

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

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, July 21, 2011 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>
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	Absent	
Roy Santoscoy	Irving City Council	Councilman	Present	
Mike Gallaway	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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**INVOCATION**

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The invocation was delivered by Pastor Robert Corser of Joy Fellowship Foursquare Church of 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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**Citizen Forum**

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Patrick Hawk, 1515 Elms Road, Irving, TX - Mr. Hawk spoke in regard to the dangers of texting while driving. He proposes that the city support a total ban on texting when operating a motor vehicle.

Oscar Ward, 608 Fanine Drive, Irving, TX - Mr. Ward spoke in regard to transparent and open government practices. He would like initials of the person who places an item on the agenda to be noted beside the item.

Joyce Howard, 1401 Colony, Irving, TX - Ms. Howard spoke in regard to a recovery audit on the entertainment center project. She is in favor of such an audit if they are willing to do it on a contingency fee.

Joe Mapes, P.O. Box 141864, Irving, TX - Mr. Mapes thanked the council and staff for the upcoming Town Hall meetings. He added that he would like to see a forensic audit of the entertainment venue.

James Baker, 2724 Lake Garden, Dr, Irving, TX - Mr. Baker spoke on the entertainment center and that it is something the city does not need at this time. He is in favor of a forensic or recovery audit to review the excessive spending.

Emma West, 3639 W. Northgate #152, Irving, TX - Ms. West spoke in regard to West Irving Library and indicated that some of the computers are not completely operational.

Nancy Wilson, 2911 Bryn Maur, Irving, TX - Ms. Wilson spoke in regard to the need for a new code enforcement ordinance to address overgrowth from one home owner's property to another. Ms. Wilson is in favor of the city council partnering with the Irving school board.

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**CITY COUNCIL AGENDA**

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- 1 Public Hearing No. (ID # 4012) -- Public Hearing to Gather Input on the Housing and Human Services (HHS) Department 2011 Action Plan for Submission to the United States Department of Housing and Urban Development (HUD)**

The following individuals signed up to speak on this item:

Teddie Story, 1036 Old Mill Circle, Irving, TX  
Diane Piper, 3219 Harry Hines, Dallas, TX  
Doug Fox, 2200 W. Irving Blvd, Irving, TX

**2 City Operations Update**

Tommy Gonzalez, City Manager, presented a video on the operations update.

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**CONSENT AGENDA**

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Motioned by Councilman Patrick, seconded by Councilman Gallaway to approve consent agenda items 3-14 and pull item 6, 7, 8, 9, 11, 12, 13 and 14 for individual consideration.

Motion approved 8-0.

**3 Approving Minutes for Tuesday, June 28, 2011**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Gallaway, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

**4 Approving Minutes for Wednesday, July 06, 2011**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Gallaway, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

**5 Approving Minutes for Thursday, July 07, 2011**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Gallaway, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

**6 Resolution No. RES-2011-171 -- Approving an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Carrollton-Farmers Branch Independent School District (C-FBISD) to Maintain the School Resource Officer Program at C-FBISD Campuses Located in the City of Irving**

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

Joe Mapes, P. O. Box 141864, Irving, TX  
Joyce Howard, 1401 Colony Dr. Irving, TX

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

Oscar Ward, 608 Fanine Drive, Irving, TX  
Nancy Wilson, 2911 Bryn Mawr, Irving, TX

Motioned by Councilman Patrick, seconded by Councilman Santoscoy to approve a resolution for an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Carrollton-Farmers Branch Independent School District (C-FBISD) to Maintain the School Resource Officer Program at C-FBISD Campuses Located in the City of Irving.

Motion approved 8-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Roy Santoscoy, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

**7 Resolution No. RES-2011-172 -- Approving an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Irving Independent School District (IISD) to Maintain the School Resource Officer Program at IISD Campuses**

The following individuals signed up to speak in opposition of this item:  
Joe Mapes, P. O. Box 141864, Irving, TX

Motioned by Councilman Patrick, seconded by Councilman Santoscoy to approve a resolution for an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Irving Independent School District (IISD) to Maintain the School Resource Officer Program at IISD Campuses.

Motion approved 8-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Roy Santoscoy, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

**8 Resolution No. RES-2011-173 -- Approving an Engagement Agreement for Legal Services with Andy Taylor & Associates, P.C., in Connection with Proposed State House of Representatives Redistricting Plans**

The following individuals signed up to speak in opposition of this item:  
State Rep. Rodney Anderson, 548 Edgeview, Grand Prairie, TX  
Kensley Stewart, 3916 Tacoma, Irving, TX  
Joe Mapes, P. O. Box 141864, Irving, TX  
Wally Banks, 3113 Briarcliff Court South, Irving, TX

The following individuals signed up to speak in support of this item:  
State Representative Rodney Anderson, 548 Edgeview, Grand Prairie, TX

The following individuals signed up in opposition of this item but did not wish to speak:  
Karen Jordan, 1519 Arcady Lane, Irving, TX  
Paul Jordan, 1519 Arcady Lane, Irving, TX  
James Baker, 2724 Lake Gardens Dr, Irving, TX

Motioned by Councilman Stopfer, seconded by Councilman Farris to approve a resolution for an Engagement Agreement for Legal Services with Andy Taylor & Associates, P.C., in Connection with Proposed State House of Representatives Redistricting Plans.

Motion denied 2-6.

The following Council members opposed the motion: Mayor Van Duyne, Councilman Santoscoy, Councilman Philipp, Councilman Webb, Councilman Patrick, and Councilman Gallaway

The following Council members supported the motion: Councilman Stopfer, Councilman Farris

<b>RESULT:</b>	<b>DENIED [2 TO 6]</b>
<b>MOVER:</b>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Rick Stopfer, Gerald Farris
<b>NAYS:</b>	Van Duyne, Patrick, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

**9 Resolution No. RES-2011-174 -- Authorizing Intervention by the City of Irving in the Texas House of Representatives Redistricting Lawsuit**

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

Joyce Howard, 1401 Colony Dr. Irving, TX

James Baker, 2724 Lake Gardens Dr, Irving, TX

Motioned by Councilman Stopfer, seconded by Councilman Farris to approve a resolution for Authorizing Intervention by the City of Irving in the Texas House of Representatives redistricting lawsuit

Motion denied 2-6.

The following Council members opposed the motion: Mayor Van Duyne, Councilman Santoscoy, Councilman Philipp, Councilman Webb, Councilman Patrick, Councilman Gallaway

The following Council members supported the motion: Councilman Stopfer, Councilman Farris

<b>RESULT:</b>	<b>DENIED [2 TO 6]</b>
<b>MOVER:</b>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Rick Stopfer, Gerald Farris
<b>NAYS:</b>	Van Duyne, Patrick, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

- 10 Resolution No. RES-2011-175 -- **Approving the Purchase from Dell Marketing, L.P., for Dell Servers Extended Maintenance through the State of Texas Department of Information Resources (DIR) Program**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Mike Gallaway, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

- 11 Resolution No. RES-2011-176 -- **Approving the Submission of the 2011 Action Plan and Associated Social Service Agency Allocations to the United States Department of Housing and Urban Development (HUD)**

The following individuals signed up to speak in opposition of this item:  
Joyce Howard, 1401 Colony Dr. Irving, TX

Councilman Webb abstained from voting on this item as he is the board president of one of the community development housing organizations that will be receiving funds from this grant. Per the City Attorney, Charles Anderson, an abstention affidavit is not required to be filed because he is not abstaining under Sect. 171 of the Local Government Code.

Motioned by Councilman Philipp, seconded by Councilman Patrick to approve a resolution for the Submission of the 2011 Action Plan and Associated Social Service Agency Allocations to the United States Department of Housing and Urban Development (HUD).

Motion approved 7-0-1.

<b>RESULT:</b>	<b>ADOPTED [7 TO 0]</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway
<b>ABSTAIN:</b>	Dennis Webb
<b>ABSENT:</b>	Rose Cannaday

**12 Resolution No. RES-2011-177 -- Approving the Receipt of Additional Funds and Extension of a Contract with Texas Department of Housing and Community Affairs**

The following individuals signed up to speak in opposition of this item:  
Joyce Howard, 1401 Colony Dr. Irving, TX

Councilman Webb abstained from voting on this item as he is the board president of one of the community development housing organizations that will be receiving funds from this grant. Per the City Attorney, Charles Anderson, an abstention affidavit is not required to be filed because he is not abstaining under Sect. 171 of the Local Government Code.

Motioned by Councilman Philipp, seconded by Councilman Patrick to approve a resolution for the Receipt of Additional Funds and Extension of a Contract with Texas Department of Housing and Community Affairs.

Motion approved 7-0-1.

<b>RESULT:</b>	<b>ADOPTED [7 TO 0]</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway
<b>ABSTAIN:</b>	Dennis Webb
<b>ABSENT:</b>	Rose Cannaday



**13 Resolution No. RES-2011-178 -- Adopting a Schedule for Development Application Fees, Effective as of October 1, 2011**

The following individuals signed up to speak in opposition of this item:  
Joyce Howard, 1401 Colony Dr. Irving, TX

Motioned by Councilman Philipp, seconded by Councilman Patrick to approve a resolution Adopting a Schedule for Development Application Fees, Effective as of October 1, 2011.

Motion approved 7-1.

Councilman Gallaway opposed this motion.

<b>RESULT:</b>	<b>ADOPTED [7 TO 1]</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Webb
<b>NAYS:</b>	Mike Gallaway
<b>ABSENT:</b>	Rose Cannaday

**14 Ordinance No. ORD-2011-9267 -- Amending Article II “Building Codes” of Chapter 8 of the Development Standards and Construction Codes of the City of Irving, Texas, By Amending Appendix L “Fee Schedule” of the 2006 International Building Code**

Motioned by Councilman Santoscoy, seconded by Councilman Patrick to approve an ordinance Amending Article II “Building Codes” of Chapter 8 of the Development Standards and Construction Codes of the City of Irving, Texas, By Amending Appendix L “Fee Schedule” of the 2006 International Building Code.

Motion approved 7-1

Councilman Gallaway opposed this motion.

<b>RESULT:</b>	<b>ADOPTED [7 TO 1]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Webb
<b>NAYS:</b>	Mike Gallaway
<b>ABSENT:</b>	Rose Cannaday

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### INDIVIDUAL CONSIDERATION

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- 15 Ordinance No. ORD-2011-9268 -- **Public Hearing and Ordinance Re-Adopting Section 13-16 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Relating to Childcare Regulations for City Operated Youth Programs**

Motioned by Councilman Patrick seconded by Councilman Webb to approve the Ordinance Re-Adopting Section 13-16 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Relating to Childcare Regulations for City Operated Youth Programs

Motion approved 8-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Dennis Webb, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

**ZONING CASES AND COMPANION ITEMS**

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- 16 Ordinance No. ORD-2011-9269 -- Zoning Case #ZC11-0026 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.99 Acres Located at 1318 Etain Road - Denby Myers, Applicant - Florence Randall and Jose Rodriguez, Owners**

Mayor Van Duyne opened the public hearing at approximately 9:11 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 9:12 p.m.

Motioned by Councilman Patrick, seconded by Councilman Santoscoy to approve Zoning Case #ZC11-0026 - Granting S-P-2 (Generalized Site Plan) For R-7.5 (Single Family) Uses - Approximately 0.99 Acres Located At 1318 Etain Road - Denby Myers, Applicant - Florence Randall And Jose Rodriguez, Owners

Motion approved 8-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Roy Santoscoy, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

- 17 Ordinance No. ORD-2011-9270 -- Zoning Case #ZC11-0027 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sales) Uses - Approximately 3,891 Square Feet at 7750 North MacArthur Boulevard, Suite 160 - Star Ventures of Las Colinas, L.P., Applicant - Inland Western Irving Limited Partnership, Owner**

Mayor Van Duyne opened the public hearing at approximately 9:12 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 9:12 p.m.

Motioned by Councilman Patrick, seconded by Councilman Farris to approve Zoning Case #ZC11-0027 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sales) Uses - Approximately 3,891 Square

Feet at 7750 North MacArthur Boulevard, Suite 160 - Star Ventures of Las Colinas, L.P., Applicant - Inland Western Irving Limited Partnership, Owner

Motion approved 8-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Rose Cannaday

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### APPOINTMENTS AND REPORTS

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**18 Resolution No. RES-2011-179 -- Selection of Mayor Pro Tem and Deputy Mayor Pro Tem by the City Council**

This item was postponed to the next Council meeting.

**19 Mayor's Report**

The Mayor reported that she won the Trophy for drag racing the Mayor of Fort Worth.

**20 Adjournment**

The meeting was adjourned at 9:20 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary