

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
October 22, 2015**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, October 22, 2015 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	
Phil Riddle	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	
Wm David Palmer	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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Patty Landers Caperton, 1633 Boundbrook Ln., Irving, TX – Mrs. Caperton invited the public to a special opening of Mary’s Playhouse, which is located behind the Heritage House, on Sunday, November 8, 2015 at 2:00 p.m.

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**INVOCATION**

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The invocation was delivered by Councilman Dennis Webb.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was given by Kayla Lopez, Hillary Alamene and Bianca Umeakuana, students from MacArthur High School.

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**PROCLAMATIONS**

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Mayor Van Duyne presented the AccessAbility Award to three local businesses that were recognized by the Advisory Committee on Disabilities for their outstanding efforts in providing accessible facilities and inclusive programs for people with disabilities. The following representatives were present on behalf of their businesses to receive the AccessAbility Award:

- SAM’s Club, Kay Wilson, Assistant Manager

- San Mar Corporation, Olga Zammarippa, HR Manager and David Connor, Production Supervisor
- Quick Trip Corporation, Ernie Larkin, Real Estate Manager

Mayor Van Duyne presented the National Community Planning Month proclamation to Steve Reed, Planning and Community Development Director.

Mayor Van Duyne presented the Irving High Spirited Citizen Award to Jill and Robin Stephens.

### **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.

Richard Shafer, 4208 Hackmore Loop, Irving, TX – Mr. Shafer spoke regarding a water hydrant he observed running water regularly.

Michael McPhail, 815 Dixon Rd., Irving, TX – Mr. McPhail requested the city consider improving the lighting in downtown Irving.

Elvia Espino, 800 Lake Carolyn Pkwy #146, Irving, TX – Ms. Espino spoke regarding Aqua Star, a new program implemented by the Parks and Recreation Department, and thanked staff for their innovative approach in acknowledging children with special needs and their families.

Nanoo Patel, 3905 Acapulco Dr., Irving, TX – Mr. Patel spoke about his objection to automating garbage collection.

Richard Sichenzio, 119 Alto Vista Dr., Irving, TX – Mr. Sichenzio spoke about his objection to automating garbage collection.

Patrick Davis, 1943 Winthrop, Irving, TX – Mr. Davis spoke regarding the 2006 Strategic Plan versus the 2016 Strategic Plan and the expectation to improve the neighborhoods.

Manny Benavides, 2108 Meadow Glen, Irving, TX – Mr. Benavides spoke regarding the need to clean up South Irving.

David Bennett, 3577 N. Belt Line Rd. #1010, Irving, TX – Mr. Bennett spoke regarding ball room dance and the Olympics.

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**CITY COUNCIL AGENDA**

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**1 City Operations Update**

There was no Operations Update at tonight's meeting.

**2 Heritage Crossing Update**

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

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**CONSENT AGENDA**

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Motioned by Councilman Ward, seconded by Councilman Webb to approve consent agenda items 3-31.

Motion approved 9-0.

**3 Approving Minutes for Wednesday, October 07, 2015**

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

**4 Approving Minutes for Thursday, October 08, 2015**

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

- 5 **Resolution No. RES-2015-386** -- Approving a Memo of Understanding Which Establishes Permissions and Guidelines for the Use of the City of Irving Public Safety Radio Channels by Dallas County Emergency Response Agencies.

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 6 **Resolution No. RES-2015-387** -- Approving and Adopting the Tarrant County 9-1-1 District 2015-16 Annual Budget

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 7 **Resolution No. RES-2015-388** -- Renewing an Annual Contract with the University of Texas Southwestern Medical Center at Dallas for Medical Direction and Quality Assurance Services for Emergency Medical Technicians (EMTs) and Paramedics in the Amount of \$7,007.94

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 8 Resolution No. RES-2015-389** -- Approving Amendment No. 3 to the Household Hazardous Waste Interlocal Agreement Between Dallas County and City of Irving to Provide a Program in Which Residents Can Properly Dispose of Household Chemicals, in the Amount Not to Exceed \$110,000.00

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 9 Resolution No. RES-2015-390** -- Approving an Amended Interlocal Agreement Between the City of Irving Tax Increment Reinvestment Zone Number One, City of Irving, and the Dallas County Utility Reclamation District Concerning Desiltation of District Waterways in the Amount of \$387,000

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 10 Resolution No. RES-2015-391** -- Authorizing Funding to Bracewell & Giuliani LLP in the Amount of \$200,000.00 for Legal Services in Connection with the Entertainment Venue

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 11 Resolution No. RES-2015-392 --** Selecting Bridgefarmer and Associates, Inc. as the Most Highly Qualified Provider of Engineering Services for the Signature Bridge Water and Wastewater Relocation Project and Authorizing Staff to Negotiate an Agreement with Said Provider

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 12 Resolution No. RES-2015-393 --** Approving an Interlocal Agreement Between the City of Irving and Dallas County for a Trail Development Reimbursement Grant for the Construction of Campion Trails North MacArthur Extension

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 13 Resolution No. RES-2015-394 --** Awarding a Contract to Humphrey & Morton Construction Company, Inc., in the Amount of \$10,818,096.60 for the Embassy Channel and Middle Delaware Creek Improvements Project

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 14 Resolution No. RES-2015-395 -- Awarding a Contract to D & H United Fueling Solutions, in the Amount of \$341,128.02 for the Stand-By Generator Upgrades at the Fire Administration Building, Fire Station 3 and Fire Station 4**

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 15 Resolution No. RES-2015-396 -- Acknowledging Assignment of the City's Contract with Tiburon to Tritech Software Systems and Approving Agreements for the Migration of the Police Department's Public Safety Administration System to the Tritech Software Systems Product in lieu of the Previously Approved Tiburon Upgrade**

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 16 Resolution No. RES-2015-397 -- Approving a Special Event Permit for Community Events Hosted by Texas Musicians Museum to be Held November 8, 2015 and December 5, 2015, at 213-221 East Irving Boulevard**

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 17 Resolution No. RES-2015-398** -- Approving a Sales Contract for a Water and Sanitary Sewer Easement Acquisition Located at 2305 West Airport Freeway in the Amount of \$55,431.25, Plus Closing Costs Not to Exceed \$5,000.00, for the Relocation of City Utilities Related to the Midtown Express Project - U.G.M. of Dallas - Property Owner

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 18 Resolution No. RES-2015-399** -- Approving a Sales Contract for a Water and Sanitary Sewer Easement Acquisition Located at 3100 Tom Braniff Drive in the Amount of \$190,598.50, Plus Closing Costs Not to Exceed \$5,000.00, for the Relocation of City Utilities Related to the Midtown Express Project - 183 Land Corporation - Property Owner

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 19 Resolution No. RES-2015-400** -- Declaring the Necessity and Authorizing the Acquisition of a Water and Sanitary Sewer Easement Located at 2200 Carl Road for the Relocation of City Utilities Related to the Midtown Express Project - PPV Real Estate Ltd., Property Owner

<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, Riddle, Ward, LaMorgese, Farris, Palmer



- 20 Resolution No. RES-2015-401** -- Approving a Sales Contract for a Water and Sanitary Sewer Easement Acquisition Located at 800 W. Airport Freeway in the Amount of \$43,401.88, Plus Closing Costs Not to Exceed \$5,000.00, for the Relocation of City Utilities Related to the Midtown Express Project - AREA/EY WFT, LLC- Property Owner

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 21 Resolution No. RES-2015-402** -- Accepting Payment of \$17,693.28 and Settlement of Civil Penalties, Fees and Interest on City's Liens for Property Located at 3830 Twin Falls Street

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 22 Resolution No. RES-2015-403** -- Approving Amendment No. 1 to the Agreement with David Pettit Economic Development, LLC (DPED) in the Amount of \$14,210.00 for FY2014-15 Administrative Services for the Bridges of Las Colinas PID 1, Ranchview PID 2, Parkside PID 3

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 23 Resolution No. RES-2015-404** -- Approving Addendum No. 1 to the Engineering Services Agreement with Freese and Nichols, Inc., in the Amount of \$465,535.00 for a Long Range Water Supply Plan

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 24 Resolution No. RES-2015-405** -- Approving Change Order No. 1 to N.G. Painting, L.P., in the Amount of \$75,600.00 for the Rehabilitation of the Finley Elevated Storage Tank and Hackberry Ground Storage Tank No. 4

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 25 Resolution No. RES-2015-406** -- Authorizing the Irving Convention and Visitors Bureau to Purchase Advertising Space in the Media in the Amount of \$680,000.00 for Calendar Year 2016

The following individual(s) signed up in support of this item but did not want to speak:  
Clem Lear, 4643 O'Connor Ct, Irving, TX

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 26 Resolution No. RES-2015-407** -- Approving a Parking License and Access Agreement Between the City of Irving/Irving Convention and Visitors Bureau and Dallas Area Rapid Transit ("DART") for Use of 150 Bus Parking Spaces and Shuttle Pick-Up and Drop-Off Services on DART-Owned Property Known as the North Irving Transit Center, Located at 5601 Riverside Drive, Irving, TX 75039 February 24-27, 2016

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

Clem Lear, 4643 O'Connor Ct, Irving, TX

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 27 Resolution No. RES-2015-408** -- Approving and Accepting the Bids of Sunbeam Foods, Inc., and Oak Farms Dairy in the Total Estimated Amount of \$125,186.24 for Prisoner Food for the City of Irving Jail Facility

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 28 Resolution No. RES-2015-409** -- Approving and Accepting the Bid of Production Experience, Inc., in an Amount Not to Exceed \$103,000.00 for Stage, Sound, and Lighting Production for City of Irving Special Events

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 29 Resolution No. RES-2015-410 --** Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Facility Solutions Group, Inc., in an Amount Not to Exceed \$75,000.00 for As-Needed Repairs of Parks & Recreation Equipment, Field Lighting Products & Installation through the State of Texas Local Government Statewide Purchasing Cooperative (BuyBoard) and Authorizing the Mayor to Execute the Contract

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 30 Resolution No. RES-2015-411 --** Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Consolidated Traffic Controls, Inc., in the Total Estimated Amount of \$270,000.00 for As-Needed Purchases of Traffic Control, Enforcement & Signal Preemption Equipment through the Houston-Galveston Area Council of Governments (H-GAC) and Authorizing the Mayor to Execute the Contract

<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, Riddle, Ward, LaMorgese, Farris, Palmer

- 31 Resolution No. RES-2015-412 --** Ratification of Expenditure to ES&H of Dallas, LLC, in the Amount of \$195,787.54 for the Emergency Cleanup of an Accidental Sewage Discharge into Lake Carolyn

<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, Riddle, Ward, LaMorgese, Farris, Palmer

**INDIVIDUAL CONSIDERATION**

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- 32 Resolution No. RES-2015-413** -- Approving Second Amended and Restated Lease Agreement Between the City of Irving, Texas, and ARK Group of Irving, Inc., for the Entertainment Center

The Council announced that they would take action on items 32 - 38 at one time with one motion.

Mayor Van Duyne opened the public hearing at approximately 7:45 p.m.

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

Clem Lear, 4643 O'Connor Ct., Irving, TX

Mayor Van Duyne closed the public hearing at approximately 7:45 p.m.

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve a Resolution -- Approving Second Amended and Restated Lease Agreement Between the City of Irving, Texas, and ARK Group of Irving, Inc., for the Entertainment Center.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer

- 33 Resolution No. RES-2015-414** -- Approving the First Amended and Restated Development Agreement Between the City of Irving and ARK Group of Irving, Inc., for the Entertainment Center

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

Clem Lear, 4643 O'Connor Ct., Irving, TX

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve a Resolution -- Approving the First Amended and Restated Development Agreement Between the City of Irving and ARK Group of Irving, Inc., for the Entertainment Center.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer

- 34 Resolution No. RES-2015-415** -- Approving the First Amended and Restated Economic Development Incentive Agreement Between the City of Irving, Texas, and ARK Group of Irving, Inc., in an Estimated Value of \$36,371,000

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

Clem Lear, 4643 O'Connor Ct., Irving, TX

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve a Resolution -- Approving the First Amended and Restated Development Agreement Between the City of Irving and ARK Group of Irving, Inc., for the Entertainment Center.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer

- 35 Resolution No. RES-2015-416** -- Approving Second 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

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

Clem Lear, 4643 O'Connor Ct., Irving, TX

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve a Resolution -- Approving the First Amended and Restated Development Agreement Between the City of Irving and ARK Group of Irving, Inc., for the Entertainment Center.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer

**36 Resolution No. RES-2015-417 -- Approving Form of Consent Agreement and Estoppel Certificate Between the City, a Company Mortgagee, and ARK Group of Irving, Inc., Related to the Entertainment Center**

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

Clem Lear, 4643 O'Connor Ct., Irving, TX

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve a Resolution -- Approving the First Amended and Restated Development Agreement Between the City of Irving and ARK Group of Irving, Inc., for the Entertainment Center.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer

**37 Resolution No. RES-2015-418 -- Amending the Resolution Receiving the ARK Group of Irving, Inc. Promoter Agreement**

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

Clem Lear, 4643 O'Connor Ct., Irving, TX

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve a Resolution -- Approving the First Amended and Restated Development Agreement Between the City of Irving and ARK Group of Irving, Inc., for the Entertainment Center.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer

**38 Resolution No. RES-2015-419 -- Repealing Resolution No. RES-2013-293 Related to a Booking Agreement Between the City of Irving, Texas, on Behalf of the Irving Convention and Visitors Bureau, and ARK Group of Irving, Inc.**

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

Clem Lear, 4643 O'Connor Ct., Irving, TX

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve a Resolution -- Approving the First Amended and Restated Development Agreement Between the City of Irving and ARK Group of Irving, Inc., for the Entertainment Center.

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer



**ZONING CASES AND COMPANION ITEMS**

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- 39 Ordinance No. ORD-2015-9728** -- Zoning Case #ZC15-0042 - Amending the Comprehensive Plan to Change the Recommended Land Use from Retail to Low Density Residential and Granting S-P-2 (Generalized Site Plan) for R-TH (Townhouse) District Uses - Approximately 8.23 Acres Located at 1802 Hard Rock Road - Majestic Cast Inc., Owner/Applicant - (Postponed from the September 17, 2015 City Council Meeting)

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

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

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

Motioned by Councilman Webb, seconded by Councilman Ward to Approve an Ordinance -- Zoning Case #ZC15-0042 - Amending the Comprehensive Plan to Change the Recommended Land Use from Retail to Low Density Residential and Granting S-P-2 (Generalized Site Plan) for R-TH (Townhouse) District Uses - Approximately 8.23 Acres Located at 1802 Hard Rock Road - Majestic Cast Inc., Owner/Applicant - (Postponed from the September 17, 2015 City Council Meeting).

Motion approved 9-0.

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

- 40 Ordinance No. ORD-2015-9732** -- Zoning Case #ZC15-0056 - Granting S-P-2 (Generalized Site Plan) for C-C (Community Commercial) District Uses - Approximately 17.62 Acres Located at 2501 Irving Mall - Kimley-Horn and Associates, Inc., Applicant - Seritage SRC Finance LLC., Owner - (Postponed from the September 17, 2015 City Council Meeting)

Motioned by Councilman Webb, seconded by Councilman Ward to postpone Zoning Case #ZC15-0056 to the November 12, 2015 Council meeting.

Motion approved 9-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 11/12/2015 7:00 PM</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Oscar Ward, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer

- 41 Ordinance No. ORD-2015-9738 -- Zoning Case #ZC15-0065 - Granting S-P-2 (Generalized Site Plan) for ML-20a (Light Industrial) Uses. Approximately 50 Acres Located at the Northwest Corner of State Highway 161 and Conflans Road - Jackson-Shaw, Applicant - Codi Land & Cattle, LP., Owner.**

Mayor Van Duyne opened the public hearing at approximately 7:50 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 7:50 p.m.

Motioned by Councilman Webb, seconded by Councilman Danish to Approve an Ordinance -- Zoning Case #ZC15-0065 - Granting S-P-2 (Generalized Site Plan) for ML-20a (Light Industrial) Uses. Approximately 50 Acres Located at the Northwest Corner of State Highway 161 and Conflans Road - Jackson-Shaw, Applicant - Codi Land & Cattle, LP., Owner.

Motion approved 9-0.

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

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**APPOINTMENTS AND REPORTS**

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**42 Mayor's Report**

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

**Adjournment**

The meeting was adjourned at approximately 7:55 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary