

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
September 4, 2014**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, September 4, 2014 at approximately 7:00 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	
John C. Danish	Irving City Council	Councilman	Present	
Allan Meagher	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	
Joe Putnam	Irving City Council	Councilman	Present	
Oscar Ward	Irving City Council	Councilman	Present	
Brad M. LaMorgese	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Thomas Spink	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, Joy Fellowship FourSquare Church of Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was given by scouts from Boy Scout Pack 771.

**PROCLAMATION**

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Mayor Van Duyne presented approximately 50 Irving School Crossing Guards with a proclamation to recognized School Crossing Guard Appreciation Day.

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**CITIZENS' FORUM**

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Citizens are invited to speak for three (3) minutes on matters relating to City government and on items not listed on the regular agenda.

Susan L. Emert, 2017 Meadow Dale, Irving, TX - Ms. Emert thanked the Council for allowing DART and para-transit to come to the city of Irving as this service has allowed her son, who is blind, to get to events and appointments. She also thanked the Parks and Recreation Department for all the services they provide that have benefited her child, and spoke of the City replacing a fire hydrant that was in the way of a disabled person after she called in to report it.

Nathan Deolloz, 2514 Morgan St., Irving, TX - Mr. Deolloz spoke regarding changing a recreation center rules so that more children can participate.

Manny Benevidez, 2108 Meadow Glen, Irving, TX - Mr. Benevidez spoke regarding an issue with city services in South Irving.

David Bennett, 3577 N. Belt Line Rd., #1010, Irving, TX - Mr. Bennett spoke regarding tango.

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## CITY COUNCIL AGENDA

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### 1 City Operations Update

Casey Tate, Capital Improvement Program Director, described the ongoing construction on MacArthur Boulevard, the South Irving Library, and O'Connor improvements in front of Williams Square. He noted that construction on Grauwlyer Road is on hold due to work being done by Atmos.

### 2 Heritage Crossing Update

Kevin Kass, Redevelopment and TIF Administrator, presented the Heritage Crossing Update which included the grand opening of Big State on September 8th and the Irving Main Street Event on September 20th that will feature arts, crafts, and live music.

### 3 Public Hearing No. (ID # 6405) -- Public Hearing on the 2014-15 City of Irving Fiscal Year Budget and Tax Rate

Mayor Van Duyne opened the public hearing at approximately 7:30 p.m.

The following individual(s) signed up to speak in support of this item:

Wally Banks, 3413 Briarcliff Ct. S., Irving, TX

Jim Meler, 8520 Mill Creek Rd., Irving, TX

Don Van Slyke, 2617 Castle St., Irving, TX

Don Wilson, 1410 Ronase, Irving, TX

Sharon Barbaso-Crain, 2608 Alan-a-Dale, Irving, TX

Michael McPhail 815 Dixon St., Irving, TX

The following individual(s) signed up in support of this item but did not want to speak:

Eloyise McMilliam, 2501 Patrick St., Irving, TX

Gigi Peters, 601 Bellah Dr., Irving, TX

Josh Smith, 2721 Still Meadow, Irving, TX

Darcy Neal, 2417 Willow, Irving, TX

Logan Scheiwe, 2812 Lago Vista Loop, Irving, TX

Fred Blondell, 2812 Burning Tree Lane, Irving, TX

All of the above indicated in writing their support for medic 3 and station 12

Mayor Van Duyne closed the public hearing at approximately 7:48 p.m.

No other action is required on this item at tonight's meeting.

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## **CONSENT AGENDA**

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Motioned by Councilman Farris, seconded by Councilman Danish to approve consent agenda items 4-45, and pull item(s) 16, 17, 22 and 32 for individual consideration

Motion approved 9-0.

### **4 Approving Minutes for Wednesday, August 06, 2014**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

**5 Approving Minutes for Thursday, August 07, 2014**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

**6 Approving Minutes for Thursday, August 21, 2014**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

**7 Resolution No. RES-2014-280 -- Designating the Mayor as the Authorized Official and Authorizing the Mayor to Accept, Reject, Alter or Terminate a Victim Coordinator and Liaison Grant (VCLG) through the Office of the Attorney General to Continue Funding of the Irving Police Department's Victim Coordinator Liaison Position for a One Year Period**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 8 Resolution No. RES-2014-281 -- 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>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 9 Resolution No. RES-2014-282 -- Approving an Interlocal Agreement Between the City of Irving and Irving Independent School District for Emergency Medical Services**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 10 Resolution No. RES-2014-283 -- Certifying Compliance with and Approving Attachment "A" to the Revised Reimbursement Agreement with Dallas Area Agency on Aging for Nutritional Services at the Heritage Senior Center**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 11 Resolution No. RES-2014-284** -- Approving a Project Specific Agreement (PSA) to Supplement the Master Interlocal Agreement Between the City of Irving and Dallas County, Texas in the Estimated Amount of \$202,477.96

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 12 Resolution No. RES-2014-285** -- Awarding a Contract to FNH Construction LLC in the Amount of \$974,568.00 For The Lake Carolyn Parkway Connector Project

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 13 Resolution No. RES-2014-286** -- Awarding a Contract to SYB Construction Company, Inc., in the Amount of \$1,221,075.30 For Garden Oaks, Daywood, Harrison and Robin Water and Wastewater Main Improvements Project

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 14 Resolution No. RES-2014-287 -- Awarding a Contract to SYB Construction Company, Inc., in the Amount of \$109,821.00 for the Second Street Bridge Drainage Improvement Project**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 15 Resolution No. RES-2014-288 -- Approving a License Agreement with the Trinity Railway Express (TRE), Dallas Area Rapid Transit (DART) Allowing Construction, Installation, Maintenance, and Operation of a Hike and Bike Trail by the City of Irving on TRE Right of Way**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 16 Resolution No. RES-2014-289 -- Finding it in the Best Interests of the City to Waive the Conflict of Interest and Approving an Economic Development Agreement with Rick and Susan Fairless in the Amount of \$25,000 for Façade Enhancements to the Big State Building Located at 100 South Main Street in Downtown Irving**

Motioned by Councilman Putnam, seconded by Councilman Danish to Approve a Resolution Finding it in the Best Interests of the City to Waive the Conflict of Interest and Approving an Economic Development Agreement with Rick and Susan Fairless in the Amount of \$25,000 for Façade Enhancements to the Big State Building Located at 100 South Main Street in Downtown Irving.

Motion approved 8-1.

Councilmember(s) voting in opposition of this motion include: Councilman LarMorgese

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Joe Putnam, Councilman
<b>SECONDER:</b>	John C. Danish, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, Farris, Spink
<b>NAYS:</b>	Brad M. LaMorgese

- 17 Resolution No. RES-2014-290 -- Approving a Discretionary Service Agreement Between the City of Irving and Verizon in the Amount of \$108,744.00 for the Undergrounding of Aerial Facilities Along Sixth Street from Larry Street East to Delaware Creek**

Motioned by Councilman Farris, seconded by Councilman Danish to Approve a Resolution for a Discretionary Service Agreement Between the City of Irving and Verizon in the Amount of \$108,744.00 for the Undergrounding of Aerial Facilities Along Sixth Street from Larry Street East to Delaware Creek.

Motion approved 8-1.

Councilmember(s) voting in opposition of this motion include: Councilman Putnam

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	John C. Danish, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Ward, LaMorgese, Farris, Spink
<b>NAYS:</b>	Joe Putnam

- 18 Resolution No. RES-2014-291 -- Approving an Agreement with Cummins Southern Plains, LLC., in the Amount of \$215,325.00 for Digital Master Controller (DMC) Upgrade Services for the Hackberry Pump Station**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink



- 19 Resolution No. RES-2014-292** -- Approving an Agreement Between the City of Irving and Trinity River Authority in the Amount of \$270,000.00 to Provide Water and Wastewater Laboratory Analysis Services to Meet Federal and State Requirements for the City of Irving, Texas

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 20 Resolution No. RES-2014-293** -- Approving the Interlocal Agreement Between the City of Irving on Behalf of the Irving Arts Center and the Independent School District for Field Trips to Irving Arts Center's Peruvian Gold: Ancient Treasures Unearthed in the Total Estimated Amount of \$12,000.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 21 Resolution No. RES-2014-294** -- Approving the Proposal from Texas Industrial Security, Inc. for the Total Estimated Amount of \$58,100.40 through the Texas Multiple Award Schedule (TXMAS) Local Government Statewide Cooperative Purchasing Program for the Security of the Exhibition, Peruvian Gold: Ancient Treasures Unearthed to be on Exhibit October 4 - December 31, 2014

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 22 Resolution No. RES-2014-295** -- Approving a One-Year Renewal of the Continuum of Care Grant from the U.S. Department of Housing and Urban Development through the Dallas Area/Irving Continuum of Care in the Amount of \$106,678.00

Motioned by Councilman Farris, seconded by Councilman Danish to approve a One-Year Renewal of the Continuum of Care Grant from the U.S. Department of Housing and Urban Development through the Dallas Area/Irving Continuum of Care in the Amount of \$106,678.00.

Motion approved 8-1.

Councilmember(s) voting in opposition of this motion include: Councilman LaMorgese

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	John C. Danish, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, Farris, Spink
<b>NAYS:</b>	Brad M. LaMorgese

- 23 Resolution No. RES-2014-296** -- Approving a Resolution to Establish the Use of Prevailing Wage Rates for U.S. Department of Housing and Urban Development Funded Projects

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 24 Resolution No. RES-2014-297 -- Renewing the Contract with Pro Tow Wrecker Service for Wrecker Service and Auto Pound Operations**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 25 Resolution No. RES-2014-298 -- Approving and Accepting the Proposal of HealthTexas Provider Network in the Total Amount of \$116,304.00 for Health and Fitness Services for Irving Fire Department**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 26 Resolution No. RES-2014-299 -- Renewing the Annual Contract with Progressive Waste Solutions of TX, Inc., for the Sale of Capacity at the Hunter Ferrell Landfill**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 27 Resolution No. RES-2014-300 --** Renewing the Contract with MED3000, Inc., in the Total Estimated Amount of \$304,000.00 for Two Years for Billing and Collection of Emergency Medical Services

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 28 Resolution No. RES-2014-301 --** Renewing the Annual Contracts with Vulcan Signs and 3M Company in a Total Amount Not to Exceed \$70,000.00 for Reflective Sign Materials

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 29 Resolution No. RES-2014-302 --** Approving the Purchase from Sam Pack's Five Star Ford for a 2015 Ford F-750 Cab and Chassis with Flatbed Dump Body in the Total Amount of \$77,958.00 through the State of Texas Cooperative Purchasing Program

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 30 Resolution No. RES-2014-303 -- Approving the Purchase from Caldwell Country Ford-Chevrolet in the Amount of \$54,049.87 for a 2015 Ford F-450 Cab and Chassis with Utility Body and Utility Rack Through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 31 Resolution No. RES-2014-304 -- Approving the Purchase from Sam Pack's Five Star Ford for a 2015 Ford F-250 with Animal Control Body in the Total Amount of \$61,259.22 through the State of Texas Cooperative Purchasing Program**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 32 Resolution No. RES-2014-305 -- Approving the Construction Manager at Risk Delivery Method as the Best Value for the Texas Musicians Museum Construction Project**

Motioned by Councilman Farris, seconded by Councilman Danish to approve the Construction Manager at Risk Delivery Method as the Best Value for the Texas Musicians Museum Construction Project.

Motion approved 7-2.

Councilmember(s) voting in opposition of this motion include: Councilmen Meagher and LaMorgese

<b>RESULT:</b>	<b>ADOPTED [7 TO 2]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	John C. Danish, Councilman
<b>AYES:</b>	Van Duyne, Danish, Webb, Putnam, Ward, Farris, Spink
<b>NAYS:</b>	Allan Meagher, Brad M. LaMorgese

- 33 Resolution No. RES-2014-306 --** Renewing the Annual Contract with HD Supply Waterworks for Couplings, Clamps and Service Saddles in the Total Estimated Amount of \$50,779.91

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 34 Resolution No. RES-2014-307 --** Renewing the Annual Contract with K & L Supply, Inc., for Sewer Chemicals in the Total Estimated Amount of \$159,037.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 35 Resolution No. RES-2014-308 --** Renewing the Annual Contract with Pollardwater.com for Dechlorinating Tablets in the Total Estimated Amount of \$76,500.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 36 Resolution No. RES-2014-309** -- Approving and Accepting the Bid of Logical Solutions, Inc., in an Amount Not to Exceed \$350,000.00 for LENEL Security Systems Hardware and Service

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 37 Resolution No. RES-2014-310** -- Approving and Accepting the Bids of Memos Auto Body Shop, Martins Paint and Body Shop, and Rios Collision and Fleet Service, Inc., in an Amount Not to Exceed \$150,000.00 for Auto Body Repairs

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 38 Resolution No. RES-2014-311** -- Approving As-Needed Purchases from Freedom Dodge in the Total Estimated Amount of \$131,000.00 for Parts for Public Safety Dodge Vehicles through a Mutual Cooperative Purchasing Agreement with the City of Dallas

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 39 Resolution No. RES-2014-312 --** Renewing the Annual Contract with Equipment Southwest, Inc., in an Amount Not to Exceed \$100,000.00 for Parts and Repairs for Refuse & Dump Trucks

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 40 Resolution No. RES-2014-313 --** Renewing the Annual Contract with Cummins Southern Plains, LLC, in an Amount Not to Exceed \$100,000.00 for Heavy Equipment Maintenance for Cummins Engines

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 41 Resolution No. RES-2014-314 --** Renewing the Annual Contract with Nerwin & Martin & Glenn, LLC, for Art Handling and Fine Arts Services in the Total Estimated Amount of \$61,000.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink



- 42 Ordinance No. ORD-2014-9607** -- Authorizing the Abandonment of a Portion of Irving Heights Drive and Grauwlyer Road Right-Of-Way Located at 1426 N. Irving Heights Drive

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 43 Ordinance No. ORD-2014-9608** -- Accepting Bid by Most Reverend Kevin J. Farrell, Bishop of the Roman Catholic Diocese of Dallas and His Successors in Office for the Exclusive Benefit of St. Luke Parish - Irving for the Sale of 1.409 Acres of Land, Located at 119 South MacArthur Boulevard in the Amount of \$307,000 and Authorizing the Mayor to Execute a Special Warranty Deed Upon Receipt of the Consideration Stated in Bid for the Grant, Sale, and Conveyance of the Property

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 44 Ordinance No. ORD-2014-9609** -- Amending Subsection (B) of Section 17-4 of Chapter 17 "Fire Protection" of the Irving Land Development Code by Amending Section 503.3 "Marking" of Section 503 "Fire Apparatus Access Roads" of Chapter 5 "Fire Service Features" of the 2009 Edition of the International Fire Code

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

**45 Ordinance No. ORD-2014-9610 -- Budget Adjustment #4 to the 2013-14 Fiscal Year Budget**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

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### INDIVIDUAL CONSIDERATION

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**46 Ordinance No. ORD-2014-9611 -- First Reading - Amending Chapter 33 Entitled "Refuse, Garbage and Weeds" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Charges for Refuse Pickup Service for Residences, Apartments, and Churches and for All Other Customers Besides Residential, and Defining a Container Size**

Motioned by Councilman Danish, seconded by Councilman Ward to Approve the First Reading - Amending Chapter 33 Entitled "Refuse, Garbage and Weeds" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Charges for Refuse Pickup Service for Residences, Apartments, and Churches and for All Other Customers Besides Residential, and Defining a Container Size

Motion approved 9-0.

<b>RESULT:</b>	<b>FIRST READING [UNANIMOUS]</b> <b>Next: 9/18/2014 7:00 PM</b>
<b>MOVER:</b>	John C. Danish, Councilman
<b>SECONDER:</b>	Oscar Ward, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

**47 Ordinance No. ORD-2014-9612 -- First Reading - Amending Chapter 52 Entitled "Water and Sewer Rates" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Water and Sewer Rates**

Motioned by Councilman Webb, seconded by Councilman LaMorgese to Approve the First Reading - Amending Chapter 52 Entitled "Water and Sewer Rates" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Water and Sewer Rates

Motion denied 4-5.

Councilmember(s) voting in favor of this motion include: Councilmen LaMorgese, Webb, Farris and Meagher

Councilmember(s) voting in opposition of this motion include: Mayor Van Duyne and Councilmen Danish, Putnam, Ward and Spink

Motion by Councilman Putnam, seconded by Councilman Danish Amending Chapter 52 Entitled "Water and Sewer Rates" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Water and Sewer Rates in the amount of a 3.2% increase.

Motion approved 5-4.

Councilmember(s) voting in favor of this motion include: Councilmen LaMorgese, Danish, Putnam, Ward and Spink.

Councilmember(s) voting in opposition of this motion include: Mayor Van Duyne, Councilmen Webb, Farris and Meagher

<b>RESULT:</b>	<b>FIRST READING [5 TO 4]</b> <b>Next: 9/18/2014 7:00 PM</b>
<b>MOVER:</b>	Joe Putnam, Councilman
<b>SECONDER:</b>	John C. Danish, Councilman
<b>AYES:</b>	LaMorgese, Danish, Putnam, Ward, Spink
<b>NAYS:</b>	Allan Meagher, Dennis Webb, Beth Van Duyne, Gerald Farris

- 48 Ordinance No. ORD-2014-9613 -- Conduct a Public Hearing and Consider the Request of the Carrollton-Farmers Branch Independent School District for Amendment to the Project Plan and Financing Plan of Tax Increment Reinvestment Zone Number One**

The following individual(s) signed up to speak in support of this item:  
Todd Howard, 1506 W. Griffin St., Dallas, TX  
Ralph Ellis, 3819 Cabeza De Vach, Irving, TX

Motioned by Councilman Ward, seconded by Councilman LaMorgese to Approve Conducting a Public Hearing and Consider the Request of the Carrollton-Farmers Branch Independent School District for Amendment to the Project Plan and Financing Plan of Tax Increment Reinvestment Zone Number One

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Brad M. LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 49 Resolution No. RES-2014-315 -- Approving First Amendment to Tax Increment Reinvestment Zone No. One Participation Agreement with Carrollton-Farmers Branch Independent School District**

No one signed up to speak on this item at tonight's meeting.

Motioned by Councilman Ward, seconded by Councilman LaMorgese to Approve First Amendment to Tax Increment Reinvestment Zone No. One Participation Agreement with Carrollton-Farmers Branch Independent School District

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Brad M. LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

## ZONING CASES AND COMPANION ITEMS

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- 50 Resolution No. RES-2014-316** -- Temporary Use Permit G1407-0014 - to Allow a Haunted House - Property Located at 3602 W. Airport Freeway- Strangling Brothers Haunted Circus of Dallas, Applicant

The applicant has requested that this item be postponed to the September 18, 2014 council meeting per applicant request. No council action necessary.

**RESULT:**

**POSTPONED NO VOTE**  
**Next: 9/18/2014 7:00 PM**

- 51 Resolution No. RES-2014-317** -- Approving Special Sign Permit S1407-0008 to Modify the Existing Pylon Sign with an LED Cabinet to Display Gasoline Pricing - Property Located at 3001 North Beltline - Beacon Sign and Lighting, Applicant - Victor Ruiz, Owner

Mayor Van Duyne opened the public hearing at approximately 8:28 p.m.

The following individual(s) signed up to speak in support of this item:

Victor Ruiz, P.O. Box 1982, Addison, TX  
Chris Edwards, 239 W. Davis, Duncanville, TX

The following individual(s) signed up to speak in opposition of this item:

Don Van Slyke, 2617 Castle St., Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:30 p.m.

Motioned by Councilman Danish, seconded by Councilman Putnam to Approve Special Sign Permit S1407-0008 to Modify the Existing Pylon Sign with an LED Cabinet to Display Gasoline Pricing - Property Located at 3001 North Beltline - Beacon Sign and Lighting, Applicant - Victor Ruiz, Owner

Motion denied 2-7.

Councilmember(s) voting in favor of this motion include: Councilman Putnam and Danish

Councilmember(s) voting in opposition of this motion include: Mayor Van Duyne, Councilmen Ward, Meagher, LaMorgese, Farris, Spink and Webb

<b>RESULT:</b>	<b>DENIED [2 TO 7]</b>
<b>MOVER:</b>	John C. Danish, Councilman
<b>SECONDER:</b>	Joe Putnam, Councilman
<b>AYES:</b>	John C. Danish, Joe Putnam
<b>NAYS:</b>	Van Duyne, Meagher, Webb, Ward, LaMorgese, Farris, Spink

- 52 Ordinance No. ORD-2014-9614 --** Development Plan DVP14-0005 - Amending the Comprehensive Plan to Change the Recommended Land Use from Office to Retail and Approving Development Plan #8, 5th Revision, Kinwest PUD (Planned Unit Development) for C-C (Community Commercial) Uses - Approximately 11.98 Acres Located on the Southwest Corner of State Highway 161 and MacArthur Boulevard - Vasquez Engineering, Applicant - MOB 105 of Texas LP, Owner

Mayor Van Duyne opened the public hearing at approximately 8:42 p.m.

No one signed up to speak on this item at tonight's meeting.

Mayor Van Duyne closed the public hearing at approximately 8:42 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Farris to Approve Development Plan DVP14-0005 - Amending the Comprehensive Plan to Change the Recommended Land Use from Office to Retail and Approving Development Plan #8, 5th Revision, Kinwest PUD (Planned Unit Development) for C-C (Community Commercial) Uses - Approximately 11.98 Acres Located on the Southwest Corner of State Highway 161 and MacArthur Boulevard - Vasquez Engineering, Applicant - MOB 105 of Texas LP, Owner

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Brad M. LaMorgese, Councilman
<b>SECONDER:</b>	Gerald Farris, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 53 Ordinance No. ORD-2014-9615 -- Zoning Case #ZC14-0029 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.16 Acres Located at 1805 Cochran Street - Gustavo and Mary Sanchez, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 8:43 p.m.

No one signed up to speak on this item at tonight's meeting.

Mayor Van Duyne closed the public hearing at approximately 8:43 p.m.

Motioned by Councilman Webb, seconded by Councilman Putnam to Approve Zoning Case #ZC14-0029 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.16 Acres Located at 1805 Cochran Street - Gustavo and Mary Sanchez, Applicant/Owner

Motion approved 8-1.

Councilmember(s) voting in opposition of this motion include: Councilman Farris

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Joe Putnam, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Spink
<b>NAYS:</b>	Gerald Farris

- 54 Ordinance No. ORD-2014-9616 -- Zoning Case #ZC14-0031 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.08 Acres Located at 1030 West John Carpenter Freeway - 708 Studios, Applicant - RDF 141 West 114 Irving TX P2, LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:44 p.m.

No one signed up to speak on this item at tonight's meeting.

Mayor Van Duyne closed the public hearing at approximately 8:44 p.m.

Motioned by Councilman Farris, seconded by Councilman Meagher to Approve Zoning Case #ZC14-0031 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.08 Acres Located at 1030 West John Carpenter Freeway - 708 Studios, Applicant - RDF 141 West 114 Irving TX

P2, LLC, Owner

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Allan Meagher, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 55 Ordinance No. ORD-2014-9617 -- Zoning Case #ZC14-0036 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.18 Acres Located at 2439 Concord Drive - Christino Rodriguez, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 8:44 p.m.

No one signed up to speak on this item at tonight's meeting.

Mayor Van Duyne closed the public hearing at approximately 8:44 p.m.

Motioned by Councilman Putnam, seconded by Councilman Spink to Approve Zoning Case #ZC14-0036 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.18 Acres Located at 2439 Concord Drive - Christino Rodriguez, Applicant/Owner

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Joe Putnam, Councilman
<b>SECONDER:</b>	Thomas Spink, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink



- 56 Ordinance No. ORD-2014-9618 -- Zoning Case #ZC14-0043 - Amending the Comprehensive Plan to Change the Recommended Land Use from Light Commercial to Low-Density Residential and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 4.2 Acres Located on the Northwest Corner of Riverside Drive and Creative Way - Claymoore Engineering, Applicant - Encore Land LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:45 p.m.

No one signed up to speak on this item at tonight's meeting.

Mayor Van Duyne closed the public hearing at approximately 8:45 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Putnam to Approve Zoning Case #ZC14-0043 - Amending the Comprehensive Plan to Change the Recommended Land Use from Light Commercial to Low-Density Residential and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 4.2 Acres Located on the Northwest Corner of Riverside Drive and Creative Way - Claymoore Engineering, Applicant - Encore Land LLC, Owner

The opposition represents 21.08% of the land within 200 feet of the subject property. Since this is more than 20%, per State law a ¾-vote is required for approval.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Brad M. LaMorgese, Councilman
<b>SECONDER:</b>	Joe Putnam, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 57 Ordinance No. ORD-2014-9619 -- Zoning Case #ZC14-0053 - Granting C-C (Community Commercial) District Uses - Approximately 2,641 Square Feet Located at 1143 East Irving Boulevard - Sagrero Restaurant, Applicant - Santander Irvingate, LTD., Owner**

Mayor Van Duyne opened the public hearing at approximately 8:46 p.m.

The following individual(s) signed up to speak in support of this item:  
Moises Zamora, 244 Woodhill St., Mesquite, TX

Mayor Van Duyne closed the public hearing at approximately 8:46 p.m.

Motioned by Councilman Ward, seconded by Councilman Danish to Approve Zoning Case #ZC14-0053 - Granting C-C (Community Commercial) District Uses - Approximately 2,641 Square Feet Located at 1143 East Irving Boulevard - Sagrero Restaurant, Applicant - Santander Irvingate, LTD., Owner

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	John C. Danish, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 58 Ordinance No. ORD-2014-9620 -- Zoning Case #ZC14-0055 - Granting S-P-2 (Generalized Site Plan) for C-C (Community Commercial) District Uses - Approximately 12.179 Acres Located at 400 West LBJ Freeway - T. Howard and Associates, Inc., Applicant - Irving Hospital Authority, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:47 p.m.

The following individual(s) signed up to speak in support of this item:  
Todd Howard, 1506 W. Griffin St., Dallas, TX  
Ralph Ellis, 3819 Cabeza De Vach, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:47 p.m.

Motioned by Councilman Ward, seconded by Councilman Webb to Approve Zoning Case #ZC14-0055 - Granting S-P-2 (Generalized Site Plan) for C-C (Community Commercial) District Uses - Approximately 12.179 Acres Located at 400 West LBJ Freeway - T. Howard and Associates, Inc., Applicant - Irving Hospital Authority, Owner

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Dennis Webb, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

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## APPOINTMENTS AND REPORTS

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### 59 Mayor's Report

There was no mayor's report at tonight's meeting.

#### Adjournment

The meeting was adjourned at approximately 8:54 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary