

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
March 3, 2011**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, March 3, 2011 at 7:14 PM. 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 Galloway	Irving City Council	Councilman	Present	

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**INVOCATION**

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The invocation was delivered by Pastor Onika Davis of DFW New Beginnings 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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Mary Higbie, 3835 Twin Falls, Irving, TX - Ms. Higbie announced that the Irving Heritage Society, in collaboration with Irving ISD and City of Irving Public Library, have scheduled several community events in the upcoming months. She invited the public to come out and participate in the activities.

Mayor Pro Tem Rose Cannaday presented David Price, Plymouth Park Baptist Church, and Jesse Aguilar, City of Irving Code Enforcement, a proclamation to recognize *Great Days of Service* week and all of the volunteers who participate in making improvements in our community one house at a time.

Micah Pace from the Texas Forest Service presented the City of Irving with the Urban Forestry Award. Mike Griffith, City Arborist and Dr. Marcy Brown-Marsden, chair person to the Tree Advisory board, came forward to accept the award.

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## CITY COUNCIL AGENDA

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### 1 City Operations Update

Tommy Gonzalez, City Manager, presented a video on the Great Days of Service and the City Operations Update.

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## CONSENT AGENDA

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Motioned by Councilman Philipp, seconded by Councilman Stopfer to approve consent agenda items 2-16.

Motion approved 8-0.

### 2 Approving Minutes for Wednesday, February 16, 2011

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

### 3 Approving Minutes for Thursday, February 17, 2011

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

- 4 Resolution No. RES-2011-58 -- **Supporting the Continued Allocation of Community Development Block Grant Funding from the U.S. Department of Housing and Urban Development**

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

- 5 Resolution No. RES-2011-59 -- **Authorizing the Destruction of Obsolete Records in Accordance with the City of Irving's Records Management Policy**

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

- 6 Resolution No. RES-2011-60 -- **Authorizing the Mayor to Enter into an Agreement with Dallas County Elections Department to Administer the Regular Municipal Election to be Held on Saturday, May 14, 2011, for the Purpose of Electing the Position of Mayor and City Council Places Three (3) and Five (5), and Subsequent Run-Off Election If Necessary**

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

**7 Resolution No. RES-2011-61 -- Approving the City of Irving Annual Investment Policy**

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

**8 Resolution No. RES-2011-62 -- Approving an Addendum to the Agreement for Legal Services with Lynn, Pham & Ross, L.L.P.**

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

**9 Resolution No. RES-2011-63 -- Awarding a Contract to Gra-Tex Utilities, Inc., for Fairfield, Fairdale & Fairmont Water and Waste Water Improvements Project**

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

- 10 Resolution No. RES-2011-64 -- **Awarding a Contract to Muniz Construction, Inc., for the Missy, Hilltop & Marie Water and Waste Water Improvements Project**

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

- 11 Resolution No. RES-2011-65 -- **Awarding a Contract to VA Construction, Inc., for Northwest Park Trail Extension Project**

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

- 12 Resolution No. RES-2011-66 -- **Approving Amendment No. 2 to an Agreement with Simpleview/New Media Gateway to Upgrade the Platform for Industry-Specific Software (CRM)**

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

- 13 Resolution No. RES-2011-67 -- **Approving the Interlocal Facility Use Agreement Between the Irving Arts Center and the Irving Independent School District for the Annual Exhibition of IISD Artwork to be Exhibited at the Irving Arts Center from March 5 - April 10, 2011**

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

- 14 Resolution No. RES-2011-68 -- **Approving and Accepting the Bid of Whitmore & Sons, Inc., for an Annual Contract for Mowing of Medians, Parkways, and Landscapes**

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

- 15 Resolution No. RES-2011-69 -- **Renewing the Annual Contract with Baker and Taylor, Inc., for Library Books and AV Materials with Electronic Ordering Interface**

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

- 16 Ordinance No. ORD-2011-9231 -- **Amending Section 35 - Subdivisions of Part IV City of Irving Land Development Code to Require Utilities to be Installed Underground with New Development (Postponed from January 13, 2011)**

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

## ZONING CASES AND COMPANION ITEMS

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- 17 Ordinance No. ORD-2011-9246 -- **Zoning Case #ZC10-0053 - Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) Uses - Approximately 0.7 Acres Located at 609 and 615 North MacArthur Boulevard - Othman Hindieh, Applicant/Owner**

Mayor Pro Tem Rose Cannaday opened the public hearing at approximately 7:44 p.m.

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

Mayor Pro Tem Rose Cannaday closed the public hearing at approximately 7:44 p.m.

Motioned by Councilman Patrick, seconded by Councilman Stopfer to approve Zoning Case #ZC10-0053 - Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) Uses - Approximately 0.7 Acres Located at 609 and 615 North MacArthur Boulevard - Othman Hindieh, Applicant/Owner

Motion approved 7-1.

Councilman Philipp voted in opposition to the motion.

<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, Cannaday, Santoscoy, Gallaway
<b>NAYS:</b>	Joe Philipp
<b>ABSENT:</b>	Herbert Gears

- 18 Ordinance No. ORD-2011-9247 -- **Zoning Case #ZC11-0001 - Amending Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas, By Amending Section 52-35e. Nondepository Financial Institutions and Repealing Chapter 38 Entitled "Business Registration" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas - City of Irving, Applicant**

Staff requested that this item be postponed to the March 24, 2011 City Council meeting.

Motioned by Councilman Patrick, seconded by Councilman Stopfer to postpone this item to March 24, 2011.

Motion approved 8-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 3/24/2011 7:00 PM</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

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## APPOINTMENTS AND REPORTS

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19 **Mayor's Report**

There was no Mayor's report given at tonight's meeting.

20 **Adjournment**

The meeting adjourned at approximately 7:48 p.m.

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## Citizens' Forum

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Rene Castilla, 442 W. Northgate, Irving, TX - Mr. Castilla spoke as the Chairman of the Mayor's Human Relations Advisory Committee regarding the verbal attacks that occurred this week on two Hispanic leaders in the City of Irving, the City Manager and the Fire Chief. The Hispanic community is proud to have Mr. Gonzalez and Mr. Molina appointed to their offices. He added that although they have had to make difficult decisions, he is proud, as are others, of the decisions they have made.

Anthony Bond, 4109 W. Northgate #821, Irving, TX - Mr. Bond stated the leadership of Irving should support non-discrimination. He echoed what Mr. Castilla said and believes Mr. Gonzalez has done a great job. Mr. Bond stated that he was saddened by the disgruntlement that is occurring in the Fire Department.

Manuel Benavidez, 2108 Meadow Glen, Irving, TX - Mr. Benavidez stated it is time we get to the important issues that effect the City of Irving and show professionalism as we do it.

Roland Medina, 1600 N. MacArthur, Irving, TX - Mr. Medina wanted to express his support for the City Manager and the Fire Chief and feels the City is on the right track.

Roy Harvey, 845 W. Irving Blvd, Irving, TX - Mr. Harvey, President of the Irving Fire Fighters Association, spoke on behalf of the Fire Fighter Association and made a statement regarding the open session that was held on March 2, 2011.

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Herbert A. Gears, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary