve a sales contract for acquisition of properties located at 123 West Irving Boulevard and 100 Rock Island Road.

Motion approved 7-1.

Councilman Gallaway voted in opposition of this item.

<b>RESULT:</b>	<b>ADOPTED [7 TO 1]</b>
<b>MOVER:</b>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy
<b>NAYS:</b>	Mike Gallaway
<b>ABSENT:</b>	Herbert Gears

**14 Resolution No. RES-2010-335 -- Approving a Sales Contract for the Acquisition of Property Located at 124 South O'Connor Road**

The following individual signed up to speak in opposition of this item:  
Lorraine Taylor, 321 S. O'Connor Road, Irving, TX

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

Kenneth Ewing, 2524 Crestview Circle, Irving, TX  
James Baker, 2724 Lake Gardens Drive, Irving, TX

Motioned by Councilman Patrick, seconded by Councilman Stopfer to approve a sales contract for the acquisition of property located at 124 South O'Connor Road.

Motion approved 7-1.

Councilman Gallaway voted in opposition of this item.

<b>RESULT:</b>	<b>ADOPTED [7 TO 1]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy
<b>NAYS:</b>	Mike Gallaway
<b>ABSENT:</b>	Herbert Gears

- 15 Resolution No. RES-2010-336 -- **Approving a Fee Agreement with Omni Mandalay Hotel at Las Colinas in Connection with the 14th Annual Transportation and Infrastructure Summit**

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

- 16 Resolution No. RES-2010-337 -- **Adopting the City of Irving's Legislative Program for the 2011 82nd Session of the Texas Legislature**

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

- 17 Resolution No. RES-2010-338 -- **Awarding an Engineering Services Agreement with Deltatek Engineering for Services Associated with the Rehabilitation of Tank No. 4 at the Hackberry Pump Station and the Northwest Elevated Storage Tank**

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

- 18 Resolution No. RES-2010-339 -- **Approving Oncor Electric Delivery Company LLC Facilities Extension Agreement for the Extension of Non-Standard Delivery System Facilities to the Irving Convention Center**

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

- 19 Resolution No. RES-2010-340 -- **Approving and Accepting Bid of Partners by Design, LLC for Portable Food Service Carts for the Irving Convention Center**



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

**20 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**

The following individual signed up to speak in favor of this item:  
Carole Shlipak, 1500 Colony Drive, Irving, TX

The following individuals signed up to speak in opposition of this item:  
Phil Smith, 1802 Puritan Drive, Irving, TX  
Mike DiPietro, 7300 Native Oak Lane, Irving, TX  
Cynthia Faust, 400 Colony Court, Irving, TX

Motioned by Councilman Philipp, seconded by Councilman Farris to postpone this item to the December 9, 2010 meeting in an effort to get additional answers to questions that have been raised by the Housing and Human Services Board.

Motion approved 8-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 12/9/2010 7:00 PM</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
<b>ABSENT:</b>	Herbert Gears

**21 Resolution No. RES-2010-342 -- Renewing Annual Contracts with Stark Holding, Inc., (formerly Eurostaff) and Trend Personnel Services, Inc., (formerly Business Professional Staffing) for Temporary Personnel Services**

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

- 22 Resolution No. RES-2010-343 -- **Renewing Annual Contract with Intelight, Inc., for Advanced Traffic Signal Controllers**

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

- 23 Resolution No. RES-2010-344 -- **Renewing Annual Contract with Structural & Steel Products, Inc., for Standard Dark Bronze Signal Pole Assemblies**

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

- 24 Resolution No. RES-2010-345 -- **Renewing Annual Contract with MasTec North America, Inc., for Freeway and Street Lighting Maintenance and On-Call Services**

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

- 25 Resolution No. RES-2010-346 -- **Renewing Annual Contract with Consolidated Traffic Controls, Inc., for Vehicle Traffic and Pedestrian Signal Heads**

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

- 26 Resolution No. RES-2010-347 -- **Renewing Annual Contract with Air-Conditioning Innovative Solutions, Inc., for Chilled Water Compressor Annual Maintenance and Service**

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

- 27 Resolution No. RES-2010-348 -- **Approving an Agreement Between the City of Irving and Hunt County to Establish a Mutual Cooperative Purchasing Program**

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

- 28 Resolution No. RES-2010-349 -- **Approving and Accepting the Bid of Great Southwest Meters, Inc., for an Annual Contract to Provide Large Water Meter Testing and Repair**

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

- 29 Resolution No. RES-2010-350 -- **Approving the Single Source Award to Black Box Network Solutions for the Purchase of an E911 Alert System**

This item is being postponed.

<b>RESULT:</b>	<b>POSTPONED NO VOTE</b>
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- 30 Resolution No. RES-2010-351 -- **Approving an Accepting the Bid from Unica Janitorial Services for an Annual Contract to Provide Custodial Services for the Irving Arts Center**

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

**31 Ordinance No. ORD-2010-9218 -- Waiving the Statutory Maximum Contribution Rate to the Texas Municipal Retirement System Under Chapter 855 of the Texas Government Code.**

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

Kenneth Ewing, 2524 Crestview Circle, Irving, TX  
James Baker, 2724 Lake Gardens Drive, Irving, TX

Motioned by Councilman Stopfer, seconded by Councilman Patrick to waive the Statutory Maximum Contribution Rate to the Texas Municipal Retirement System under Chapter 855 of the Texas Government Code.

Motion approved 8-0.

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

**32 Ordinance No. ORD-2010-9219 -- Consider and Take Action on an Ordinance Authorizing the Issuance of City of Irving, Texas, General Obligation Refunding and Improvement Bonds, Series 2010A, in an Aggregate Principal Amount Not to Exceed \$42,000,000; 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, an Escrow 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**

Motioned by Councilman Stopfer, seconded by Councilman Patrick to approve Action on an Ordinance Authorizing the Issuance of City of Irving, Texas, General Obligation Refunding and Improvement Bonds, Series 2010A, in an Aggregate Principal Amount Not to Exceed \$41,600,000; 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, an Escrow 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.

Motion approved 8-0.

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

- 33 **Ordinance No. ORD-2010-9220 -- Consider and Take Action on an Ordinance Providing for the Issuance of City of Irving, Texas, Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2010, in an Aggregate Principal Amount Not to Exceed \$76,000,000; Providing for the Award of the Sale Thereof in Accordance with Specified Parameters; Authorizing the Execution and Delivery of a Bond Purchase Agreement Relating to Such Bonds; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement, a Disclosure Counsel Engagement Letter and an Escrow Agreement; Approving the Official Statement and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance**

Motioned by Councilman Stopfer, seconded by Councilman Patrick to approve Action on an Ordinance Providing for the Issuance of City of Irving, Texas, Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2010, in an Aggregate Principal Amount Not to Exceed \$76,000,000; Providing for the Award of the Sale Thereof in Accordance with Specified Parameters; Authorizing the Execution and Delivery of a Bond Purchase Agreement Relating to Such Bonds; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement, a Disclosure Counsel Engagement Letter and an Escrow Agreement; Approving the Official Statement and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance.

Motion approved 8-0.

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

- 34 Ordinance No. ORD-2010-9221 -- Amending Subsections (A) and (C) of Section 20-3 and Subsection (B)(4) of Section 20-4 of Chapter 20 Entitled "Library" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Increasing the Voting Members from Seven (7) to Nine (9) and Providing for Voting; and Providing a Severability Clause**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Galloway, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
<b>ABSENT:</b>	Herbert Gears

- 35 Ordinance No. ORD-2010-9213 -- Final Reading -- Granting a Franchise to B & B Waste Transit, Inc., for Solid Waste Collection Services Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Galloway, Councilman
<b>AYES:</b>	Meagher, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
<b>ABSENT:</b>	Herbert Gears

- 36 Ordinance No. ORD-2010-9222 -- **Authorizing the Abandonment of a 16-Foot Alley Between West Irving Boulevard and West Rock Island Road, West of Main Street**

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

- 37 Ordinance No. ORD-2010-9223 -- **Authorizing the Abandonment of a Portion of Tucasa Drive from State Highway 183 to Approximately 1142 Feet South**

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

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## ZONING CASES AND COMPANION ITEMS

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- 38 Resolution No. RES-2010-352 -- **Approving Special Sign Permit #S1006-0009 to Construct a Five Foot Tall Wall Sign in Lieu of a Three Foot Tall Wall Sign Previously Approved by City Council - Property Located at 302 West Irving Boulevard - McDonald's Corporation, Applicant/Owner**

Mayor Pro Tem Cannaday opened the public hearing at approximately 8:55 p.m.

No one elected to speak at tonight's public hearing.

Mayor Pro Tem Cannaday closed the public hearing at approximately 8:55 p.m.

Motioned by Councilman Farris, seconded by Councilman Stopfer to approve a special sign permit #S1006-0009 to construct a Five Foot Tall Wall Sign in Lieu of a Three Foot Tall Wall Sign Previously Approved by City Council - Property



Located at 302 West Irving Boulevard - McDonald's Corporation, Applicant/Owner.

Motion approved 8-0.

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

- 39 Resolution No. RES-2010-353 -- **Approving Special Sign Permit #S1009-0047 to Allow Digital Signs on Existing Theme Tower - Property Located at 2190 East John Carpenter Freeway - Clear Channel Outdoor, Applicant - Greater Irving-Las Colinas Chamber of Commerce, Agent**

Mayor Pro Tem Cannaday opened the public hearing at approximately 8:55 p.m.

No one elected to speak at tonight's public hearing.

Mayor Pro Tem Cannaday closed the public hearing at approximately 8:56 p.m.

Motioned by Councilman Santoscoy, seconded by Councilman Philipp to approve special sign permit S1009-0047 to allow digital signs on Existing Theme tower - Property located at 2190 East John Carpenter Freeway - Clear Channel Outdoor, Applicant - Greater Irving-Las Colinas Chamber of Commerce, Agent.

Motion approved 8-0.

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

- 40 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 (Postponed at the September 23, 2010 City Council Meeting)**

Mayor Pro Tem Cannaday opened the public hearing at approximately 8:56 p.m.

The applicant Cindy Gsell, Sentry Security Systems, 7608 Fairfield Road, Columbia, SC 29203 presented the case.

Mayor Pro Tem Cannaday closed the public hearing at approximately 9:00 p.m.

Motioned by Councilman Patrick, seconded by Councilman Gallaway 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.

Motion approved 8-0.

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

**41 Ordinance No. ORD-2010-9224 -- Zoning Case #ZC10-0035 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 1.9 Acres Located at 1328 Etain Road - Jose Rodriguez, Applicant/Owner**

Mayor Pro Tem Cannaday opened the public hearing at approximately 9:04 p.m.

No one elected to speak at tonight's public hearing.

Mayor Pro Tem Cannaday closed the public hearing at approximately 9:04 p.m.

Motioned by Councilman Farris, seconded by Councilman Meagher to approve Zoning Case #ZC10-0035 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 1.9 Acres Located at 1328 Etain Road - Jose Rodriguez, Applicant/Owner.

Motion approved 7-0.

Councilman Stopfer stepped away from the meeting.

<b>RESULT:</b>	<b>ADOPTED [7 TO 0]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Allan Meagher, Councilman
<b>AYES:</b>	Meagher, Patrick, Farris, Philipp, Cannaday, Santoscoy, Gallaway
<b>ABSENT:</b>	Herbert Gears
<b>AWAY:</b>	Rick Stopfer

- 42 Ordinance No. ORD-2010-9225 -- **Zoning Case #ZC10-0038 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Accessory Use of the Sale of Alcoholic Beverages for On-Premise Consumption) Uses - Approximately 2,273 Square Feet Located at 975 West John W. Carpenter Freeway - D.C. Rightside, Applicant - Dunhill Partners, Owner**

Mayor Pro Tem Cannaday opened the public hearing at approximately 9:05 p.m.

No one elected to speak at tonight's public hearing.

Mayor Pro Tem Cannaday closed the public hearing at approximately 9:05 p.m.

Motioned by Councilman Philipp, seconded by Councilman Farris to approve zoning case #ZC10-0038 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Accessory Use of the Sale of Alcoholic Beverages for On-Premise Consumption) Uses - Approximately 2,273 Square Feet Located at 975 West John W. Carpenter Freeway - D.C. Rightside, Applicant - Dunhill Partners, Owner.

Motion approved 7-0.

Councilman Stopfer stepped away from the meeting.

<b>RESULT:</b>	<b>ADOPTED [7 TO 0]</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Meagher, Patrick, Farris, Philipp, Cannaday, Santoscoy, Gallaway
<b>ABSENT:</b>	Herbert Gears
<b>AWAY:</b>	Rick Stopfer

- 43 Ordinance No. ORD-2010-9226 -- **Zoning Case #ZC10-0040 - Granting S-P-1 (Detailed Site Plan) for ML-20 (Light Industrial) Uses - Approximately 1.8**

**Acres Located at 2436 River Hill Road - JDJR Engineers, Applicant - AAA Auger Holdings, Inc., Owner**

Mayor Pro Tem Cannaday opened the public hearing at approximately 9:06 p.m.

Jim Dewey, JDJR Engineering Consultants, Inc., 2500 Texas Drive, representing the applicant presented the case.

Mayor Pro Tem Cannaday closed the public hearing at approximately 9:06 p.m.

Motioned by Councilman Santoscoy, seconded by Councilman Patrick to approve zoning case #ZC10-0040 - Granting S-P-1 (Detailed Site Plan) for ML-20 (Light Industrial) Uses - Approximately 1.8 Acres Located at 2436 River Hill Road - JDJR Engineers, Applicant - AAA Auger Holdings, Inc., Owner.

Motion approved 7-0.

Councilman Stopfer stepped away from the meeting.

<b>RESULT:</b>	<b>ADOPTED [7 TO 0]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Meagher, Patrick, Farris, Philipp, Cannaday, Santoscoy, Gallaway
<b>ABSENT:</b>	Herbert Gears
<b>AWAY:</b>	Rick Stopfer

**44 Ordinance No. ORD-2010-9227 -- Zoning Case #ZC10-0044 - Granting S-P-1 (Detailed Site Plan) for Wall Signs - Approximately 0.21 Acres Located at 212 West Irving Boulevard - JPT Graphics, Applicant/Owner**

Mayor Pro Tem Cannaday opened the public hearing at approximately 9:07 p.m.

No one elected to speak at tonight's public hearing.

Mayor Pro Tem Cannaday closed the public hearing at approximately 9:07 p.m.

Motioned by Councilman Santoscoy, seconded by Councilman Farris to approve zoning case #ZC10-0044 - granting S-P-1 (Detailed Site Plan) for Wall Signs - Approximately 0.21 Acres Located at 212 West Irving Boulevard - JPT Graphics, Applicant/Owner.

Motion approved 8-0.

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

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## APPOINTMENTS AND REPORTS

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- 45** Resolution No. RES-2010-354 -- **Confirming the Reappointment of Jan Bemis by the City Manager as a Commissioner to Serve on the Fire Fighters' and Police Officers' Civil Service Commission to Fill a Three-Year Term Expiring November 2013**

Motioned by Councilman Patrick, seconded by Councilman Stopfer to confirm the reappointment of Jan Bemis by the City Manager as a Commissioner to serve on the Fire Fighter's and Police Officer's Civil Service Commission to Fill a Three-Year Term Expiring November 2013.

Motion approved 8-0.

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

- 46** Resolution No. RES-2010-355 -- **Appointments to Boards, Commissions, and Committees, to Fill Two Year Terms Expiring November 2012, and Various Unexpired Terms for the Following: Animal Services, Arts Board, Building and Standards Commission, Construction Board of Appeals, Convention and Visitors Bureau, Advisory Committee on Disabilities, Board of Health, Housing and Human Services, Library , Museum, Parks and Recreation, Planning and Zoning Commission, Youth Council, and Zoning Board of Adjustments and Appeals**

Motioned by Councilman Patrick, seconded by Councilman Stopfer, to make the following Appointments to Boards, Commissions, and Committees, to Fill Two Year Terms Expiring November 2012, and Various Unexpired Terms for the

Following: Animal Services, Arts Board, Building and Standards Commission, Construction Board of Appeals, Convention and Visitors Bureau, Advisory Committee on Disabilities, Board of Health, Housing and Human Services, Library, Museum, Parks and Recreation, Planning and Zoning Commission, Youth Council, and Zoning Board of Adjustments and Appeals.

**Animal Services Advisory Committee to Re-Appoint**

Place 2 - Sarah Kammerer  
Place 4 - Doctor Billy Burkett  
Place 6 - Holly Elms

**Arts Board to Re-Appoint**

Place 2 - Robin Beggs  
Place 4 - Francesca Funk  
Place 8 - JoAnn Bresowar

**Appoint**

Place 6 - Elaine Niemeier  
Place 10 - Richard Stewart

**And Appoint**

Place 9 - Ed Bowers to a term expiring 2011

**Building and Standards Commission to Appoint**

Place 2 - Sean Liu  
Place 4 - Oscar Ward  
Alternate - Place 2 - Tito Le

**Construction Board of Appeals to Re-Appoint**

Place 2 - Larry Taylor  
Place 4 - Raymond Brown  
Place 6 - Richard Comstock

**Irving Convention and Visitors Bureau Board to Re-Appoint**

Place 2 - Lisa Sturgeon  
Place 4 - Robert Martinez  
Place 6 - Chris Arrington  
Place 8 - Gail Jackson  
Place 10 - Bob Bula  
Nonvoting Hotelier - Place 2 - Andrew Casperson  
Nonvoting Member - Place 4 - Susan Skaggs

**Dallas County Flood Control District No. 1 to Re-Appoint**

Donna Leipsic

**And Appoint**

Robert M. Nelson Jr.

**Advisory Committee on Disabilities to Re-Appoint**

Place 2 - Doug Mobley

Place 8 - Mary Tatro

Place 10 - Bob Davies

**And Appoint**

Place 4 - Marcia Pulich

Place 6 - Susan Motley

**Board of Health to Re-Appoint**

Place 4 - David Gutierrez

Place 6 - John Drake

Place 8 - Mary Kay Hartley

**And Appoint**

Place 2 - Doctor Michael Chiu

**Housing and Human Services Board to Re-Appoint**

Place 2 - Cynthia Faust

Place 4 - Michael DiPietro

Place 6 - Suzanne Beeman

Place 8 - Phil Smith

**Library Board to Re-Appoint**

Robert Gerard

Bobbie Thomas

**And Appoint**

Virginia Meler

Martha Watson

**Museum Board to Re-Appoint**

Place 6 - Jane Schwartzman

Place 8 - Doctor Clay Gilbert

**And Appoint**

Place 2 - Milosh Boroyevich

Place 4 - Shirley Chowritmootoo

**Parks and Recreation Board to Re-Appoint**

Place 2 - Marion Kwiatkowski

Place 3 - Charles Kirk

Place 4 - Larry Stipes

Place 5 - Trivella Smith

**And Appoint**

Place 1 - Sushil Patel

**Planning and Zoning Commission to Re-Appoint**

Place 1 - John Allen

Place 2 - David Palmer

Place 4 - Al Zapanta

**And Appoint**

Place 3 - Dennis Webb

**Youth Council to Re - Appoint**

Place 2 - Gary Schepf

Place 4 - Doug Fox

Place 6 - Paula Parks

**Zoning Board of Adjustments and Appeals to Re-Appoint**

Oscar Ward

Alternate - Kevin Kasky

**And Appoint**

Deanna Metzger

Alternate - Sheila Johnson

Motion approved 8-0.

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

**47 Mayor's Report**

Mayor Pro Tem Cannaday had no report at tonight's Council meeting.

**48 Adjournment**

The meeting adjourned at approximately 9:17 p.m.



**Citizens' Forum**

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Don Van Slyke - Mr. Slyke spoke to the Council regarding police procedures and some concerns he encountered during a traffic stop around the time of elections.

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Herbert A. Gears, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary