

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
September 22, 2016**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, September 22, 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, 3835 Twin Falls, Irving, TX – Ms. Higbie announced the upcoming events sponsored by the Heritage Society.

Michael Hill, 2442 Ridgewood St., Irving, TX – Mr. Hill announced the 61st season of the Entertainment Series of Irving and that the Three Redneck Tenors will kick off the concert series.

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**INVOCATION**

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The invocation was delivered by Senior Pastor, J. Don George, Calvary Church, Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was led by the following students from Johnson Middle School:

- Kathy Nyguen
- Penelope Gallardo
- Anyssa Martinez
- Macie McKee
- Cullen Caldwell
- Akria Carr

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## PROCLAMATIONS

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Mayor Van Duyne presented a proclamation recognizing October as Domestic Violence Awareness Month, the following staff from the Family Advocacy Center accepted the proclamation:

- Heather Koval
- Alisha Hernandez
- Patricia Guardiola
- Karina Espinosa

Mayor Van Duyne presented the High Spirited Citizen Award to Jan and Mary Ann Lovell.

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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.

Cherrie Lamon, 2301 Cochran, Irving, TX – Ms. Lamon spoke regarding checks from developers to city council, their accountability requirements, and being transparent and visible to citizens of Irving.

Pat Klimko, 1534 S. Regina Court, Irving, TX – Ms. Klimko thanked the council for the Save a Child swim program.

Sheral Phillips, 5001 N. MacArthur Blvd., Irving, TX - Ms. Phillips, representing North Lake College, spoke regarding the colleges support of an entrepreneur center.

David Gutierrez, 639 Hartin Circle, Irving, TX – Mr. Gutierrez spoke regarding problems from an apartment complex in the neighborhood. The residents from the complex park on Hartin Street and leave trash in the street and in the yards of residents. Mr. Gutierrez is requesting assistance from the city in resolving this issue.

Vanessa Treviso, 330 Las Colinas Blvd, Irving, TX – Ms. Treviso spoke regarding increasing recycling efforts within the city and asked for support from city leaders.

Shawn Blessing/Gary Schepf, 2621 W. Airport Freeway, Irving, TX – Ms. Blessing and Mr. Schepf spoke on behalf of the Irving ISD and in support of the Innovation Center.

Patrick Davis, 1943 Winthrop, Irving, TX – Mr. Davis reminded the Council of the oath they chose to take in making decisions on council and requested that they pass a rooster ordinance.

## CITY COUNCIL AGENDA

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**1 City Operations Update**

- A. Construction Update
- B. Municipal Court In-Service Training

**2 Economic Development Projects Update**

There was no Economic Development Project Update at tonight's meeting.

**3 Ordinance No. ORD-2016-9853 -- Budget Adjustment #4 to the 2015-16 Fiscal Year Budget**

Motioned by Councilman Danish, seconded by Councilman Webb to Approve Ordinance -- Budget Adjustment #4 to the 2015-16 Fiscal Year Budget

Motion approved 9-0.

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

**4 Ordinance No. ORD-2016-9854 -- Adoption of the 2016-17 City of Irving Fiscal Year Budget**

Mayor Van Duyne opened the public hearing at approximately 7:35 p.m.

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

- Tom Madrzykowski, 2220 Spanish Trail, Irving, TX
- David Gutierrez, 639 Hartin Circle, Irving, TX
- Travis Hammond, 305 N. O'Connor, Irving, TX
- Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX
- Diana Kalinowska, 7000 N. State Hwy 161, Irving, TX
- Thomas Keefe, 1845 E. Northgate Dr., University of Dallas, Irving, TX
- Samuel Malouf, 8235 Douglas Ave., Dallas, TX
- Tony Grimes, provided no address, Irving, TX

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

Cherrie Lamon, 2301 Cochran, Irving, TX  
Richard Determan, 1316 Glen Brock Dr., Irving, TX  
Erin Perdue, 2001 Meadow Lark, Irving, TX  
Ralph Garcia, 2122 Pebble brook, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:02 p.m.

Motioned by Councilman Webb, seconded by Councilman Riddle to Approve Ordinance -- Adoption of the 2016-17 City of Irving Fiscal Year Budget

Motion approved 8-1.

Councilmember(s) voting in opposition of this motion include: Mayor Beth Van Duyne

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Phil Riddle, Councilman
<b>AYES:</b>	Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne

**5 Ordinance No. ORD-2016-9855 -- Ratifying the Fiscal Year 2016-17 Budget Which Increases Property Tax Revenues**

Mayor Van Duyne opened the public hearing at approximately 8:03 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 8:03 p.m.

Motioned by Councilman Webb, seconded by Councilman Palmer to Approve Ordinance -- Ratifying the Fiscal Year 2016-17 Budget Which Increases Property Tax Revenues

Motion approved 7-2.

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

<b>RESULT:</b>	<b>ADOPTED [7 TO 2]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Danish, Meagher, Webb, Riddle, LaMorgese, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne, Oscar Ward

**6 Ordinance No. ORD-2016-9856 -- Setting the 2016 Tax Rate and Levying the Tax as Required by the State of Texas Property Tax Code**

Mayor Van Duyne opened the public hearing at approximately 8:04 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 8:04 p.m.

**ORIGINAL MOTION - TO BE VOTED ON SECOND:**

Motioned by Councilman Palmer, seconded by Councilman Webb to Approve Ordinance -- Setting the 2016 Tax Rate and Levying the Tax as Required by the State of Texas Property Tax Code as stated: "I move that the property tax rate be increased by the adoption of a tax rate of 0.5941, which is effectively a 1.16 percent increase in the tax rate."

Motion approved 6-3.

Councilmember(s) voting in favor of this motion include: Councilman Danish, Webb, Riddle, Meagher, Taylor and Palmer.

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

**MOTION TO AMEND - TO BE VOTED ON FIRST:**

Motion to AMEND by Councilman Ward, seconded motion to AMEND by Councilman LaMorgese to Approve Ordinance -- Setting the 2016 Tax Rate and Levying the Tax as Required by the State of Texas Property Tax Code as stated: "I move that the property tax rate be increased by the adoption of a tax rate of 0.5873, which is effectively a 0.00 percent increase in the tax rate."

Motion denied 4-5.

Councilmember(s) voting in favor of this motion include: Mayor Van Duyne, Councilman Ward, LaMorgese and Taylor.

Councilmember(s) voting in opposition of this motion include: Councilman Webb, Meagher, Palmer, Danish, and Riddle.

<b>RESULT:</b>	<b>ADOPTED [6 TO 3]</b>
<b>MOVER:</b>	Wm David Palmer, Councilman
<b>SECONDER:</b>	Dennis Webb, Councilman
<b>AYES:</b>	Danish, Meagher, Webb, Riddle, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne, Oscar Ward, Brad M. LaMorgese

**7 Ordinance No. ORD-2016-9857 -- Adopting the 2016 City of Irving Tax Roll as Required by the State of Texas Property Tax Code**

Mayor Van Duyne opened the public hearing at approximately 8:22 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 8:22 p.m.

Motioned by Councilman Webb, seconded by Councilman Riddle to Approve Ordinance -- Adopting the 2016 City of Irving Tax Roll as Required by the State of Texas Property Tax Code

Motion approved 9-0.

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

## CONSENT AGENDA

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Motioned by Councilman Webb, seconded by Councilman LaMorgese to approve consent agenda items 8-46 and pull item(s) 19, 28 and 29 for individual consideration.

Motion approved 9-0.

### 8 Approving Minutes for Wednesday, September 07, 2016

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

### 9 Approving Minutes for Thursday, September 08, 2016

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

### 10 Resolution No. RES-2016-334 -- Approving an Engagement for Personal Services Agreement with Usrey and Associates, Inc., in Connection with Interim Human Resource Director Services and Other Consulting Services

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

- 11 Resolution No. RES-2016-335 -- Approving a Technical Service Support Agreement with Single Source Provider Physio-Control, Inc., for the Service and Repair of LifePak Defibrillator Units in an Amount Not to Exceed \$54,990.00**

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

- 12 Resolution No. RES-2016-336 -- Terminating the Interlocal Agreement with the City of Dallas for BioTel Services Effective September 30, 2016.**

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

- 13 Resolution No. RES-2016-337 -- Amending Resolution RES-2016-301 Approving Amendment No. 4 to the Household Hazardous Waste Interlocal Agreement Between Dallas County and City of Irving.**

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

- 14 Resolution No. RES-2016-338** -- Approving the Rate Setting Documents and Proposal to Dallas Area Agency on Aging (DAAA) for the Reimbursement of Meals Provided at Heritage Senior Center in an Amount Not to Exceed \$59,472.00

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

- 15 Resolution No. RES-2016-339** -- Approving Interlocal Agreement with Dallas County Schools for the Provision of Bus Transportation Services for Recreation Center Program Participants in an Amount Not to Exceed \$75,000.00.

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

- 16 Resolution No. RES-2016-340** -- Approving Dallas County Utility and Reclamation District (DCURD) Debt Refinancing in an Amount Not to Exceed \$160,190,000

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

- 17 Resolution No. RES-2016-341 -- Approving a Grant Agreement with Humanities Texas in the Amount of \$1,000.00**

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

- 18 Resolution No. RES-2016-342 -- Awarding a Contract to Tiseo Paving Co., in the Amount of \$14,962,624.20 for the Las Colinas Boulevard Utility and Paving Reconstruction Project**

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

- 19 Resolution No. RES-2016-343 -- Supporting High Speed Rail from Houston to the North Texas Region**

The following individual(s) signed up to speak in support of this item:  
Travis Kelly, 1409 S. Lamar, Dallas, TX

Motioned by Councilman Ward, seconded by Councilman Danish to support a resolution for High Speed Rail from Houston to the North Texas Region

Motion approved 8-1.

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

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Oscar Ward, Councilman
<b>SECONDER:</b>	John C. Danish, Councilman
<b>AYES:</b>	Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne

- 20 Resolution No. RES-2016-344** -- Approving an Interlocal Agreement with Dallas County Health and Human Services for Control of Communicable Disease Services in the Total Estimated Amount of \$81,906.00

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

- 21 Resolution No. RES-2016-345** -- Approving Special Event Permit Application for SRV Classic Car Cruise and Show Hosted by Texas Musicians Museum to be Held on September 30 and October 1, 2016, at 222 and 213-221 East Irving Boulevard

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

- 22 Resolution No. RES-2016-346** -- Approving the FY2016-17 Sister Cities/International Trade Development and Assistant Center Services Contract Between the City of Irving, Texas and the Greater Irving-Las Colinas Chamber of Commerce in the Amount of \$164,800.00

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

- 23 Resolution No. RES-2016-347 -- Approving Additional Spending with Dataprose, LLC in an Annual Amount of \$255,432.00 for Utility Bill Printing, Mailing and Offset Printing Services through an Interlocal Purchasing Agreement with the City of Allen**

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

- 24 Resolution No. RES-2016-348 -- Authorizing the Ratification of Expenditures to Paymentus Corporation in the Amount of \$240,000.00 and Renewing an Agreement for Water Utility On-Line Services in the Estimated Amount of \$480,900.00**

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

- 25 Resolution No. RES-2016-349 -- Approving the Single Source Proposal No. 11514 with Siemens Industry, Inc., in an Estimated Amount of \$275,180.00 for the Supply, Installation, and Commissioning of a New 600 HP Variable Frequency Drive for the Hackberry Pump Station**

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

- 26 Resolution No. RES-2016-350 --** Approving Change Order No. 2 to N.G. Painting, L.P., in the Amount of \$211,000.00 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>	Dennis Webb, Councilman
<b>SECONDER:</b>	Brad M. LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 27 Resolution No. RES-2016-351 --** Ratification of Payments Made to SYB Construction Company, Inc., in the Total Amount of \$285,000.00 for the Emergency Repair of a 24-inch Water Main at Finley Elevated Storage Tank

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

- 28 Resolution No. RES-2016-283 --** Approving an Agreement Between the City of Irving and Irving Community Development Corporation For the Redevelopment of 2219 Muret (Postponed from August 4, 2016)

Motioned by Councilman Webb, seconded by Councilman Palmer to approve a resolution for an Agreement Between the City of Irving and Irving Community Development Corporation For the Redevelopment of 2219 Muret (Postponed from August 4, 2016)

Motion denied 4-5.

Councilmember(s) voting in favor of this motion include: Councilman Danish, Webb, Palmer and Riddle.

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

<b>RESULT:</b>	<b>DENIED [4 TO 5]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	John C. Danish, Dennis Webb, Phil Riddle, Wm David Palmer
<b>NAYS:</b>	Van Duyne, Meagher, Ward, LaMorgese, Taylor

- 29 Resolution No. RES-2016-352 --** Authorizing Assignment of Funds to the U.S. Department of Housing and Urban Development for the Release of Federal Investment Associated with the La Buena Vida House in the Amount of \$214,330.95

Motioned by Councilman Webb, seconded by Councilman Taylor to approve a resolution Authorizing Assignment of Funds to the U.S. Department of Housing and Urban Development for the Release of Federal Investment Associated with the La Buena Vida House in the Amount of \$214,330.95

Motion approved 7-2.

Councilmember(s) voting in favor of this motion include: Councilman Danish, Webb, Riddle, Meagher, Taylor, and Palmer.

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

<b>RESULT:</b>	<b>ADOPTED [7 TO 2]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Kyle Taylor, Councilman
<b>AYES:</b>	Danish, Meagher, Webb, Riddle, Ward, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne, Brad M. LaMorgese

- 30 Resolution No. RES-2016-353 --** Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Red the Uniform Tailor in an Amount Not to Exceed \$197,450.00 for As-Needed Purchases of Uniforms and Miscellaneous Gear and Accessories through an Interlocal Agreement with the City of Frisco

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

- 31 Resolution No. RES-2016-354 --** Approving and Accepting the Bids of Bound Tree Medical, LLC, Henry Schein Inc., Midwest Medical Supply Co., LLC, Moore Medical LLC, Nashville Medical & EMS Products, Inc., QuadMed, Inc., and Southeastern Emergency Equipment in an Amount Not to Exceed \$200,000.00 for Medical Supplies

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

- 32 Resolution No. RES-2016-355 --** Approving Additional Spending with Ford Audio-Video Systems, LLC, in the Total Amount of \$76,366.25 for the Purchase of Microphones and Related Accessories through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program)

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

- 33 Resolution No. RES-2016-356** -- Approving and Accepting the Bid of Epicenter Productions, LLC, in an Amount Not to Exceed \$103,000.00 for Stage, Sound, Lighting, Video and Special Effects Production for City of Irving Special Events

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

- 34 Resolution No. RES-2016-357** -- Approving and Accepting the Proposal from PST Services Inc., (a McKesson Company) for Billing and Collection of Emergency Medical Services

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

- 35 Resolution No. RES-2016-358** -- Approving Supplemental Agreement No. 1 with Tristar Risk Management in the Total Estimated Amount of \$186,600.00 for Third Party Administration Services for Claims, FML, 504 and Environmental

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

- 36 Resolution No. RES-2016-359 -- Rejecting All Proposals for Third Party Administration Services for Claims, FML, 504 and Environmental**

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

- 37 Resolution No. RES-2016-360 -- Approving Supplemental Agreement No. 1 with MasTec North America, Inc., in the Total Estimated Amount of \$50,832.51 for Freeway and Street Lighting Maintenance and On-Call Services**

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

- 38 Resolution No. RES-2016-361 -- Renewing the Contract with Fannin Tree Farm in an Amount Not to Exceed \$400,000.00 Annually for Tree Transplanting Services**

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

- 39 Resolution No. RES-2016-362 --** Renewing the Annual Contract with Brittain & Crawford, LLC, in an Amount Not to Exceed \$119,650.00 for Deed Georeferencing

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

- 40 Resolution No. RES-2016-363 --** Ratification of Payments Made to SYB Construction Company, Inc., in the Total Amount of \$55,275.00 for the Emergency Repair of MacArthur Boulevard at Four Seasons Golf Course

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

- 41 Resolution No. RES-2016-364 --** Approving and Accepting the Bid of Itron, Inc., in the Total Estimated Amount of \$667,870.00 for Itron Encoder Receiver Transmitters (ERTs)

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

- 42 Ordinance No. ORD-2016-9858** -- Approving a First Amendment to the Purchase Agreement with KMS Retail Investments, LP for the Sale of 4.24 Acres of Land Located at 400 South MacArthur Boulevard

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

- 43 Resolution No. RES-2016-365** -- Approving a First Amendment to the Economic Incentive Agreement Between the City of Irving and KMS Retail Investments, LP Related to the Development of the Property Located at 400 S. MacArthur Boulevard with a Grocery Store, Fueling Station and Associated Shopping Center to Extend Certain Deadlines in the Agreement

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

- 44 Ordinance No. ORD-2016-9859** -- Appointing Judges to Irving Municipal Court

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

- 45 Ordinance No. ORD-2016-9860** -- Amending Section 21-88.1 of Chapter 21 Entitled "Motor Vehicles and Traffic" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, to Repeal Expired Construction Speed Zones and Establish a New Construction Speed Zone to Reduce Speed Limits for Loop 12; Providing a Penalty; Providing a Savings Clause; and Providing a Severability Clause.

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

- 46 Ordinance No. ORD-2016-9861** -- Amending Chapter 47 of the City of Irving, Texas, Land Development Codes Entitled "Flood Damage Prevention" by Adding Section 47-18 to Adopt an Operations and Maintenance Plan for the Running Bear Park Levee System and Providing a Severability Clause

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

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## INDIVIDUAL CONSIDERATION

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- 47 Ordinance No. ORD-2016-9845** -- Second and Final Reading - Amending Chapter 33 Entitled "Refuse, Garbage and Weeds" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Charges for Refuse Pickup Service for Residences, Apartments, and Churches

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

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

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

Motioned by Councilman Webb, seconded by Councilman Palmer to Approve Ordinance -- Second and Final Reading - Amending Chapter 33 Entitled "Refuse, Garbage and Weeds" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Charges for Refuse Pickup Service for Residences, Apartments, and Churches

Motion approved 8-1.

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

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne

- 48 Ordinance No. ORD-2016-9846** -- Second and Final Reading - Amending Chapter 52 Entitled "Water and Sewer Rates" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Water and Sewer Rates

Mayor Van Duyne opened the public hearing at approximately 8:58 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 8:58 p.m.

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

Motion approved 7-2.

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

<b>RESULT:</b>	<b>ADOPTED [7 TO 2]</b>
<b>MOVER:</b>	Brad M. LaMorgese, Councilman
<b>SECONDER:</b>	Wm David Palmer, Councilman
<b>AYES:</b>	Danish, Meagher, Webb, Ward, LaMorgese, Taylor, Palmer
<b>NAYS:</b>	Beth Van Duyne, Phil Riddle

**ZONING CASES AND COMPANION ITEMS**

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- 49 Ordinance No. ORD-2016-9862** -- Zoning Case #ZC15-0091- Granting PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.09 Acres Located at 6761 N. MacArthur Boulevard, Suite 150 - ModMarket, LLC, Applicant - LG MacArthur 161, LLC, Owner

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

The following individual(s) signed up to speak in support of this item:  
Calli Turner, 1601 Elm Street, Dallas, TX

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

Motioned by Councilman LaMorgese, seconded by Councilman Meagher to Approve Ordinance -- Zoning Case #ZC15-0091- Granting PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.09 Acres Located at 6761 N. MacArthur Boulevard, Suite 150 - ModMarket, LLC, Applicant - LG MacArthur 161, LLC, Owner

Motion approved 9-0.

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

- 50 Ordinance No. ORD-2016-9863** -- Zoning Case #ZC15-0095 - Granting S-P-1 (Detailed Site Plan) for FWY (Freeway) District Uses Including Custodian and Security Residences and Daycare Uses - Approximately 3.9 Acres Located at 315 E. Airport Freeway - Autumn Traylor, Applicant - K Series I LLC., Owner

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

The following individual(s) signed up in support of this item but did not want to speak:  
Autumn Traylor, 4519 N. O'Connor #2160, Irving, TX

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

Motioned by Councilman Webb, seconded by Councilman LaMorgese to Approve Ordinance -- Zoning Case #ZC15-0095 - Granting S-P-1 (Detailed Site Plan) for FWY (Freeway) District Uses Including Custodian and Security Residences and Daycare Uses - Approximately 3.9 Acres Located at 315 E. Airport Freeway - Autumn Traylor, Applicant - K Series I LLC., Owner

Motion approved 9-0.

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

- 51 **Ordinance No. ORD-2016-9864** -- Zoning Case #ZC16-0034 - Granting S-P-1 (Detailed Site Plan) for C-O (Commercial Office) and Senior Independent Living Facility District Uses - Approximately 1.52 Acres Located at 1717 W. Irving Boulevard - Delta 8 Properties, Applicant - II C.B., L.P., Owner

The applicant has requested this item be postponed indefinitely.

Motioned by Councilman Webb, seconded by Councilman LaMorgese to Postponed Indefinitely Ordinance -- Zoning Case #ZC16-0034 - Granting S-P-1 (Detailed Site Plan) for C-O (Commercial Office) and Senior Independent Living Facility District Uses - Approximately 1.52 Acres Located at 1717 W. Irving Boulevard - Delta 8 Properties, Applicant - II C.B., L.P., Owner

Motion approved 9-0.

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

- 52 Ordinance No. ORD-2016-9865 -- Zoning Case #ZC16-0056 - Granting S-P-1 (Detailed Site Plan) for R-7.5 (Single Family) and Guest Quarters Uses - Approximately 1.37 Acres Located at 1319 N. Irving Heights Drive - Thomas Spink, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 9:14 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 9:14 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Danish to send this back to the Planning and Zoning Commission as requested by the applicant

Motion denied 6-3.

Council Councilmember(s) voting in favor of this motion include: Councilman Danish, LaMorgese and Riddle

Councilmember(s) voting in opposition of this motion include: Mayor Van Duyne, Councilman Webb, Palmer, Taylor, Ward, and Meagher.

Motioned by Councilman Webb, seconded by Councilman Ward to Approve Ordinance -- Zoning Case #ZC16-0056 - Granting S-P-1 (Detailed Site Plan) for R-7.5 (Single Family) and Guest Quarters Uses - Approximately 1.37 Acres Located at 1319 N. Irving Heights Drive - Thomas Spink, Applicant/Owner, with the stipulation that a note be added to the site plan stating the guest house shall not be rented separately from the main house

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

- 53 Ordinance No. ORD-2016-9866 -- Zoning Case #ZC16-0064 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) and Hotel and Related Uses - Approximately 4.37 Acres Located on the Northeast Corner of Promenade Parkway and W. Las Colinas Boulevard - Valencia Development Corp., Applicant - Tract 10 Properties, Owner**

Mayor Van Duyne opened the public hearing at approximately 9:17 p.m.

The following individual(s) signed up to speak in support of this item:  
David A. Miller, 4400 Post Oak Parkway, Ste. 2800, Houston, TX

Mayor Van Duyne closed the public hearing at approximately 9:17 p.m.

Motioned by Councilman Ward, seconded by Councilman Meagher to Approve Ordinance -- Zoning Case #ZC16-0064 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) and Hotel and Related Uses - Approximately 4.37 Acres Located on the Northeast Corner of Promenade Parkway and W. Las Colinas Boulevard - Valencia Development Corp., Applicant - Tract 10 Properties, 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

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## APPOINTMENTS AND REPORTS

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### 54 Mayor's Report

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

### Adjournment

The meeting adjourned at approximately 9:19 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary