

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
December 11, 2014**

The City Council met in regular session in the Council Chambers of the City Hall Complex on December 11, 2014 at approximately 7:08 p.m. The following members were present / absent:

| Attendee Name | Organization | Title | Status | Arrived |
|----------------------|---------------------|--------------|---------------|----------------|
| 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 | |

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Joseph Kobos, 601 N. Durango, Irving, TX - Mr. Kobos invited everyone to attend festivities that are occurring at the Irving Arts Center.

INVOCATION

The invocation was delivered by Reverend Michael Fay of Briery Fellowship of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Robert Harwerth, Sara Mendez and Daniela Everingham, all students from St. Luke Catholic School.

PROCLAMATION

Mayor Van Duyne presented a proclamation recognizing Salvation Army Red Kettle Day.

CITIZENS FORUM

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

Greg Hall, 2628 Still Meadow, Irving, TX - Mr. Hall spoke regarding fallen trees, city government, code enforcement, and the police force.

Lucia Rottenberg, 2220 Indian Creek Dr., Irving, TX - Ms. Rottenberg addressed the council about trash services and requested that the city not implement the use of large, city issued, garbage bins.

David Bennett, 3577 N. Belt Line Rd., #1010, Irving, TX - Mr. Bennett spoke regarding ball room dancing and healthy habits for children.

CITY COUNCIL AGENDA

1 City Operations Update

There was no Operations Update given at tonight's meeting.

2 Heritage Crossing Update

There was no Heritage Crossing Update given at tonight's meeting.

CONSENT AGENDA

Motioned by Councilman Ward, seconded by Councilman Spink, to approve consent agenda items 3-38 and pull item(s) 21 for individual consideration.

Motion approved 9-0.

3 Approving Minutes for Wednesday, November 12, 2014

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

4 Approving Minutes for Thursday, November 13, 2014

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

5 Resolution No. RES-2014-426 -- Approving Records Control Schedules for the City Secretary's Office and Financial Services

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

6 Resolution No. RES-2014-427 -- Approving the 2015 Irving Legislative Program for the 84th Texas Legislative Session

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 7 Resolution No. RES-2014-428** -- Authorizing a Maintenance Agreement with The Bridges of Las Colinas Homeowners Association, The Las Colinas Association, and the Dallas County Utility and Reclamation District for The Bridges of Las Colinas Project

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 8 Resolution No. RES-2014-429** -- Authorizing a Maintenance and Access Agreement with Champion Hollows Homeowners Association, Hines Las Colinas Ranchview Land LLC and Valley Ranch Master Association, Inc., for the Champion Hollows Project

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 9 Resolution No. RES-2014-430** -- Approving an Interlocal Agreement Between the City of Irving and Dallas County Community College District-Brookhaven College School of Emergency Medical Services

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 10 Resolution No. RES-2014-431 --** Approving the Fourth Amendment to Natatorium Contract Between Dallas County Community College District (DCCCD), City of Irving (COI), and Irving Independent School District (IISD), for the Period of January 1, 2015 through December 31, 2015, at an Estimated Annual Expense of \$325,000.00

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

Stephen Schellenberg, 2821 Still Meadow, Irving, TX

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 11 Resolution No. RES-2014-432 --** Approving the City of Irving Investment Policy

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 12 Resolution No. RES-2014-433 --** Authorizing the Supplemental Benefit Plan to File a Shareholder Derivative Action on Behalf of OSI Systems, Inc.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 13 Resolution No. RES-2014-434 -- Awarding a Contract to North Texas Contracting, Inc., in the Amount of \$486,760.00 for the Water Meter Reconstruction Section V Project**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 14 Resolution No. RES-2014-435 -- Awarding a Contract to SYB Construction Company, Inc., in the Amount of \$1,671,167.39 for the Campana, Cedar, Pioneer, Main and Keeler Water Main Improvements Project**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 15 Resolution No. RES-2014-436 -- Approving Addendum No. 1 to the Engineering Services Agreement Between the City of Irving and Half Associates, Inc., in the Amount of \$1,639,900.00 for Project Agreement Negotiations with the Future TxDOT Corridor Developer for the SH 183 Improvement Project.**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 16 Resolution No. RES-2014-437 -- Reaffirming Council's Selection of Civil Associates, Inc., as the Most Highly Qualified Provider of Engineering Services for the Design of Conflans Road between State Highway 161 and Valley View Lane**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 17 Resolution No. RES-2014-438 -- Approving an Engineering Services Agreement Between the City of Irving and Civil Associates Inc., for the Design of the Conflans Road Extension from State Highway 161 to Valley View Lane in the Amount of \$1,222,708.94**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 18 Resolution No. RES-2014-439 -- Supporting the Texas Enterprise Fund Application by Aviall Services Inc. to the Office of the Governor, Economic Development and Tourism**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 19 Resolution No. RES-2014-440** -- Approving a First Amended and Restated Economic Incentive Agreement Between the City of Irving, Texas and Michaels Stores Procurement Company, Inc., and Michaels Stores, Inc.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 20 Resolution No. RES-2014-441** -- Approving a Sales Contract for the Acquisition of a Single Family Residence Located at 108 Carroll Avenue in the Amount of \$100,000.00, Including Relocation Benefits and Closing Costs – Juan Renee Guerrero, Property Owner

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 21 Resolution No. RES-2014-442** -- Approving a Sales Contract for the Acquisition of a Single Family Residence Located at 622 North Delaware Street in the Amount of \$130,000.00, Including Relocation Benefits and Closing Costs – Israel and Antonia Leyva, Property Owners

Motioned by Councilman Danish, seconded by Councilman Farris to Approve a Resolution for a Sales Contract for the Acquisition of a Single Family Residence Located at 622 North Delaware Street in the Amount of \$130,000.00, Including Relocation Benefits and Closing Costs - Israel and Antonia Leyva, Property Owners

Motion approved 8-1.

Mayor Van Duyne voted in opposition to the motion.

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

- 22 Resolution No. RES-2014-443 --** Approving a Sales Contract for the Acquisition of a Single Family Residence Located at 615 West Grauwlyer Road in the Amount of \$205,900.00, Including Relocation Benefits and Closing Costs - Duane E. and Cynthia A. Slegel, Property Owners.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 23 Resolution No. RES-2014-444 --** Approving an Agreement Between the City of Irving and the North Texas Municipal Water District (NTMWD) to Authorize Use of the Pipeline Reserve Fund

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 24 Resolution No. RES-2014-445 --** Selecting Freese and Nichols, Inc., as the Most Highly Qualified Provider for Engineering Services for Design of an Elevated Storage Tank and Authorizing Staff to Negotiate an Agreement with Said Provider

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 25 Resolution No. RES-2014-446 --** Approving and Accepting the Bid of N.G. Painting LP, in the Amount of \$1,799,525.00 for the Rehabilitation of the Finley Elevated Storage Tank and Hackberry Ground Storage Tank No. 4

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 26 Resolution No. RES-2014-447 --** Renewing the Annual Contracts with Already Gear, Inc. and CoolStuff in the Total Estimated Amount of \$147,000.00 for Uniforms for Field Employees

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 27 Resolution No. RES-2014-448 --** Approving the Purchase from Sterling McCall Ford for a Type I Ambulance in the Total Amount of \$228,600.00 and from Caldwell Country Chevrolet for Three Chevrolet Tahoes in the Total Amount of \$90,372.00 through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 28 Resolution No. RES-2014-449 --** Rejecting All Bids for an Annual Contract for Emergency On-Board Medications

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 29 Resolution No. RES-2014-450 --** Renewing the Annual Contract with Stark Talent in the Total Estimated Amount of \$340,149.00 for Temporary Personnel Services

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 30 Resolution No. RES-2014-451** -- Approving and Accepting the Bid of Henry Schein Animal Health in the Total Estimated Amount of \$184,141.00 for Veterinary Vaccines, Medicines, and Related Supplies

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 31 Resolution No. RES-2014-452** -- Approving the As-Needed Purchase of Asphalt Milling and Overlay Services from APAC Texas, Inc., in an Amount Not to Exceed \$1,000,000.00 through the City's Interlocal Cooperative Purchasing Agreement with Dallas County

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 32 Resolution No. RES-2014-453** -- Renewing the Annual Contract with APAC Texas, Inc., in the Total Estimated Amount of \$206,575.00 for Asphalt Patching Materials

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 33 Resolution No. RES-2014-418 --** Approving the Purchase from the Playwell Group, Inc., for Playground Equipment and Play Surface for Northgate Park and the Installation of Same by Playworks, Inc., in the Total Estimated Amount of \$64,821.86 through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program) (Postponed at November 13, 2014 Council Meeting)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 34 Resolution No. RES-2014-454 --** Approving and Accepting the Bid of Intelligent Interiors, Inc., in the Total Estimated Amount of \$86,454.00 for Seating for South Library

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 35 Resolution No. RES-2014-455 --** Renewing the Single Source Software Maintenance Agreement with Tiburon, Inc., in the Amount of \$174,179.00 for the Police Department's Public Safety Administration System

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 36 Resolution No. RES-2014-456** -- Approving and Accepting the Bids of HD Waterworks Supply, Ltd., Aqua Metric Sales Company, Badger Meter, and Mueller Systems, LLC, in the Total Estimated Amount of \$286,048.42 for Large Water Meter Parts and Accessories

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 37 Resolution No. RES-2014-457** -- Approving the As-Needed Purchase of Tires, Tubes and Flaps from Goodyear Commercial Tire & Service Centers, Blagg Tire & Service, Southern Tire Mart, LLC, and Tire Centers, LLC in the Total Estimated Amount of \$1,060,670.00 through the City's Interlocal Cooperative Purchasing Agreement with the City of Dallas

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 38 Ordinance No. ORD-2014-9644** -- Amending Sec. 16-27 of Article II "Purchasing" of Chapter 16 Entitled "Finance and Taxation" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for the Administrative Approval of Certain Agreements

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Thomas Spink, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

INDIVIDUAL CONSIDERATION

- 39 Resolution No. RES-2014-458 -- Authorizing Next Steps for Convention Center Headquarter Hotel Procurement Process**

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

Motioned by Councilman Farris, seconded by Councilman Webb to Approve a Resolution Authorizing Next Steps for Convention Center Headquarter Hotel Procurement Process

Motion approved 8-1.

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

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

- 40 Resolution No. RES-2014-423 -- Approving First Amended and Restated Reimbursement Agreement in an Amount Not to Exceed \$44,000,000 with ARK Group of Irving, Inc., for Capital Infrastructure Improvements Within Tax Increment Reinvestment Zone No. One (Postponed at the November 13, 2014 Council Meeting)**

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

Motioned by Councilman Webb, seconded by Councilman Meagher to Approve a Resolution Approving First Amended and Restated Reimbursement Agreement in an Amount Not to Exceed \$44,000,000 with ARK Group of Irving, Inc., for Capital Infrastructure Improvements Within Tax Increment Reinvestment Zone No. One (Postponed at the November 13, 2014 Council Meeting)

Motion approved 7-2.

Councilmember(s) voting in opposition of this motion include: Mayor Van Duyne and Councilman Spink

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| RESULT: | ADOPTED [7 TO 2] |
| MOVER: | Dennis Webb, Councilman |
| SECONDER: | Allan Meagher, Councilman |
| AYES: | Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris |
| NAYS: | Van Duyne, Spink |

41 Resolution No. RES-2014-459 -- Approving an Amendment to the Memorandum of Understanding Between the City of Irving and Joe Mapes, Marvin Randle and Oscar Ward Relative to the Proposed Whistle Stop Market Development

Councilman Oscar Ward filed an Abstention Affidavit with the City Secretary's Office prior to this meeting and recused himself from voting on this item.

Councilman Tom Spink filed an Abstention Affidavit with the City Secretary's Office prior to this meeting and recused himself from voting on this item.

The following individual(s) signed up to speak in support of this item:
Joe Mapes, P.O. Box 141964, Irving, TX

Motioned by Councilman Putnam to Approve a Resolution Approving an Amendment to the Memorandum of Understanding Between the City of Irving and Joe Mapes, Marvin Randle and Oscar Ward Relative to the Proposed Whistle Stop Market Development

This motion failed for lack of a second.

Motioned by Councilman Webb to amend the motion to not extend a resolution Approving an Amendment to the Memorandum of Understanding Between the City of Irving and Joe Mapes, Marvin Randle and Oscar Ward Relative to the Proposed Whistle Stop Market Development

This motion also failed for lack of a second.

Motioned by Councilman Putnam, seconded by Councilman Danish to Approve a Resolution Approving an Amendment to the Memorandum of Understanding Between the City of Irving and Joe Mapes, Marvin Randle and Oscar Ward Relative to the Proposed Whistle Stop Market Development

Motion approved 5-2-2.

Councilmember(s) voting in favor of this motion include: Mayor Van Duyne, Councilmen Danish, Meagher, Putnam and LaMorgese

Councilmember(s) voting in opposition of this motion include: Councilmen Webb and Farris

Councilmember(s) abstaining/not voting from this motion include: Councilmen Ward and Spink

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| RESULT: | ADOPTED [5-2-2] |
| MOVER: | Joe Putnam, Councilman |
| SECONDER: | John C. Danish, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Putnam, LaMorgese |
| NAYS: | Webb, Farris |
| ABSTAIN: | Ward, Spink |

42 Ordinance No. ORD-2014-9645 -- Amending Chapter 48 "Smoking," of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Providing Definitions; Prohibiting Smoking in Certain Public Places; and Providing a Time in Which Existing Establishments Have to Comply

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

Michael Chiu, 2126 Texas Ash Dr., Irving, TX
John Drake, 2416 Southern Oak Dr., Irving, TX
Steve Love, 250 Decker Dr., Irving, TX
Bill Owen, 3500 Double Oak Lane, Irving, TX
Rachel Kane, 105 Decker Court, Irving, TX
Kay Kamm, 8900 Carpenter Frwy, Dallas, TX
John Starkey, 6275 Rogers Dr., Irving, TX

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

Lawrence Nobriga, 887 Union Station Pkwy, Lewisville, TX
Bill Watson, 1045 Hidden Ridge, Irving, TX
Pat Obenshain, 37 Creekside, Trophy Club, TX
Nick Garvey, 4528 Daffodil Trace, Plano, TX
Augustin Martinez, 4284 W. Pioneer Dr. #1005, Irving, TX
John Gessner, 5151 Boutine, Dallas, TX
James Barefoot, 2140 W. Irving Blvd. #725, Irving, TX

Melodye Green, 2420 W. Irving Blvd., Irving, TX
Sigmond Christian, 4284 W. Pioneer Dr. #1005, Irving, TX
Patrice Salazar, 2420 W. Irving Blvd., Irving, TX
Brian James, 855 W. John Carpenter Frwy, Irving, TX
Linda McMullen, 2420 W Irving Blvd., Irving, TX
Nichola Quintana, 1933 E. Grauwyle Rd., Irving, TX
Patty Crawford, 2420 W. Irving Blvd., Irving, TX
Joe Mapes, P.O. Box 141864, Irving, TX

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

Dusty Young, 1001 Lake Carolyn Pkwy #458, Irving, TX
Christopher Ralbo, 105 Decker Court, Irving, TX
Marvin Groote, 1200 West Walnut Hill Lane #1200, Irving, TX
Scott Farace, 105 Decker Court, Irving, TX
Taylor Moody, 105 Decker Court, Irving, TX
Zac Whitley, 105 Decker Court, Irving, TX
Deb Rollick, 105 Decker Court, Irving, TX
Susan Holmes, 105 Decker Court, Irving, TX
Allison Holmes, 105 Decker Court, Irving, TX
Shamthi Ray, 105 Decker Court, Irving, TX
Dr. Susma Sharma, 250 Decker Court, Irving, TX
Susan Elizondo, 105 Decker Court, Irving, TX
Shebroda Blackburn, 105 Decker Court, Irving, TX
Carol Danette Tidwell, 250 Decker Court, Irving, TX
Clair Kinzy, 3718 Armstrong Ave., Dallas, TX
Sosi Papazian, 105 Decker Court #200, Irving, TX
Tiffany Bryan, 5601 Escena Blvd. #1052, Irving, TX
Emma Petty, 2805 Wells, Irving, TX
Virginia Sample, 210 W. 5th Street, Irving, TX
Stephen Schellenburg, 2821 Still Meadow, Irving, TX
Lynsay Neale, 2101 W. Northgate Dr., Irving, TX
Lucia Rottenberg, 2220 Indian Creek Dr., Irving, TX
Rachael Lewis Deberry, 105 Decker Court, Irving, TX
Janet Brennan, 4609 Windsor Ridge Dr., Irving, TX

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

Pedro Cano Jr., 1045 Lyle St., Lancaster, TX
Mike Randall, 613 Murl Dr., Irving, TX
Sam Bemani, 2420 W. Irving Blvd., Irving, TX
Monte Robertson, 2420 W. Irving Blvd., Irving, TX
Denise Roach, 1045 Lyle St., Lancaster, TX
Jimmy Wilkins, 2513 David Dr., Irving, TX
Bobby Tittle, 1618 Arlington, Irving, TX

Marvin G. Lopez, 4065 N. O'Connor Rd., Irving, TX
Denise Johnson, 4300 Rosemeade #1322, Irving, TX
Betty Sanderson, 601 McCoy, Irving, TX
Laila Samanego, 2803 W. Pioneer, Irving, TX
Cathie Horskey, 3830 Old Denton Rd. Apt 51, Carrollton, TX
Jim Brock, 1345 Spirit Falls, Frisco, TX
Linda Braggs, 2420 W. Irving Blvd., Irving, TX
Debra Dexter, 1363 River Ridge, Grand Prairie, TX
Don Dungy, 555 Via Amalfi, Irving, TX
Carole A. West, 2622 W. Tenth St., Irving, TX
Viola Stephens, 1425 Meyers Rd., Irving, TX
Mark Lamm, 719 Brinker Cottage, Coppell, TX
Dora Minyard, 2420 W. Irving Blvd., Irving, TX
Rick Hollis, 2305 W. Airport Freeway, Irving, TX
Aunnica Zacca, 2305 W. Airport Freeway, Irving, TX
Evan Bolling, 2305 W. Airport Freeway, Irving, TX
Liliana Ruiz, 900 River Bend, Lancaster, TX
Issac Ibarra, 400 River Bend Dr., Lancaster, TX
Dustin Koehn, 2305 W. Airport Freeway, Irving, TX

Motioned by Councilman Meagher, seconded by Councilman Putnam to postpone this Ordinance indefinitely.

Motion approved 5-4.

Councilmember(s) voting in favor of this motion include: Councilmen Danish, Meagher, Putnam, Ward and Webb

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

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| RESULT: | POSTPONED [5 TO 4] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Joe Putnam, Councilman |
| AYES: | Danish, Meagher, Webb, Putnam, Ward |
| NAYS: | Van Duyne, LaMorgese, Farris, Spink |

ZONING CASES AND COMPANION ITEMS

- 43 Resolution No. RES-2014-460** -- Approving Final Plat - PL14-0047 - Hackberry Creek Estates, Tract 3, Phase 2, Sector 20, 1St Revision Addition - Approximately 0.64 Acres Located at 1101 and 1105 Catalpa Circle - Karen A. Skinner, Owner/Applicant

Mayor Van Duyne opened the public hearing at approximately 9:07 p.m.

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

Karen Skinner, 1101 Catalpa Circle, Irving, TX

Kevin Byrma, 1101-1105 Catalpa Circle, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 9:07 p.m.

Motioned by Councilman Danish, seconded by Councilman Ward to Approve a Resolution Approving Final Plat - PL14-0047 - Hackberry Creek Estates, Tract 3, Phase 2, Sector 20, 1St Revision Addition - Approximately 0.64 Acres Located at 1101 and 1105 Catalpa Circle - Karen A. Skinner, Owner/Applicant

Motion approved 9-0.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

John C. Danish, Councilman

SECONDER:

Oscar Ward, Councilman

AYES: Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink

- 44 Resolution No. RES-2014-461** -- Approving Final Plat - PL14-0053 - Encore of Las Colinas - Approximately 4.278 Acres Located on the Northwest Corner of Riverside Drive and Creative Way - Claymoore Engineering, Applicant - CCPS Family Partnership, LTD., Owner

Mayor Van Duyne opened the public hearing at approximately 9:07 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 9:07 p.m.

Motioned by Councilman Webb, seconded by Councilman Farris Approve a Resolution Approving Final Plat - PL14-0053 - Encore of Las Colinas - Approximately 4.278 Acres Located on the Northwest Corner of Riverside Drive and Creative Way - Claymoore Engineering, Applicant - CCPS Family Partnership, LTD., Owner

Motion approved 9-0.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Dennis Webb, Councilman |
| SECONDER: | Gerald Farris, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 45 Ordinance No. ORD-2014-9646 -- Consider Amending the City of Irving Comprehensive Plan and Master Thoroughfare Plan by the Deletion of Proposed Springwood Drive Between Regent Boulevard and the Interstate Highway 635 Eastbound Frontage Road**

Mayor Van Duyne opened the public hearing at approximately 9:08 p.m.

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

Ulys Lare, 701 Highlardy Blvd., Arlington, TX

Tommy Crowell, 3008 E. Hebron Parkway Blvd. 300, Arlington, TX

Mayor Van Duyne closed the public hearing at approximately 9:08 p.m.

Motioned by Councilman Ward, seconded by Councilman Putnam to Approve an Ordinance to Consider Amending the City of Irving Comprehensive Plan and Master Thoroughfare Plan by the Deletion of Proposed Springwood Drive Between Regent Boulevard and the Interstate Highway 635 Eastbound Frontage Road

Motion approved 9-0.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Joe Putnam, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 46 Ordinance No. ORD-2014-9647 -- Zoning Case #ZC14-0038 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial), Commercial Parking and Related Uses - Approximately 16.9 Acres Located at 7815 Esters Boulevard - Freedom Park L.P., Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 9:08 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 9:08 p.m.

Motioned by Councilman Danish, seconded by Councilman Meagher to Approve Zoning Case #ZC14-0038 an Ordinance Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial), Commercial Parking and Related Uses - Approximately 16.9 Acres Located at 7815 Esters Boulevard - Freedom Park L.P., Applicant/Owner

Motion approved 9-0.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | John C. Danish, Councilman |
| SECONDER: | Allan Meagher, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 47 Ordinance No. ORD-2014-9648 -- Zoning Case #ZC14-0052 - Granting S-P-1 (Detailed Site Plan) for Self-Storage Warehouse Uses Including Outside Storage of Recreational Vehicles, Boats, Cars and Trailers - Approximately 2.4 Acres Located at 1400 West Pioneer Drive - M.J. Wright & Associates, Applicant - Wood Construction - Owner**

Mayor Van Duyne opened the public hearing at approximately 9:09 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 9:09 p.m.

Motioned by Councilman Farris, seconded by Councilman Putnam to Approve Zoning Case #ZC14-0052 - an Ordinance Granting S-P-1 (Detailed Site Plan) for Self-Storage Warehouse Uses Including Outside Storage of Recreational Vehicles, Boats, Cars and Trailers - Approximately 2.4 Acres Located at 1400 West Pioneer Drive - M.J. Wright & Associates, Applicant - Wood Construction - Owner

Motion approved 8-1.

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

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

- 48 Ordinance No. ORD-2014-9649 -- Zoning Case #ZC14-0067 - Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) Uses - Approximately 5.19 Acres Located at 1901 West Park Drive - Irving Hospital Authority, Applicant/Owner**

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

The following individual(s) signed up in to speak in support of this item:
Walter Wilson Jr., 10405 Winner's Dr., Irving, TX
Blake Hodge, 4663 Newcastle Dr., Frisco, TX

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

Motioned by Councilman LaMorgese, seconded by Councilman Putnam to Approve Zoning Case #ZC14-0067 - an Ordinance Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) Uses - Approximately 5.19 Acres Located at 1901 West Park Drive - Irving Hospital Authority, Applicant/Owner

Motion approved 9-0.

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| RESULT: | ADOPTED [9 TO 0] |
| MOVER: | Brad M. LaMorgese, Councilman |
| SECONDER: | Joe Putnam, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Farris, Spink |

- 49 Ordinance No. ORD-2014-9650 -- Zoning Case #ZC14-0068 - Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) and Parking Uses - Approximately 1.409 Acres Located at 119 South MacArthur Boulevard - Glenn Engineering, Applicant - City of Irving, Owner**

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

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

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

Motioned by Councilman Meagher, seconded by Councilman Farris to Approve Zoning Case #ZC14-0068 an Ordinance Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) and Parking Uses - Approximately 1.409 Acres Located at 119 South MacArthur Boulevard - Glenn Engineering, Applicant - City of Irving, Owner

Motion approved 8-1.

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

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| RESULT: | ADOPTED [8 TO 1] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Gerald Farris, Councilman |
| AYES: | Van Duyne, Danish, Meagher, Webb, Putnam, Ward, LaMorgese, Spink |
| NAYS: | Farris |

- 50 Ordinance No. ORD-2014-9651 -- Zoning Case #ZC14-0069 - Granting S-P-2 (Generalized Site Plan) for ML-20 (Light Industrial) Uses including Sales, Leasing and Service of Truck Trailers - Approximately 14.94 Acres Located at 2723 Carl Road - Bannister Engineering, LLC, Applicant - Empire Land Company, LTD, Owner**

Mayor Van Duyne opened the public hearing at approximately 9:13 p.m.

The following individual(s) signed up in to speak in support of this item:
Bill Dahlstrom, 901 Main St. # 6000, Dallas, TX

Mayor Van Duyne closed the public hearing at approximately 9:13 p.m.

Motioned by Councilman Ward, seconded by Councilman Danish to Approve Zoning Case #ZC14-0069 - an Ordinance Granting S-P-2 (Generalized Site Plan) for ML-20 (Light Industrial) Uses including Sales, Leasing and Service of Truck Trailers - Approximately 14.94 Acres Located at 2723 Carl Road - Bannister Engineering, LLC, Applicant - Empire Land Company, LTD, Owner

Motion approved 9-0.

Due to program error, Councilman's Meagher vote was not recorded electronically. Mayor Van Duyne noted that Councilman Meagher verbally acknowledge he was in favor of this item.

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

APPOINTMENTS AND REPORTS

51 Mayor's Report

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

Adjournment

The meeting was adjourned at approximately 9:13 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary