

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
July 21, 2016**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, July 21, 2016 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	
Kyle Taylor	Irving City Council	Councilman	Present	
Wm David Palmer	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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Mary Higbie, 3833 Twin Falls, Irving, TX - Ms. Higbie, with the Irving Heritage Society, invited the public to visit the Heritage House and Mary's Playhouse located on 303 S. O'Connor. Both buildings are historic landmarks and are open to the public on Sunday's throughout the summer.

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**INVOCATION**

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The invocation was delivered by Pastor Andrew Jackson, Jr. of West Irving Church of God in Christ, Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was led by Councilman David Palmer.

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**PROCLAMATIONS**

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Mayor Van Duyne presented the High Spirited Citizen Award to Tom Trotter.

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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.

Manuel Benavidez, 2108 Meadow Glen, Irving, TX – Mr. Benavidez spoke regarding enforcing code ordinances in South Irving.

Karen Ducote, 508 Yorkshire, Euless, TX – Ms. Ducote spoke regarding integrity and personal accountability.

Debbie, Brantley, 311 Vine Street, Irving, TX – Ms. Brantley, President of Village at the Studio HOA, spoke regarding a private street known as Creative Way that is owned by the HOA. Current residents, who are responsible for the maintenance of the private street, would like for the city to take the street and be responsible for the maintenance of the street. Chris Hillman, City Manager, noted that staff are looking into the matter.

Walter Herron, 3428 W. Country Club Drive #105, Irving, TX – Mr. Herron is with a program called “Develop U” which provides mentorship to young men ages 12 to 17. The program provides some tutoring and guidance from business owners, coaches and community leaders.

Bruce Burns, 421 W. Pioneer, Irving, TX – Mr. Burns spoke regarding a fish-fry event that will honor local police officers and fire fighters. The facility and food are being donated and there will be no charge for first responders and their family.

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## CITY COUNCIL AGENDA

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### **1 City Operations Update**

Chris Hillman, City Manager, asked Jeff Litchfield, Director of Finance, to provide a presentation on 2016 bond issuances related to agenda items 19 and 20.

Marty Shew, First Southwest, spoke regarding the sale of the bonds for water and sewer, and answered questions for the Mayor and Council.

### **2 Heritage Crossing Update**

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

**3 Public Hearing No. PH-2016-1 -- Conflict of Interest Regarding Councilman Kyle Taylor and His Employment as Coordinator of Volunteers for Irving Cares, Inc., and Irving Cares' Application for Community Development Block Grant Funding for the 2016-17 Year and Future Years**

Councilman Taylor abstained from discussions related to item 3 prior to the work session and council meeting, and has filed an abstention affidavit with the City Secretary.

Mayor Van Duyne opened the public hearing at approximately 7:46 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 7:46 p.m.

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

**4 Public Hearing No. PH-2016-2 -- Obtain Citizen Input on the Fiscal Year 2016-2017 Action Plan for the Use of Funds from the United States Department of Housing and Urban Development in the Amount of \$2,819,66.00**

Councilman Taylor abstained from discussions related to item 4 prior to the work session and council meeting, and has filed an abstention affidavit with the City Secretary.

Mayor Van Duyne opened the public hearing at approximately 7:47 p.m.

The following individual(s) signed up to speak in support of this item:  
Lauren Smith, 410 Crestover Drive, Richardson, TX

Mayor Van Duyne closed the public hearing at approximately 7:47 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 Webb, seconded by Councilman Meagher to approve consent agenda items 5-18 and pull item(s) 7 for individual consideration.

Motion approved 9-0.

**5 Approving Minutes for Wednesday, July 06, 2016**

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

**6 Approving Minutes for Thursday, July 07, 2016**

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

**7 Resolution No. RES-2016-250 -- Authorizing a Request to the U.S. Department of Housing and Urban Development for Approval of a Waiver of Conflict of Interest Requirements Relative to the City of Irving Action Plan for 2016-2017 and Future Years**

Councilman Taylor abstained from discussions related to item 7 prior to the work session and council meeting, and has filed an abstention affidavit with the City Secretary.

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 Ward, seconded by Councilman Meagher to Approve a Resolution -- Authorizing a Request to the U.S. Department of Housing and Urban Development for Approval of a Waiver of Conflict of Interest Requirements Relative to the City of Irving Action Plan for 2016-2017 and Future Years

Motion approved 8-0-1.

<b>RESULT:</b>	<b>ADOPTED [8-0-1]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Allan Meagher, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Palmer
<b>ABSTAIN:</b>	Kyle Taylor

- 8 Resolution No. RES-2016-251 -- Adopting a Prevailing Wage Rate for Use on City Construction Contracts**

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

- 9 Resolution No. RES-2016-252 -- Approving an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Irving Independent School District (IISD) to Maintain the School Resource Officer Program at IISD Campuses**

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

- 10 Resolution No. RES-2016-253 -- Approving Change Order No. 1 to RKM Utility Services, Inc., in the Amount of \$98,914.50 for the Evergreen Street, Segundo Drive and Glenwick Lane Water & Wastewater Improvement Project**

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

- 11 Resolution No. RES-2016-254 -- Approving a One-Year Renewal of the Continuum of Care Grant from the United States Department of Housing and Urban Development through the Dallas Area/Irving Continuum of Care in the Amount of \$116,422.00**

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

- 12 Resolution No. RES-2016-255 -- Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Staples Contract & Commercial, Inc., in an Amount Not to Exceed \$275,000.00 for As-Needed Purchases of Office Supplies through National Joint Powers Alliance (NJPA)**

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

- 13 Resolution No. RES-2016-256 -- Approving and Accepting the Proposal from Banc of America Public Capital Corp (BAPCC) for Lease Purchase Financing of Three Ambulances, Two Rear Loader Refuse Trucks, and Two Fire Pumper Trucks in the Estimated Annual Amount of \$479,069.00**

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

- 14 Resolution No. RES-2016-257 -- Renewing the Two-Year Contract with Concentra Health Services in the Estimated Amount of \$30,000.00 Annually for Medical and Occupational Health Fitness Services**

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

- 15 Resolution No. RES-2016-258 -- Renewing the Annual Contract with Glass Doctor of North Texas in an Amount Not to Exceed \$150,000.00 for Glass Replacement Services**

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

- 16 Resolution No. RES-2016-259 -- Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Gomez Floor Covering, Inc., in the Total Estimated Amount of \$220,000.00 for As-Needed Flooring Purchases and Repair and Installation Services through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program) and Authorizing the Mayor to Execute the Contract**

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

- 17 Resolution No. RES-2016-260** -- Approving and Accepting the Bid of Dealers Electrical Supply, Inc., in an Amount Not to Exceed \$75,000.00 for Lighting Supplies

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

- 18 Resolution No. RES-2016-261** -- Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and FleetCor Technologies dba Fuelman, in the Total Estimated Amount of \$216,000.00 for the Fleet Fuel Card Program through The Cooperative Purchasing Network (TCPN), which is Sponsored by Region IV Education Service Center

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

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### INDIVIDUAL CONSIDERATION

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- 19 Ordinance No. ORD-2016-9833** -- Authorizing the Issuance of City of Irving, Texas, General Obligation Refunding and Improvement Bonds, Series 2016; Levying a Tax in Payment Thereof; Awarding the Sale Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement, and a Deposit Agreement; Approving the Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance

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 Ward, seconded by Councilman Webb to Approve Ordinance -- Authorizing the Issuance of City of Irving, Texas, General Obligation Refunding and Improvement Bonds, Series 2016; Levying a Tax in Payment Thereof; Awarding the Sale Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement, and a Deposit Agreement; Approving the Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance

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, Riddle, Ward, LaMorgese, Taylor, Palmer

- 20 Ordinance No. ORD-2016-9834 --** Providing for the Issuance of City of Irving, Texas, Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2016; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and a Deposit Agreement; Approving the Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Provisions Incident and Relating to the Subject and Purposes of This Ordinance

Mayor Van Duyne opened the public hearing at approximately 7:51 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 7:51 p.m.

Motioned by Councilman Ward, seconded by Councilman Webb to Approve Ordinance -- Providing for the Issuance of City of Irving, Texas, Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2016; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and a Deposit Agreement; Approving the Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Provisions Incident and Relating to the Subject and Purposes of This Ordinance

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, Riddle, Ward, LaMorgese, Taylor, Palmer

**21 Ordinance No. ORD-2016-9786 -- Amending Chapter 6 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Providing Definitions, and Providing Regulations for the Keeping of Chickens**

Corey Price, Animal Services Manager, described the proposed regulations for the keeping of chickens based on public input and previous Council discussions.

Mayor Van Duyne opened the public hearing at approximately 7:54 p.m.

The following individual(s) signed up to speak in support of this item:  
Marie E. Moore, 1406 Etain Road, Irving, TX

The following individual(s) signed up to speak in opposition of this item:  
Nancy Starnes, 1832 Emerald Drive, Irving, TX  
Charles Mach, 709 Bowman, Irving, TX  
Angela Roach, 1306 Broadmoor Lane, Irving, TX  
James Widener, 900 Turtle Lake Blvd, Irving, TX  
Joe Perryman, 1806 Cunningham, Irving, TX  
Kathleen Galvan, 1780 Rosdell Drive, Irving, TX

The following individual(s) signed up in support of this item but did not want to speak:  
Kate Mayo, 4238 Cuesta, Irving, TX

The following individual(s) signed up in opposition of this item but did not want to speak:  
David Cole, 1202 N. Irving Heights, Irving, TX  
Jonathan Valdez, 206 Charles Drive, Irving, TX  
Olivia A. Flores, 206 Charles Drive, Irving, TX  
Preston Lynch, 1629 Glenwide, Irving, TX  
Katherine Aorbakken, 1629 Glenwick Lane, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:18 p.m.

Motioned by Councilman Ward, seconded by Councilman Palmer to Postpone Indefinitely Ordinance -- Amending Chapter 6 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Providing Definitions, and Providing Regulations for the Keeping of Chickens

Motion approved 5-4.

Council Councilmember(s) voting in favor of this motion include: Danish, Ward, Palmer, Taylor and Webb.

Councilmember(s) voting in opposition of this motion include: Mayor Van Duyne, Councilman LaMorgese, Meagher and Riddle.

<b>RESULT:</b>	<b>POSTPONED [5 TO 4]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Danish, Webb, Ward, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne, Allan Meagher, Phil Riddle, Brad M. LaMorgese

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### ZONING CASES AND COMPANION ITEMS

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- 22 Resolution No. RES-2016-262** -- Approving Final Plat - P16-0002 - Heritage Crossing, Phase 1 Addition, Preliminary/Final Plat - Approximately 4.839 Acres Located at the Northeast corner of Larry Drive and West Sixth Street - Jacobs Engineering Group Inc., Applicant - Hines Interests Limited Partnership, Owner

Mayor Van Duyne opened the public hearing at approximately 7:52 p.m.

The following individual(s) signed up to speak in support of this item:  
Danny Optiz, 6546 Barcelona, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 7:52 p.m.

Motioned by Councilman Ward, seconded by Councilman Meagher to Approve Resolution -- Approving Final Plat - P16-0002 - Heritage Crossing, Phase 1 Addition, Preliminary/Final Plat - Approximately 4.839 Acres Located at the Northeast corner of Larry Drive and West Sixth Street - Jacobs Engineering Group Inc., Applicant - Hines Interests Limited Partnership, Owner

Motion approved 9-0.

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

- 23 Ordinance No. ORD-2016-9835 -- Zoning Case #ZC16-0040 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) uses - Approximately 0.042 Acres Located at 8445 North Belt Line Road, Suite 110 - Planet Sub, Applicant - SCSD Finnell, LTD., Owner**

Mayor Van Duyne opened the public hearing at approximately 7:53 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 7:53 p.m.

Motioned by Councilman Webb, seconded by Councilman Meagher to Approve Ordinance -- Zoning Case #ZC16-0040 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) uses - Approximately 0.042 Acres Located at 8445 North Belt Line Road, Suite 110 - Planet Sub, Applicant - SCSD Finnell, LTD., Owner

Motion approved 9-0.

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

- 24 Ordinance No. ORD-2016-9836 -- Zoning Case #ZC16-0045 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumptions) Uses - Approximately 1.15 Acres on the North side of Regent Boulevard, East of Bent Branch Drive - Slim Chickens, Applicant - Stampede Crossing, LTD., Owner**

Mayor Van Duyne opened the public hearing at approximately 7:54 p.m.

The following individual(s) signed up to speak in support of this item:  
Matt Moore, 1903 Central Drive, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 7:54 p.m.

Motioned by Councilman Webb, seconded by Councilman Meagher to Approve Ordinance -- Zoning Case #ZC16-0045 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumptions) Uses - Approximately 1.15 Acres on the North side of Regent Boulevard, East of Bent Branch Drive - Slim Chickens, Applicant - Stampede Crossing, LTD., Owner

Motion approved 9-0.

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

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**APPOINTMENTS AND REPORTS**

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- 25 Resolution No. RES-2016-263** -- Selection of Mayor Pro Tem and Deputy Mayor Pro Tem by the City Council (Requested by Mayor Van Duyne)

Motioned by Councilman Webb, seconded by Councilman Ward to Approve Resolution - Selecting Brad LaMorgese as Mayor Pro Tem and Allan Meagher as Deputy Mayor Pro Tem.

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, Taylor, Palmer

- 26 Mayor's Report**

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

**Adjournment**

The meeting adjourned at approximately 8:32 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary