

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
April 21, 2011**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, April 21, 2011 at approximately 7:10 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Herbert Gears	Irving City Council	Mayor	Present	
Allan Meagher	Irving City Council	Councilman	Absent	
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	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

INVOCATION

The invocation was delivered by Pastor Patrick Wooten of Grace Point Church of the City Of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Gears recognized Alma Carrillo, a high school volunteer who was the recipient of 2011 Jean Griffin Award by Municipal Court for exceptional leadership qualities and personal growth.

Mayor Gears presented the proclamation for Civility Awareness Month to Linda Thomas

Mayor Gears presented two proclamations to Housing and Human Services board members for National Fair Housing month and National Community Development Association Week. A video on the city's housing program was presented.

CITY COUNCIL AGENDA

1 City Operations Update

Bradley Perrier, Director of Strategic Services Team, presented a video regarding the West Irving Library grand opening.

CONSENT AGENDA

Motioned by Councilwoman Cannaday, seconded by Councilman Santoscoy to approve consent agenda items 2 - 20 and pull item 12 for discussion.

Motion approved 8-0.

2 Approving Minutes for Wednesday, April 06, 2011

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

3 Approving Minutes for Thursday, April 07, 2011

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 4 Resolution No. RES-2011-93 -- **Approving an Amendment to the 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**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

- 5 Resolution No. RES-2011-94 -- **Approving Partial Settlement - City of Irving and Fred Curtis v. Aetna Fire Underwriters Insurance Company n/k/a Ace Fire Underwriters Insurance Company, Pacific Employers Insurance Company n/k/a Ace Fire Underwriters Insurance Company, and State National Insurance Company, Inc.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

- 6 Resolution No. RES-2011-95 -- **Approving an Agreement Between the City of Irving and The Texas Department of Transportation (TxDOT) for Gateway Monument Signs**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

- 7 Resolution No. RES-2011-96 -- **Approving an Agreement between the City of Irving and The Garland Company, Inc., (dba) Design-Build Solutions, Inc., to Replace the Roof at the Senter Park Recreation Center**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 8 Resolution No. RES-2011-97 -- **Rejecting Bids for the Hospital District Greenspace Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 9 Resolution No. RES-2011-98 -- **Approving an Addendum to an Agreement Between City of Irving and DART to Reallocate Local Assisting Program Funds to Offset the Cost of Construction of Belt Line Grade Separation Project.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 10 Resolution No. RES-2011-99 -- **Approving an Agreement Between the City of Irving and DART to Release Local Assisting Program Funds to Offset the Cost of the Hunter Ferrell Improvement Project.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

- 11 Resolution No. RES-2011-100 -- **Authorizing the Mayor to Sign a Sponsorship Agreement Between the City of Irving on Behalf of the Irving Convention and Visitors Bureau (ICVB) and the Salesmanship Club Charitable Golf of Dallas for the 2011 HP Byron Nelson Championship**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

- 12 Resolution No. RES-2011-101 -- **Approving Amendment No. 3 to the Agreement with HC Beck, Ltd. for Project Management Services Related to the Design and Construction of the Irving Convention Center**

The following individual(s) signed up to speak in support of this item:
Kensley Stewart, 3916 Tacoma, Irving, TX 75062

The following individual(s) signed up in support of this item but did not wish to speak:
Emmanuel Lewis, Jr., 1909 Anderson, St., Irving, TX 75062

Motioned by Councilman Patrick, seconded by Councilwoman Cannaday to approve an amendment No. 3 to the agreement with HC Beck, Ltd. for project management services related to the design and construction of the Irving Convention Center.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 13 Resolution No. RES-2011-102 -- **Renewing the Annual Contract with GST Public Safety Supply, for Police Department Uniforms**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 14 Resolution No. RES-2011-103 -- **Approving the Purchase from Sam Pack's Five Star Ford for Two Ford F-250 X 3/4 Ton Pickup Trucks with Chassis Mount Animal Control Units through the State of Texas Procurement Support Services (TPASS)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 15 Resolution No. RES-2011-104 -- **Renewing the Annual Contract with LifeProtection Maintenance & Consulting, Inc., for Monitoring, Maintenance, and Inspection of Alarm Systems**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 16 Resolution No. RES-2011-105 -- **Renewing the Annual Contract to ACS Government Systems Inc., for Banner Software Maintenance**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 17 Resolution No. RES-2011-106 -- **Approving and Accepting the Bid from DataWorks Plus, LLC, for Photo Management System Software**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 18 Resolution No. RES-2011-107 -- **Approving the Leases with Xerox for Replacement Copiers Utilizing the Cooperative Purchasing Network (TCPN) Program**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

- 19 Resolution No. RES-2011-108 -- **Approving and Accepting the Bid from Ruiz Protective Services, Inc., for Security Service at Irving Arts Center**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

- 20 Ordinance No. ORD-2011-9251 -- **Authorizing the Abandonment of a Portion of a Public Utility Easement on Block 25, Eighth Installment of the Northgate West Addition Located at 3501 N. MacArthur Boulevard**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Galloway
ABSENT:	Allan Meagher

ZONING CASES AND COMPANION ITEMS

- 21 Ordinance No. ORD-2011-9242 -- Amending the Comprehensive Plan to Change the Recommended Land Use from Retail to Light Commercial and Granting S-P-2 (Generalized Site Plan) for Retail and Mini-Warehouse with Caretaker's Quarters Uses in Zoning Case #ZC10-0050 - Approximately 7.2 Acres Located on the Southwest Corner of State Highway 161 and Walnut Hill Lane - Assured Group, Applicant - Don Valk, Owner (Postponed from March 24, 2011)**

Mayor Gears opened the public hearing at approximately 8:00 p.m.

Mike Anderson, 3819 Town Crossing, Suite 200, Mesquite, representative for the applicant, was present to give an overview of the proposed request.

Mayor Gears closed the public hearing at approximately 8:00 p.m.

Notices were mailed to thirty-eight (38) property owners within 200 feet of the subject property, with no letters received in support, one (1) letter of inquiry and three (3) notices received in opposition. The opposition represents 24.8% of the property within 200 feet. Since property owners who have provided written opposition represent 20% or more of the land area within a 200 - foot radius of the property in question, state law requires a 3/4 vote of the entire council to approve the zoning case.

Motioned by Councilwoman Cannaday, seconded by Councilman Philipp to indefinitely postpone Amending the Comprehensive Plan to Change the Recommended Land Use from Retail to Light Commercial and Granting S-P-2 (Generalized Site Plan) for Retail and Mini-Warehouse with Caretaker's Quarters Uses in Zoning Case #ZC10-0050 - Approximately 7.2 Acres Located on the Southwest Corner of State Highway 161 and Walnut Hill Lane - Assured Group, Applicant - Don Valk, Owner.

Motion approved 8-0.

RESULT:	POSTPONED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Joe Philipp, Councilman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

- 22 Ordinance No. ORD-2011-9252 -- Zoning Case #ZC11-0004 - Granting S-P-2 (Generalized Site Plan) for R-MF-2 (Multifamily) Uses, and Approving Multifamily Concept Plan MF11-0001 - Approximately 12.21 Acres Located on the North Side of Spur 348, West of Riverside Drive - Womack + Hampton, Applicant - Lincoln Northwest Phase 2, LP, Owner**

Mayor Gears opened the public hearing at approximately 8:25 p.m.

Mayor Gears closed the public hearing at approximately 8:25 p.m.

Motioned by Councilman Patrick, seconded by Councilwoman Cannaday to approve Zoning Case #ZC11-0004 - Granting S-P-2 (Generalized Site Plan) for R-MF-2 (Multifamily) Uses, and Approving Multifamily Concept Plan MF11-0001 - Approximately 12.21 Acres Located on the North Side of Spur 348, West of Riverside Drive - Womack + Hampton, Applicant - Lincoln Northwest Phase 2, LP, Owner

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Gears, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway
ABSENT:	Allan Meagher

APPOINTMENTS AND REPORTS

23 Mayor's Report

There was no mayor's report presented at this meeting.

24 Adjournment

The meeting adjourned at approximately 8:27 p.m.

Citizens' Forum

John Sherburn, 1501 Singleton, Haslet, TX - Mr. Sherburn spoke to the leadership of Chief Molina and requested that actions be taken so that the firefighters are safe and can continue to do their work.

John Smith, 1114 Douglas, Irving, TX - Mr. Smith spoke regarding low morale within the Fire Department. He stated that the department's morale is directly attributable to the leadership of Chief Molina. Mr. Smith added that there was no trust or confidence in Chief Molina.

Rick Sanderson, 603 Country Green, Arlington, TX - Mr. Sanderson asked the City Council to ensure that in the future they receive fair, reasonable and progressive discipline based on conduct performed.

Phillip Dunn, 512 Arawe Circle, Irving, TX - Mr. Dunn spoke regarding concerns for safety, morale and leadership associated with the Irving Fire Department.

Roy Harvey, 845 W. Irving Blvd, Irving, TX - Mr. Harvey spoke regarding an unhealthy work environment that he believes is within the Irving Fire Department.

Herbert A. Gears, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary