

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
April 14, 2016**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, April 14, 2016 at approximately 7:00 p.m. The following members were present / absent:

| Attendee Name | Organization | Title | Status | Arrived |
|----------------------|---------------------|--------------|---------------|----------------|
| Beth Van Duyne | Irving City Council | Mayor | Absent | |
| 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 | |

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

There was no organizational service announcement at tonight's meeting.

INVOCATION

The invocation was delivered by Reverend Dr. Diane Baldwin, Woodhaven Presbyterian Church, Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Neha Mathews, Trevor Horton and Mercedes Alvarez from the Stipes Elementary School student council and Chelsea Stroman from Britain Elementary School student council.

PROCLAMATIONS

There were no proclamation presented at tonight's meeting.

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.

Loren Byers, 918 E. Tanglewood Dr., Irving, TX – Mr. Byers ask the Council and city staff to practice financial responsibility.

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

CITY COUNCIL AGENDA

1 City Operations Update

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

2 Heritage Crossing Update

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

CONSENT AGENDA

Motioned by Councilman Meagher, seconded by Councilman Ward to approve consent agenda items 3-17, and pull item(s) 13 for individual consideration.

Motion approved 8-0.

3 Approving Minutes for Wednesday, March 30, 2016

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

4 Approving Minutes for Thursday, March 31, 2016

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

5 Resolution No. RES-2016-150 -- Repealing Council Resolution No. 07-01-99-309 Establishing the Current Parks and Recreation Department Policy Requiring Co-Sponsored Athletic and Aquatic Associations to Conduct Background Checks on Their Volunteers and Staff Members

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

6 Resolution No. RES-2016-151 -- Approving Amendment to the City of Irving Group Health Benefit Plan for Employees and Authorizing the Mayor to Execute Any Necessary Documents Related to the Amendment.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 7 **Resolution No. RES-2016-152** -- Authorizing the Mayor to Execute a Local Transportation Project Advance Funding Agreement (LPAFA) for the Construction of an Advance Traffic Management System (ATMS) Utilizing Monies from the Congestion Mitigation Air Quality (CMAQ) Off System Project Funds.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 8 **Resolution No. RES-2016-153** -- Approving a Special Event Permit for the 2016 Volunteers of America Ladies Professional Golf Association Texas Shootout Tournament to be Held at the Las Colinas Country Club on April 25 - May 1, 2016

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 9 **Resolution No. RES-2016-154** -- Approving an Economic Development Incentive Agreement with William D. and Lyn R. Miller in the Amount of \$5,615.75 through the Neighborhood Housing Incentive Program for the Residence Located at 1525 Daywood Lane

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 10 Resolution No. RES-2016-155 -- Approving an Economic Development Agreement with Niemco Properties Company, LLC in the Amount of \$25,000.00 For Façade Enhancements to a Building Located at 120 South Main Street in Downtown Irving**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 11 Resolution No. RES-2016-156 -- Declaring the Necessity and Authorizing the Acquisition of a Water and Sanitary Sewer Easement Located at 2800 East John W. Carpenter Freeway for the Relocation of City Utilities Related to the Midtown Express Project - A2Z Investment Group, Inc. - Property Owner**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 12 Resolution No. RES-2016-157 -- Approving an Interlocal Agreement with the Ralph W. Steen Library at Stephen F. Austin University for the Traveling Exhibition "Portraits of Freedom" to be on Exhibit January 14, 2017 to April 16, 2017.**

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 13 Resolution No. RES-2016-158** -- Ratification of Spending Over \$50,000.00 for the Purchase of Print and Digital Advertising from the Dallas Morning News in the Total Estimated Amount of \$70,980.00.

The following individual(s) signed up to speak in opposition of this item:
Don Van Slyke, 2617 Castle St., Irving, TX

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

Theodore Cole, 1137 Anderson St., Irving, TX
Loren Byers, 918 E. Tanglewood Dr., Irving, TX

Motioned by Councilman Farris, seconded by Councilman Meagher to Approve Resolution -- Ratification of Spending Over \$50,000.00 for the Purchase of Print and Digital Advertising from the Dallas Morning News in the Total Estimated Amount of \$70,980.00.

Motion approved 7-1.

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

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| RESULT: | ADOPTED [7 TO 1] |
| MOVER: | Gerald Farris, Councilman |
| SECONDER: | Allan Meagher, Councilman |
| AYES: | Danish, Meagher, Webb, Ward, LaMorgese, Farris, Palmer |
| NAYS: | Phil Riddle |
| ABSENT: | Beth Van Duyne |

- 14 Resolution No. RES-2016-159** -- Approving and Accepting the Bid of Parkscape Construction Specialties, Inc., in an Amount Not to Exceed \$175,000.00 for Masonry and Stonework

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 15 Resolution No. RES-2016-160** -- Approving Vendor/Member Contracts Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Paradigm Traffic Systems, Inc., and Between the City of Irving and Texas Highway Products LTD, for As-Needed Purchases in an Amount Not to Exceed \$155,000.00 for Fiscal Year 2015-16 for Traffic Signal Parts and Equipment through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 16 Resolution No. RES-2016-161** -- Approving the Purchase from Dell Marketing, L.P., for the Scheduled Replacement of 124 Desktop and 55 Laptop Computers in the Total Amount of \$155,510.00 through the State of Texas Department of Information Resources (DIR) Cooperative Purchasing Program

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 17 Ordinance No. ORD-2016-9794** -- Amending Section 21-191 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, to Consolidate Current Ordinances that Address Truck Issues into Section 21-191 and Add Regulations on Compression Braking

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Allan Meagher, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

ZONING CASES AND COMPANION ITEMS

- 18 Ordinance No. ORD-2015-9755 -- DVP15-0006 - Amending Planned Unit Development No. 2 (PUD 2) to Add Transit Oriented Development (TOD) Uses to the Allowable Uses Within the Subject Property and to Provide a Concept Plan - Approximately 110 Acres Located East of MacArthur Boulevard, West of State Highway 114, and Along Hidden Ridge, Meadow Creek, and Green Park Drive - Verizon, Owner/Applicant (Postponed from December 10, 2015, and January 14, February 4, March 17, and April 14, 2016)**

Mayor Pro Tem Webb opened the public hearing at approximately 7:24 p.m.

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

James Tousignant, representative for Verizon, provided a detailed presentation for council and asked that this item be approved at tonight's meeting or the next scheduled council meeting.

Mayor Pro Tem Webb closed the public hearing at approximately 7:37 p.m.

Motioned by Councilman Palmer by Councilman Ward to Postpone Ordinance -- DVP15-0006 - Amending Planned Unit Development No. 2 (PUD 2) to Add Transit Oriented Development (TOD) Uses to the Allowable Uses Within the Subject Property and to Provide a Concept Plan - Approximately 110 Acres Located East of MacArthur Boulevard, West of State Highway 114, and Along Hidden Ridge, Meadow Creek, and Green Park Drive - Verizon, Owner/Applicant (Postponed from December 10, 2015, and January 14, February 4, and March 17, 2016) to the April 28, 2016 Council meeting.

Motion approved 8-0.

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| RESULT: | POSTPONED [UNANIMOUS] Next: 4/28/2016 7:00 PM |
| MOVER: | Wm David Palmer, Councilman |
| SECONDER: | Oscar Ward, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 19 Ordinance No. ORD-2016-9795 -- Zoning Case # ZC16-0004 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) District Uses - Approximately 0.34 Acres Located at 2115 Oakhurst Drive - Shupe Ventura Lindelow & Olson, PLLC, Applicant - Waffle House, Inc. - Owner**

Mayor Pro Tem Webb opened the public hearing at approximately 8:15 p.m.

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

Mayor Pro Tem Webb closed the public hearing at approximately 8:16 p.m.

Motioned by Councilman Danish, seconded by Councilman Ward to Approve Ordinance -- Zoning Case # ZC16-0004 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) District Uses - Approximately 0.34 Acres Located at 2115 Oakhurst Drive - Shupe Ventura Lindelow & Olson, PLLC, Applicant - Waffle House, Inc. - Owner

Motion approved 8-0.

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

- 20 Ordinance No. ORD-2016-9796 -- Zoning Case #ZC16-0013 - Granting S-P-1 (Detailed Site Plan) for a Wireless Telecommunications Tower - Approximately 0.057 Acres Located at 3133 Esters Road - Zone Systems, Inc., Applicant - Chamthil Family Partnership, Owner**

Mayor Pro Tem Webb opened the public hearing at approximately 8:17 p.m.

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

Mayor Pro Tem Webb closed the public hearing at approximately 8:17 p.m.

Motioned by Councilman Ward, seconded by Councilman Palmer to Approve Ordinance -- Zoning Case #ZC16-0013 - Granting S-P-1 (Detailed Site Plan) for a Wireless Telecommunications Tower - Approximately 0.057 Acres Located at 3133 Esters Road - Zone Systems, Inc., Applicant - Chamthil Family Partnership, Owner

Motion approved 8-0.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Wm David Palmer, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

- 21 Ordinance No. ORD-2016-9797 -- Zoning Case #ZC16-0017 - Granting S-P-1 (Detailed Site Plan) for C-O (Commercial Office) District Uses - Approximately 0.47 Acres at 320 N. O'Connor Road and 220 Virginia Street - JDJR Engineers & Consultants, Inc., Applicant - Easy Freedom Management, Inc., Owner**

The applicant requested this item be postponed to May 12, 2016.

Motioned by Councilman Ward, seconded by Councilman Riddle to Postpone Ordinance -- Zoning Case #ZC16-0017 - Granting S-P-1 (Detailed Site Plan) for C-O (Commercial Office) District Uses - Approximately 0.47 Acres at 320 N. O'Connor Road and 220 Virginia Street - JDJR Engineers & Consultants, Inc., Applicant - Easy Freedom Management, Inc., Owner to the May 12, 2016 Council meeting.

Motion approved 8-0.

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| RESULT: | POSTPONED [UNANIMOUS] Next: 5/12/2016 7:00 PM |
| MOVER: | Oscar Ward, Councilman |
| SECONDER: | Phil Riddle, Councilman |
| AYES: | Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Farris, Palmer |
| ABSENT: | Beth Van Duyne |

APPOINTMENTS AND REPORTS

- 22 Mayor's Report**

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

Adjournment

The meeting adjourned at approximately 8:19 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary