

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
December 8, 2011**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, December 8, 2011 at 7:00 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Beth Van Duyne	Irving City Council	Mayor	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	
Dennis Webb	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

INVOCATION

The invocation was delivered by Pastor Kevin Weathers of Meadowbrook Baptist Church of the City Of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Councilman Lewis Patrick.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Van Duyne presented Mary Oberlin, Co-Chair, Chris Wallace, Co-Chair, and Mary Moorman, Irving Heritage Society President, a proclamation acknowledging the Irving Heritage House 100th Anniversary.

Mayor Van Duyne presented a plaque to Russell Posch for 2011 Volunteer of the Year Award granted by the Texas Animal Control Association.

Mayor Van Duyne presented Joaquin Esqueda with a proclamation recognizing his volunteerism with the Irving Library.

CITIZEN'S FORUM

Steve Armes, 805 Beacon Hill, Irving, TX - Mr. Armes asked the Council to be transparent in city spending.

Mark Small, 14185 Dallas North Parkway, Suite 890, Dallas, TX - Mr. Small spoke regarding proposals for the new Convention Center Hotel and stated that he missed the deadline to submit a proposal by two minutes.

Emmanuel Lewis Jr., 1909 Anderson St., Irving, TX - Mr. Lewis asked the Council to support families of children with autism and assist with community awareness.

Roy Harvey, 845 W. Irving Blvd, Irving, TX - Mr. Harvey spoke about the Irving Fire Department.

Anthony Bond, 4109 W. Northgate #821, Irving, TX - Mr. Bond spoke about reconciliation during this time of year and no hatred toward Hispanics in Irving.

Jill Martinez, 1000 Lake Carolyn #4216, Irving, TX - Ms. Martinez spoke about positive ways to get involved in activities around the City.

Ken Boozer, 2000 Onetta, Irving, TX - Mr. Boozer spoke about the old Fire Station.

Joyce Howard, 1401 Colony, Irving, TX - Ms. Howard spoke about the Entertainment Venue.

Emma West, 3639 W. Northgate, Irving, TX - Ms. West spoke about computer training at the West Irving Library.

David Bennett, 3575 N. Beltline, Irving, TX - Mr. Bennett spoke about teaching kids to tango and promoting healthy lifestyle.

Kensley Stewart, 3916 Tacoma Street, Irving, TX - Mr. Stewart spoke about ethics, campaign contributions, and transparency.

CITY COUNCIL AGENDA

- 1 Ordinance No. ORD-2012-0 -- First Public Hearing -- Re-Enacting Chapter 56 Entitled “Curfew Hours for Minors” of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for a Curfew for Persons Under the Age of Seventeen in the City of Irving**

No one elected to speak during this public hearing. No action was necessary. There will be a second public hearing to adopt this ordinance at the next City Council meeting.

RESULT:

**Public Hearing
Next: 1/12/2012 7:00 PM**

- 2 City Operations Update**

City Attorney, Charles Anderson, presented the City Operations Update.

- 3 Heritage Crossing Update**

No one elected to speak on the Heritage Crossing Update.

Community Services Director Paul Gooch gave a brief update on the Heritage Crossing project.

CONSENT AGENDA

Motioned by Councilwoman Cannaday, seconded by Councilman Santoscoy to approve consent agenda items 4-30.

Motion approved 9-0.

- 4 Approving Minutes for Wednesday, November 16, 2011**

RESULT:

ACCEPTED [UNANIMOUS]

MOVER:

Rose Cannaday, Councilwoman

SECONDER:

Roy Santoscoy, Councilman

AYES: Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

5 Approving Minutes for Thursday, November 17, 2011

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

6 Approving Minutes for Tuesday, November 22, 2011

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

7 Resolution No. RES-2011-325 -- Authorizing the Mayor to Enter into an Agreement with the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (THSSAA) to Receive and Participate in the Fiscal Year 2011 Homeland Security Grant Program

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 8 Resolution No. RES-2011-326 -- **Approving Addendum No. 2 Extending the Contract with IESI TX Corporation for the Sale of Landfill Tonnage at Hunter Ferrell Landfill**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 9 Resolution No. RES-2011-327 -- **Approving the 2011 Supplemental Benefit Plan Document**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 10 Resolution No. RES-2011-328 -- **Approving the 457 Deferred Compensation Plan Amendment**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 11 Resolution No. RES-2011-329 -- **Approving the 2011 Public Agency Retirement System (PARS) Section 457 FICA Alternative Retirement Plan Amendment**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 12 Resolution No. RES-2011-330 -- **Authorizing the City Attorney's Office to File a Lawsuit to Require Zoning and Code Compliance on Property Located at 2109 Concord Drive, Irving, Texas**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 13 Resolution No. RES-2011-331 -- **Approving an Engagement Letter with Gibson, Dunn & Crutcher LLP in Connection with the Appeal of City of Hugo, Oklahoma, et al. v. Nichols, et al.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 14 Resolution No. RES-2011-332 -- **Authorizing Staff to Negotiate a Professional Services Contract with Alliance Geotechnical Group for the Annual Geotechnical Engineering and Construction Materials Testing and Inspection Contract**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 15 Resolution No. RES-2011-333 -- **Approving an Engineering Services Agreement Between the City of Irving and Pacheco Koch for the Design of the MacArthur Utility and Paving Reconstruction Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 16 Resolution No. RES-2011-334 -- **Awarding a Contract to S.J. Louis Construction of Texas, LTD., for the Grauwlyer Road/Jamison Water Line Phase I Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 17 **Resolution No. RES-2011-335 -- Approving Addendum No. 1 to an Engineering Services Agreement Between the City of Irving and Freese and Nichols, Inc., for the Design of the Water Meter Vault Reconstruction, Section IV Project and Miscellaneous Water and Wastewater Main Replacements**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 18 **Resolution No. RES-2011-336 -- Approving Change Order No. 2 to SYB Construction Company, Inc., for the Fifteenth/Robinson and Rainier Alley Water and Wastewater Main Improvements Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 19 **Resolution No. RES-2011-337 -- Authorizing the Mayor to Execute a Local Transportation Project Advance Funding Agreement for Voluntary Maintenance by a Local Government of a Sound Wall on State Highway 183 from West of Story Road to Wingren Road**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 20 Resolution No. RES-2011-338 -- **Approving the Communication Systems Agreement and the Service Maintenance Agreement Between the City of Irving and Motorola Solutions, Inc., for the Citywide Communication Infrastructure Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 21 Resolution No. RES-2011-339 -- **Approving Change Order No. 5 to Eagle Contracting, L.P., for the MacArthur Pump Station**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 22 Resolution No. RES-2011-340 -- **Approving a Reservation Agreement with SMG for the Use of the Irving Convention Center for the 15Th Annual Transportation and Infrastructure Summit**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 23** Resolution No. RES-2011-341 -- **Renewing the Agreement Between the City of Irving and The Bartlett Alliance, Inc., for Training**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 24** Resolution No. RES-2011-342 -- **Approving the Single Source Agreement to Siemens Industry, Inc., for Preventative Maintenance Services for Variable Frequency Drive Pumps at Lake Chapman and Hackberry Pump Stations**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 25** Resolution No. RES-2011-343 -- **Cancelling the Contract with Metro Valve & Pipe Inc., and Approving and Accepting the Bid of HD Supply Waterworks for Brass Fittings**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 26 Resolution No. RES-2011-344 -- **Approving Change Order No. 1 with Maloney Strategic Communications, Inc., for Advertising Agency Representation**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 27 Resolution No. RES-2011-345 -- **Rejecting All Bids for the Aerial Lift for the Irving Convention Center**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 28 Resolution No. RES-2011-346 -- **Rejecting All Bids for Automobile and Truck Parts**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 29 Ordinance No. ORD-2011-9302 -- **Amending the City of Irving, Texas, Emergency Water Management Plan (Drought Contingency Plan and the Water Conservation Plan) to Modify Drought Restrictions in Stages 1 through 5.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 30 Ordinance No. ORD-2011-9303 -- **Authorizing the Abandonment of a Portion of Teleport Boulevard and Associated Public Utility Easements for the DART Orange Line Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

INDIVIDUAL CONSIDERATION

- 31 Resolution No. RES-2011-347 -- **Determining the Estimated Net Bond Proceeds of the City of Irving for the Purpose of Constructing the Entertainment Center Project**

Community Services Director Paul Gooch provided an overview of financing the Entertainment Center project. He stated that the City is contractually obligated to notify the Las Colinas Group what the estimated amount that the city will contribute toward this project. The Las Colinas Group will then have 60 days to provide a loan commitment letter, which is estimated to be \$80,000,000.00, toward the project.

The City financial advisors have recommended the City's bonding capacity is \$128,850,000.00. The council has an opportunity to reduce the amount by \$23,560,000.00 which would enable \$105,290,000.00 to be devoted for construction purposes.

The City will proceed with the bond rating process; First Southwest has been instructed to pursue a rating for \$170,000,000.00.

The resolution currently reflect the City's pledge to secure bonds totaling \$128,850,000.00 in order to meet maximum investment grade and to test the market at \$170,000,000.00. The City Manager, Financial Advisor from First Southwest, and the City's CEO all proposed the same.

Chris Jennings from First Southwest spoke regarding his recommendations as the City's financial advisor.

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

Emmanuel Lewis Jr., 1909 Anderson Street, Irving, TX
Bill Beuck, 3028 Selma, Farmers Branch, TX
Brennan Johnson, 3335 Ricci Lane, Irving, TX
Bob Bourgeois, 3608 Gentry Road, Irving, TX
Jack Spurlock, 1516 W. Pioneer, Irving, TX
Anthony Bond, 4109 W. Northgate #821, Irving TX
Steve Love, 391 E. Las Colinas Blvd., #130, Irving, TX
Nancy Klinke, 610 Via Ravello #407, Irving, TX
Robert Martinez, 1000 Lake Carolyn Parkway, Irving, TX
Jeff Singleton, 218 Rochelle Blvd., Irving, TX
Michael McPhail, 815 Dixon, Irving, TX
Kensley Stewart, 3916 Tacoma Street, Irving, TX
James Cassell, 312 Steeple Chase, Irving TX (did not sign up)

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

Nancy Wilson, 2911 Bryn Mawr Drive, Irving, TX
Randy DeWitt, The Ranch at Las Colinas, Irving, TX
Theodore Cole, 1137 Anderson, Irving, TX
Jan Killen, 901 Olde Town, Irving, TX
Lucia Rottenberg, 2220 Indian Creek Drive, Irving, TX
Joe Mapes, P.O. Box 141864, Irving, TX
Mary Ann Shah, 1920 Shumard Oak, Irving, TX

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

Pam Brown, 1410 Irving Road, Irving, TX
Phil Brown, 1410 Irving Road, Irving, TX
Julia Kang, PO Box 631153, Irving, TX
Mark Reinhardt, 3409 Shorewood Court, Arlington, TX
Terry Cassidy, Urban Towers, Irving, TX
Jonathan Stites, 1900 Rander Drive, Keller, TX
Chris Arrington, 616 Cox Drive, Irving, TX
Roland Medina, 1600 N. MacArthur, Irving, TX

Carl Klinke, 610 Via Ravello, Irving, TX
Wynona Winters, P.O. Box 768, Golthwaite, TX
Jill Martinez, 1000 Lake Carolyn #4216, Irving, TX
Elio Mikus, 9223 Clover Valley, Dallas, TX
Fred Odell, 501 N. Durango Court, Irving, TX
Clem Lear, 4643 O'Connor Court, Irving, TX
Donna Bourgeois, 3608 Gentry Road, Irving, TX
Thelma Johnson, 9401 LBJ Freeway #403, Dallas, TX
Mark Dickenson, 5215 N. O'Connor Blvd, Irving, TX
Douglas Gregory, 900 Kosstr'e Court, Irving, TX
Ed Bowers, 800 Olde Town Drive, Irving, TX
Robert Bourgeois, 3608 Gentry Road, Irving, TX
Estell Odell, 501 Durango Court, Irving, TX

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

James McClain, 908 McCory, Irving, TX
Mary Ann Shah, 1920 Shumard Oak, Irving, TX

Motioned by Councilman Philipp, seconded by Councilman Farris to approve a resolution Determining the Estimated Net Bond Proceeds of the City of Irving for the Purpose of Constructing the Entertainment Center Project (for \$128,800,000.00).

Motion denied 3-6

Council members voting in favor of this motion include: Mayor Van Duyne, Councilman Philipp, and Councilman Farris.

Council members voting in opposition to this motion include: Councilwoman Cannaday, Councilman Gallaway, Councilman Santoscoy, Councilman Patrick, Councilman Stopfer, and Councilman Webb.

Motioned by Councilwoman Cannaday, seconded by Councilman Webb to adopt a resolution Determining the Estimated Net Bond Proceeds of the City of Irving for the Purpose of Constructing the Entertainment Center Project for \$146,440,000.00.

Motion approved 6-3.

Council members voting in favor of this motion include: Councilwoman Cannaday, Councilman Gallaway, Councilman Santoscoy, Councilman Patrick, Councilman Stopfer, and Councilman Webb.

Council members voting in opposition to this motion include: Mayor Van Duyne, Councilman Philipp, and Councilman Farris.

RESULT:	ADOPTED AS AMENDED [6 TO 3]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Dennis Webb, Councilman
AYES:	Patrick, Stopfer, Cannaday, Santoscoy, Gallaway, Webb
NAYS:	Beth Van Duyne, Gerald Farris, Joe Philipp

32 Resolution No. RES-2011-348 -- Approving a Fee Agreement with Premier Meeting and Event Management

Motioned by Councilman Patrick, seconded by Councilman Stopfer to approve a Fee Agreement with Premier Meeting and Event Management

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Rick Stopfer, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

ZONING CASES AND COMPANION ITEMS

33 Resolution No. RES-2011-349 -- Approving Preliminary/Final Plat #PL11-0037 Sullins Industrial Addition, Revised - Approximately 2.41 Acres Located at 1121 Winston Street - Peiser Surveying, LLC, Applicant; Roy Sullins, Owner

Mayor Van Duyne opened the public hearing at approximately 10:36 p.m.

No one elected to speak during this zoning item.

Mayor Van Duyne closed the public hearing at approximately 10:36 p.m.

Motioned by Councilman Patrick, seconded by Councilman Stopfer to approve Preliminary/Final Plat #PL11-0037 Sullins Industrial Addition, Revised -

Approximately 2.41 Acres Located at 1121 Winston Street - Peiser Surveying, LLC, Applicant; Roy Sullins, Owner

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Rick Stopfer, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 34 Ordinance No. ORD-2011-9304 -- Zoning Case #ZC11-0041 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 0.65 Acres Located at 3321 West Pioneer Drive - 3MA Design, Applicant - 4M Management Inc., Owner**

Mayor Van Duyne opened the public hearing at approximately 10:38 p.m.

The following individuals signed up to speak in opposition of this item:
Jerrie Swindell, 2935 Lawrence, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 10:38 p.m.

Motioned by Councilman Farris, seconded by Councilman Stopfer to approve Zoning Case #ZC11-0041 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 0.65 Acres Located at 3321 West Pioneer Drive - 3MA Design, Applicant - 4M Management Inc., Owner

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Rick Stopfer, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 35 Ordinance No. ORD-2011-9305 -- Zoning Case #ZC11-0045 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) - Approximately 0.06 Acres Located at 10009 North MacArthur Boulevard - Wells Assets Management, Applicant - DHC Hawaii Holdings LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 11:17 p.m.

Robert Bloom, Wells Asset Management, he is the applicant and requesting approval.

Mayor Van Duyne closed the public hearing at approximately 11:17 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman Gallaway to approve Zoning Case #ZC11-0045 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) - Approximately 0.06 Acres Located at 10009 North MacArthur Boulevard - Wells Assets Management, Applicant - DHC Hawaii Holdings LLC, Owner

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 36 Ordinance No. ORD-2011-9306 -- **Zoning Case #ZC11-0046 - Granting S-P-1 (Detailed Site Plan) for C-C (Community Commercial) Uses and Reduced Interior Parkway Area - Approximately 1.077 Acres Located at 1308 East Airport Freeway - Pink Consulting, Applicant - McDonalds USA LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 11:19 p.m.

No one elected to speak during this zoning item.

Mayor Van Duyne closed the public hearing at approximately 11:19 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman Santoscoy to approve Zoning Case #ZC11-0046 - Granting S-P-1 (Detailed Site Plan) for C-C (Community Commercial) Uses and Reduced Interior Parkway Area - Approximately 1.077 Acres Located at 1308 East Airport Freeway - Pink Consulting, Applicant - McDonalds USA LLC, Owner

Councilman Philipp was absent during this vote.

Motion approved 8-0.

RESULT:	ADOPTED [8 TO 0]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Roy Santoscoy, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Cannaday, Santoscoy, Gallaway, Webb
ABSENT:	Joe Philipp

37 Ordinance No. ORD-2011-9307 -- Amending Section 52-38 Parking and Loading Development Standards to Revise Paving and Striping Standards and Add Residential Parking Standards and Amending Section 52-35a Landscaping and Tree Preservation Subsection (c) Property Zoned for Residential Uses Accordingly - City of Irving, Applicant

Mayor Van Duyne opened the public hearing at approximately 11:20 p.m.

The following individuals signed up to speak in support of this item:
Mary Hennigan, 1317 Carriage Drive, Irving, TX

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

Mayor Van Duyne closed the public hearing at approximately 11:20 p.m.

Motioned by Councilman Farris, seconded by Councilman Webb to approve Amending Section 52-38 Parking and Loading Development Standards to Revise Paving and Striping Standards and Add Residential Parking Standards and Amending Section 52-35a Landscaping and Tree Preservation Subsection (c) Property Zoned for Residential Uses Accordingly - City of Irving, Applicant

Motion approved 8-1.

Councilman Santoscoy opposed the motion.

RESULT:	ADOPTED [8 TO 1]
MOVER:	Gerald Farris, Councilman
SECONDER:	Dennis Webb, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Gallaway, Webb
NAYS:	Roy Santoscoy

38 Ordinance No. ORD-2011-9308 -- Ordinance -- Amending Section 52-75 Definitions of Comprehensive Zoning Ordinance No. 1144 and Amending Section 8-4 of Chapter 8 Building Standards Code of the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Amending the Definition of "Family" (Postponed at the December 8, 2011 City Council Meeting)

Mayor Van Duyne opened the public hearing at approximately 11:20 p.m.

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

Mary Hennigan, 1317 Carriage Drive, Irving, TX
John Medaille, 3808 Eugene Court, Irving, TX
Kathryn Pokladnik, 2601 Syracuse Drive, Irving, TX

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

Phil Smith, 1808 Puritan Dr, Irving, TX
Mona Wyatt, 1101 S. Delaware, Irving, TX
Sharon Barbosa Crain, 2608 Alan-a-Dale, Irving, TX

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

Rick Bidne, 4707 O'Connor, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 11:53 p.m.

Motioned by Councilman Farris, seconded by Councilman Patrick to postpone this item.

Motion approved 9-0.

RESULT:	POSTPONED [UNANIMOUS] Next: 2/9/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Lewis Patrick, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

APPOINTMENTS AND REPORTS

39 Resolution No. RES-2011-350 -- Appointment to Boards, Commissions, and Committees, to Fill an Unexpired Term for the Planning & Zoning Commission

Motioned by Councilman Farris, seconded by Councilman Patrick to appoint Annette French-Bodejo to the Planning & Zoning Commission Place 8 to a Term Expiring November 2013

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Lewis Patrick, Councilman
AYES:	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

40 Mayor's Report

No mayor's report for this meeting.

41 Adjournment

The meeting adjourned at approximately 11:57 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary