

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
October 6, 2011**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, October 6, 2011 at 7:10 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	Absent	
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	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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**INVOCATION**

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The invocation was delivered by Pastor Ken Branam of Plymouth Park Baptist of the City Of Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was given by Councilman Lewis Patrick.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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Mayor Van Duyne presented the Irving Community Television Network staff with a proclamation celebrating its 30th anniversary.

Mayor Van Duyne also recognized Irving Independent School District students who participated in the city's annual Disabilities Awareness Month Poster Art Contest.

Mayor Van Duyne recognized the following Honorable Mention students:

Bailey Tillerson, Brandenburg Elementary  
Chrishell Jacobs, Thomas Haley Elementary  
Ryan Jo, Thomas Haley Elementary  
Julia Garcia, Barton Elementary  
Noelle Stanley-Claar, Barton Elementary  
Kaylee Nichols, T.J. Lee Elementary

Mayor Van Duyne announced the first place winners in this year's art contest and recognized the following students:

Marjorie Aquino, W.T. Hanes Elementary  
Erick Gamez, Otis Brown Elementary  
Tasfia Maahi, T.J. Lee Elementary  
Bracee Clifton, Stipes Elementary  
Lupe Paniagua, Thomas Haley Elementary  
Zoe Herrera, Stipes Elementary

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### **CITIZENS' FORUM**

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Jack Spurlock, 1516 W. Pioneer, Irving, TX - Mr. Spurlock wanted to compliment the Convention Center staff on the job that they do so well. The staff works hard and gets results.

Joyce Howard, 1401 Colony Drive, Irving, TX - Ms. Howard spoke regarding the City Spectrum and the possibility of it being placed at the library instead of mailed to everyone in the city. She also doesn't think tax payers money should be spent on the FireFighters' Ball.

Barbara Hull, 400 Lavidia Court, Irving, TX - Ms. Hull opposes the increase in the water rate. Additionally, she would like to see future libraries build by the city to be more visionary.

David Bennett, 3575 N. Beltline #1010 - Mr. Bennett spoke about the dangers of smoking.

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### **CITY COUNCIL AGENDA**

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#### **1 City Operations Update**

Bradley Perrier presented the Operations Update report to the city council.

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**CONSENT AGENDA**

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Motioned by Councilman Farris, seconded by Councilman Stopfer to approve consent agenda items 2-19; pull items 5 and 18 for individual consideration and postpone item 16 to the October 27, 2011 meeting.

Motion approved 8-0.

**2 Approving Minutes for Wednesday, September 21, 2011**

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

**3 Approving Minutes for Thursday, September 22, 2011**

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

**4 Resolution No. RES-2011-249 -- 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>	Gerald Farris, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Cannaday, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Joe Philipp

**5 Resolution No. RES-2011-237 -- Approving an Agreement Between the City of Irving and the Greater Irving-Las Colinas Chamber of Commerce to Provide Annual Funding for Economic Development Services for the City of Irving, Texas**

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

Jo Ann Goin, 3025 Luzon Place, Irving, TX  
Stan McClure, 7411 Native Dale Lane, Irving, TX  
David Park, 712 Murl Drive, Irving, TX  
Shelia Reszulli, 4443 St. Andrews Blvd, Irving, TX

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

Joyce Howard, 1401 Colony Dr, Irving, TX  
Barbara Hull, 400 Lavidia Court, Irving, TX  
Marvin Randle, 500 Farine, Irving, TX  
Joe Mapes, PO Box 141864, Irving, TX  
Kensley Stewart, 3916 Tacoma, Irving, TX

Chris Wallace, President of the Greater Irving Las Colinas Chamber of Commerce, responded to questions from the audience. He stated the Chamber of Commerce is responsible for 2,019 new jobs in Irving and provided a brief update on the partnership between the City of Irving and the Chamber. He added that he was available for all questions.

Motioned by Councilman Patrick, seconded by Councilwoman Cannaday to approve an Agreement Between the City of Irving and the Greater Irving-Las Colinas Chamber of Commerce to Provide Annual Funding for Economic Development Services for the City of Irving, Texas, and remove revenue clauses 7A and 7B.

Motion approved 7-1.

Councilman Webb voted in opposition to the motion.

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

**6 Resolution No. RES-2011-238 -- Approving a Sister Cities/International Trade Development and Assistance Center Services Contract with the Greater Irving-Las Colinas Chamber of Commerce**

The following individuals signed up to speak in support of this item:  
Al Zapanta, 2516 Clearspring Dr., Irving, TX

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

**7 Resolution No. RES-2011-250 -- Approving a 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**

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

**8 Resolution No. RES-2011-251 -- Approving an Intergovernmental Lease Agreement Between the City of Irving and the State of Texas, Specifically the Texas Health and Human Services Commission (HHSC), for the Lease of 4,175 Square Feet of Office Space at the Family Advocacy Center Located at 600 West Pioneer for Use by the Texas Department of Family and Protective Services**

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

- 9 Resolution No. RES-2011-252 -- **Approving Amendment No. 4 to the Household Hazardous Waste Interlocal Agreement Between the City of Irving and Dallas County to Provide a Program in Which Residents Can Properly Dispose of Household Chemicals**

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

- 10 Resolution No. RES-2011-253 -- **Approving an Economic Incentive Agreement Between the City of Irving, Texas and Gateway Mortgage**

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

- 11 Resolution No. RES-2011-254 -- **Approving Mediated Settlement - City of Irving vs. McCreary & Associates, Inc., Byron Fose & Associates, Inc., Intertech Design, Inc., Garry H. Gregory, Ph.D., P.E. d/b/a Gregory Geotechnical and Alan Plummer Associates, Inc. relating to the Northgate Pump Station**

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

- 12 Resolution No. RES-2011-255 -- **Approving Amendment No. 2 to the Interlocal Cooperation Agreement Between the City of Irving and the Texas Department of Transportation for Operation and Maintenance of Traffic Signals**

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

- 13 Resolution No. RES-2011-256 -- **Approving an Interlocal Agreement Between the North Central Texas Council of Governments and the City of Irving for 2011 Aerial Photography**

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

- 14 Resolution No. RES-2011-257 -- **Approving and Accepting the Bid of Allstate Coatings Company, for an Annual Contract to Supply Traffic Paint**

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

- 15 Resolution No. RES-2011-258 -- **Approving and Accepting the Bid of Vulcan Inc., Dba Vulcan Aluminum, for Aluminum Traffic Sign Blanks**

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

- 16 Resolution No. RES-2011-259 -- **Awarding the Software Maintenance Agreement to Azteca Systems, Inc. for Cityworks Software through the State of Texas Department of Information Resources (DIR) Program**

<b>RESULT:</b>	<b>POSTPONED NO VOTE</b> <b>Next: 10/27/2011 7:00 PM</b>
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- 17 Resolution No. RES-2011-260 -- **Renewing Annual Contract to Dell Marketing LP, for Microsoft Enterprise Agreement through the State of Texas Department of Information Resources (DIR) Program**

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

- 18 Ordinance No. ORD-2011-9292 -- **Rearranging the City Council Single Member Districts in Accordance with the City of Irving Home Rule Charter Article IV, Section 3(d)**

The following individuals signed up to speak in opposition to this item:  
Jorge Rivera, P.O. Box 210764, Dallas, TX

Motioned by Councilman Patrick, seconded by Councilman Stopfer to approve Rearranging the City Council Single Member Districts in Accordance with the City of Irving Home Rule Charter Article IV, Section 3(d) as represented in Illustrative Plan 1 Revision 3, to be renamed as the "Final Redistricting Plan".

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>	Van Duyne, Patrick, Stopfer, Farris, Cannaday, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Joe Philipp

- 19 Ordinance No. ORD-2011-9293 -- **First Reading - Approving a License Agreement Between the City of Irving and the Parmenter Las Colinas Towers, L.P. a Texas Limited Partnership, for the Purpose of Operating, Maintaining, and Improving a Pedestrian Tunnel and Stair Entry Within Mandalay Drive Right-Of-Way Between an Office Building and Parking Garage Located at 225 and 315 E. John Carpenter Freeway**

<b>RESULT:</b>	<b>FIRST READING [UNANIMOUS]</b> <b>Next: 10/27/2011 7:00 PM</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Cannaday, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Joe Philipp

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### INDIVIDUAL CONSIDERATION

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- 20 Ordinance No. ORD-2011-9294 -- **Public Hearing and Consider an Ordinance Related to Taxation of Goods in Transit**

Motioned by Councilman Patrick, seconded by Councilman Farris to approve Ordinance Related to Taxation of Goods in Transit

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, Cannaday, Santoscoy, Gallaway, Webb
<b>ABSENT:</b>	Joe Philipp

**ZONING CASES AND COMPANION ITEMS**

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- 21** Ordinance No. ORD-2011-9295 -- **Zoning Case ZC11-0025 - Granting S-P-2 (Generalized Site Plan) for FWY (Freeway) Uses - Approximately 2.1 Acres Located at 315 West John W. Carpenter Freeway - Parmenter Realty Partners, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 9:21 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 9:21 p.m.

Motioned by Councilman Stopfer, seconded by Councilwoman Cannaday to approve Zoning Case ZC11-0025 - Granting S-P-2 (Generalized Site Plan) for FWY (Freeway) Uses - Approximately 2.1 Acres Located at 315 West John W. Carpenter Freeway - Parmenter Realty Partners, Applicant/Owner

Motion approved 8-0.

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

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**APPOINTMENTS AND REPORTS**

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**22 Resolution No. RES-2011-261 -- Appointments to the Dallas County Utility and Reclamation District to Fill Three Four-Year Terms Expiring October 2015**

Motioned by Councilman Farris, seconded by Councilman Santoscoy to appoint Steve Bonner, Jeff Courtwright, and Danny Opitz to the Dallas County Utility and Reclamation District to terms expiring October 2015.

Motion approved 8-0.

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

**23 Mayor's Report**

No mayor's report at this meeting

**24 Adjournment**

The meeting adjourned at approximately 9:22 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary