

MINUTES
Irving City Council Regular Meeting
Thursday, October 12, 2017 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, October 12, 2017 at approximately 7:00 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Rick Stopfer	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	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Daniel Armbruster, 3411 Oak Grove Ave. Apt. 504, Dallas, TX – Mr. Armbruster, from the AAA Texas corporate office, announced the Teen Driver Safety Fair on Saturday, Nov. 4, 2017 at Lively Pointe Youth Center. There will be special guests and a variety of events for teens.

Corine Barberena, Irving Public Library – Ms. Barberena invited everyone to participate in Irving Reads events and announced the book this year is *True Grit*.

INVOCATION

The invocation was delivered by Minister Rogelio "Roy" Soto, Oak View Baptist Church, Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by the following students from Britain Elementary School:

- Isabelle Gutierrez
- Liliana Rodriguez
- Tania Cerda
- Jocelyn Sarmiento

PROCLAMATIONS

Mayor Stopfer announced that the Advisory Committee on Disabilities has selected the Meridian Business Center as the recipient of the 2017 AccessAbility Award. Mayor Stopfer presented the Award to Felicia Mahachek, a representative of the Meridian Business Center.

Mayor Stopfer presented a proclamation recognizing National Community Planning Month to board members of the Planning and Zoning Commission and the City of Irving Planning and Community Development staff.

Mayor Stopfer presented a proclamation recognizing Domestic Violence Awareness Month to the following staff of the Irving Police Department:

- Heather Koval
- Karina Espinoza
- Alisha Hernandez
- Amanda Rendon Olivarez

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.

John Hosea, 1014 Hadrian, Irving, TX – Mr. Hosea spoke regarding code enforcement violations at 1008 Hadrian.

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

Jeff Litchfield, Chief Financial Officer, provided an overview of item 8 and explained the resolution will allow for the use of current funds on projects in advance of FY2017-18 bond sales.

CONSENT AGENDA

Motioned by Councilman Ward, seconded by Councilman Taylor to approve consent agenda items 2-23 and postpone item 15.

Motion approved 9-0.

2 Approving Minutes for Thursday, September 14, 2017

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

3 Approving Minutes for Wednesday, September 20, 2017

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

4 Approving Minutes for Thursday, September 21, 2017

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 5 **Resolution No. RES-2017-372** -- Approving an Interlocal Agreement Between the City of Grand Prairie and the City of Irving for Grand Prairie to Participate in and Reimburse the City of Irving for Its Share of a Validated and Legally Defensible Physical Fitness Entrance Test for Police Officer Applicants

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 6 **Resolution No. RES-2017-373** -- Approving an Agreement with VBikes Technology to Allow VBikes Bicycles on City Property at No Cost to the City of Irving

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 7 **Resolution No. RES-2017-374** -- Approving the Fiscal Year 2018 Agreement Amendment and Extension and Rate Setting Documents with Dallas Area Agency on Aging (DAAA) for the Reimbursement of Meals Provided at Heritage Senior Center in an Amount Not to Exceed \$59,474.71

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 8 Resolution No. RES-2017-375 --** Reimbursing the City of Irving for Capital Expenditures for Projects in Advance of the Fiscal Year 2017-18 General Obligation Bond Sale, Sale of Certificates of Obligation, and Water and Sewer Revenue Bond Sale in an Amount Not to Exceed \$66,810,000

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 9 Resolution No. RES-2017-376 --** Approving an Interlocal Agreement and a Letter of Authorization Between the City of Irving and the North Central Texas Council of Governments for the Regional Stormwater Management Program and Authorizing Fiscal Year 2018 Funding, in the amount of \$8,875.00, for the Regional Stormwater Management Program

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 10 Resolution No. RES-2017-377 --** Approving Change Order No. 2 to Humphrey and Morton Construction Company, Inc., in the Amount of \$179,966.70 for Embassy Channel and Middle Delaware Creek Improvements Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 11 Resolution No. RES-2017-378 -- Approving Assignment of Theme Tower Management Agreement and Consent to Assignment Between the Greater Irving-Las Colinas Chamber of Commerce and the City of Irving**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 12 Resolution No. RES-2017-379 -- Approving a Purchase and Sale Agreement in the Amount of \$55,700.00 for the Acquisition of an Access Easement, a Sanitary Sewer Easement and Two Right-Of-Entry and Temporary Construction Easements Located at 230 West Rochelle Drive Related to the Brockbank Drive and Channel, Rochelle, Vassar and Ireland Alley Water and Wastewater Improvements Project - Rochelle Place, L.P. - Property Owner**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 13 Resolution No. RES-2017-380 -- Approving a Special Events Permit for the Irving Vintage Trail Market to be Held on Main Street in Downtown Irving October 14, 2017**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 14 Resolution No. RES-2017-381 --** Renewing the Annual Contracts with Sunbeam Foods, Inc., and Oak Farms Dairy in the Total Estimated Amount of \$125,186.24 for Prisoner Food

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 15 Resolution No. RES-2017-382 --** Approving and Accepting the Proposal of All City Management Services in the Total Estimated Amount of \$721,899.00 for School Crossing Guard Services

Staff recommends this item be postponed to October 26, 2017.

Motion approved 9-0 during consent.

RESULT:	POSTPONED [UNANIMOUS] Next: 10/26/2017 7:00 PM
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 16 Resolution No. RES-2017-383 --** Ratification of Expenditure to ServPro in the Total Amount of \$58,165.38 for the After-Event Cleanup of Lively Pointe Youth Center Subsequent to Its Use as a Shelter Facility for Hurricane Harvey Evacuees

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 17 Resolution No. RES-2017-384** -- Approving and Accepting the Bid of Bond Equipment Company Inc. in an Amount Not to Exceed \$60,000.00 for Heavy Duty Truck Maintenance

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 18 Resolution No. RES-2017-385** -- Approving and Accepting the Bid of Memos Auto Body Shop in an Amount Not To Exceed \$150,000.00 for Auto Body Repairs

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 19 Ordinance No. ORD-2017-10000** -- Amending Ordinance No. 9383 by Approving a Schedule of Classified Personnel for the Police Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 20 Ordinance No. ORD-2017-10001 -- Amending Ordinance No. Ord-2016-9771 by Approving a Schedule of Classified Personnel for the Fire Department**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 21 Ordinance No. ORD-2017-10002 -- Authorizing the Partial Abandonment of a Public Utility Easement at 1310 Meridian Drive, Located at the Southeast Corner of State Highway 161 and State Highway 114**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 22 Ordinance No. ORD-2017-10003 -- Approving a Second 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**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 23 Resolution No. RES-2017-386** -- Approving an Amended and Restated Economic Development 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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Oscar Ward, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

ZONING CASES AND COMPANION ITEMS

- 24 Ordinance No. ORD-2017-10004** -- Zoning Case #ZC16-0067 - 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) Uses - Approximately 1.692 Acres Located West of Home Depot Drive, on the North Side of Interstate Highway 635 - Texas Roadhouse Holdings, LLC., Applicant - MWC Development Irving, LLC., Owner.

Mayor Stopfer opened the public hearing at approximately 7:29 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:29 p.m.

Motioned by Councilman Meagher, seconded by Councilman LaMorgese to Approve Ordinance -- Zoning Case #ZC16-0067 - 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) Uses - Approximately 1.692 Acres Located West of Home Depot Drive, on the North Side of Interstate Highway 635 - Texas Roadhouse Holdings, LLC., Applicant - MWC Development Irving, LLC., Owner.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Allan Meagher, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 25 Ordinance No. ORD-2017-10005 -- Zoning Case #ZC17-0030 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 3.105 Acres Located at the Northeast Corner of Northgate Drive and State Highway 161 - Sikka Investments, Applicant - Northgate Corner Investments, Owner.**

Mayor Stopfer opened the public hearing at approximately 7:30 p.m.

Shaza Duradea, 4439 Cole Ave, Dallas, TX – Mr. Duradea, the owner, spoke on this case and answered questions.

Mayor Stopfer closed the public hearing at approximately 7:30 p.m.

Motioned by Councilman Webb, seconded by Councilman Danish to Approve Ordinance -- Zoning Case #ZC17-0030 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 3.105 Acres Located at the Northeast Corner of Northgate Drive and State Highway 161 - Sikka Investments, Applicant - Northgate Corner Investments, Owner.

Motion denied 4-5.

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

Councilmember(s) voting in opposition of this motion include: Mayor Stopfer, Councilmen Meagher, LaMorgese, Palmer and Taylor.

RESULT:	DENIED [4 TO 5]
MOVER:	Dennis Webb, Councilman
SECONDER:	John C. Danish, Councilman
AYES:	John C. Danish, Dennis Webb, Phil Riddle, Oscar Ward
NAYS:	Stopfer, Meagher, LaMorgese, Taylor, Palmer

- 26 Ordinance No. ORD-2017-10006** -- Zoning Case #ZC17-0052 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 3.29 Acres Located at 819 North O'Connor Road - O'Connor Park LLC, Applicant/Owner.

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

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

Mayor Stopfer closed the public hearing at approximately 7:47 p.m.

Motioned by Councilman Meagher, seconded by Councilman Taylor to Approve Ordinance -- Zoning Case #ZC17-0052 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 3.29 Acres Located at 819 North O'Connor Road - O'Connor Park LLC, Applicant/Owner.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Allan Meagher, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

- 27 Ordinance No. ORD-2017-10007** -- Zoning Case #ZC17-0058 -- Comprehensive Plan Amendment to Change the Recommended Land Use from "Commercial Corridor" to "Residential Neighborhood", and Granting S-P-2 (Generalized Site Plan) District for R-6 (Single Family) Uses - Approximately 0.222 Acres Located at 2422 E. Shady Grove Road - Janice E. Wagner, Applicant/Owner.

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

The following individual(s) signed up to speak in support of this item:
Janice Wagner, 2422 E. Shady Grove Rd., Irving, TX

Mayor Stopfer closed the public hearing at approximately 7:47 p.m.

Motioned by Councilman Danish, seconded by Councilman Webb to Approve Ordinance -- Zoning Case #ZC17-0058 - Comprehensive Plan Amendment to Change the Recommended Land Use from "Commercial Corridor" to "Residential Neighborhood", and Granting S-P-2 (Generalized Site Plan) District for R-6 (Single Family) Uses - Approximately 0.222 Acres Located at 2422 E. Shady Grove Road - Janice E. Wagner, Applicant/Owner.

Motion approved 6-3.

Councilmember(s) voting in favor of this motion include Mayor Stopfer, Councilmen Danish, Webb, Riddle, Ward and Palmer.

Councilmember(s) voting in opposition of this motion include: Councilmen Meagher, LaMorgese and Taylor.

RESULT:	ADOPTED [6 TO 3]
MOVER:	John C. Danish, Councilman
SECONDER:	Dennis Webb, Councilman
AYES:	Stopfer, Danish, Webb, Riddle, Ward, Palmer
NAYS:	Allan Meagher, Brad M. LaMorgese, Kyle Taylor

- 28 Ordinance No. ORD-2017-9960 -- Public Hearing and Adopting an Ordinance Amending Section 52-35A. Landscaping and Tree Preservation of Comprehensive Zoning Ordinance No. 1144 Regarding Minimum Landscaping and Tree Preservation Requirements (Postponed from the July 20, 2017, August 10, 2017, September 7, 2017 City Council Meetings).**

Staff recommends this ordinance be postponed to November 9, 2017.

Motioned by Councilman Meagher, seconded by Councilman Webb to postpone Ordinance -- Public Hearing and Adopting an Ordinance Amending Section 52-35A. Landscaping and Tree Preservation of Comprehensive Zoning Ordinance No. 1144 Regarding Minimum Landscaping and Tree Preservation Requirements (Postponed from the July 20, 2017, August 10, 2017, September 7, 2017 City Council Meetings) to the November 9, 2017 Council meeting.

Motion approved 9-0.

RESULT:	POSTPONED [UNANIMOUS] Next: 11/9/2017 7:00 PM
MOVER:	Allan Meagher, Councilman
SECONDER:	Dennis Webb, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, LaMorgese, Taylor, Palmer

APPOINTMENTS AND REPORTS

29 Mayor's Report

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

Adjournment

The meeting was adjourned at approximately 7:50 p.m.

Richard H. Stopfer, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary