

MINUTES
Irving City Council Regular Meeting
Thursday, January 31, 2019 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, January 31, 2019 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	
Al Zapanta	Irving City Council	Councilman	Present	
Kyle Taylor	Irving City Council	Councilman	Present	
Wm David Palmer	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Nancy Rissing, 1714 Post Oak Dr., Irving, TX – Ms. Rissing invited the public to the Heritage Society Tea on February 10, 2019 from 2-4 p.m. at the Heritage House.

INVOCATION

The invocation was delivered by Pastor Enoch Chan, MacArthur Blvd. Baptist Church, Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by the following students from John R. Good Elementary:

J.D. Smith, 5th grade
Joselyn Hernandez, 4th Grade
Moyses Regalado, 5th Grade
Samantha Zavala, 4th Grade

PROCLAMATIONS

There were no special recognitions 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.

Judy Pierson, 1469 Keeler, Irving, TX – Ms. Keeler spoke regarding the Plymouth Park Shopping Center.

Dr. Olivia Elizabeth Novelo Abrev, 700 St. Croix Green Dr., Irving, TX – Dr. Abrey spoke regarding concerns about the facilities at Nursery Rd. and Irving Blvd. where Irving Cares is housed.

Dr. Loren Byers, 918 E. Tanglewood, Irving, TX – Mr. Byers spoke regarding the old central fire station.

CITY COUNCIL AGENDA

1 City Operations Update

Chris Hillman, City Manager, asked Brenda Haney, Director of Solid Waste Services, to present a video of graduate students visiting the Irving landfill.

CONSENT AGENDA

Motioned by Councilman Danish, seconded by Councilman Zapanta to approve consent agenda items 2-22 and pull item(s) 11 for individual consideration.

Motion approved 9-0.

2 Approving Minutes for Wednesday, January 16, 2019

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

3 Approving Minutes for Thursday, January 17, 2019

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

4 Resolution No. RES-2019-28 -- Approving the Fiscal Year 2018-19 Contract 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 \$59,473.14

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

5 Resolution No. RES-2019-29 -- Approving an Escrow Agreement with Mission Bay Properties, LLC, in the Amount of \$284,925.00, for Additional Storm Drainage, Wastewater and Water Mains Within the Proposed Promenade Court Access Drive and Drop-off at the Irving Convention Center DART Rail Station

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 6 Resolution No. RES-2019-30** -- Approving an Engineering Services Agreement between the City of Irving and Alliance Geotechnical Group in the Total Estimated Amount of \$750,000.00 for the Annual Geotechnical Engineering and Construction Materials Testing & Inspections Contract

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 7 Resolution No. RES-2019-31** -- Ratification of Payments Made to SYB Construction Company, Inc., in the Total Amount of \$118,027.00 for the Irvin/Rusdell Emergency Storm Water Drainage Repair

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 8 Resolution No. RES-2019-32** -- Approving the First Amended and Restated Temporary Construction Easement Agreement Between the City of Irving and the State of Texas by and through the Texas Transportation Commission for Use of the Former Stadium Site

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 9 Resolution No. RES-2019-33** -- Approving a Sales Contract in the Amount of \$2,041.47 for Storm Water Drainage Easements Related to the Lower Delaware Creek and Brockbank Channel Phase 2 Improvements Project and Acknowledging Receipt of the Trust Agreement Identifying the True Owner of the Property to be Purchased by the City of Irving in Accordance with Section 2252.092, Texas Government Code - Located at 1200 Mosswood Lane - Schreck Revocable Trust, Property Owner

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 10 Resolution No. RES-2019-34** -- Approving an Amendment to the Agreement Between the City of Irving and Azteca Systems, Inc., in the Total Annual Amount of \$86,490 for CityWorks Software Licensing and Maintenance

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 11 Resolution No. RES-2019-35** -- Considering an Offer by Cognizant Technology Solutions U.S. Corporation to Amend the Economic Development Incentive Agreement Between the City of Irving and Cognizant Technology Solutions U.S. Corporation in an Amount Not to Exceed \$356,000

Councilman Kyle Taylor abstained from discussions related to this item and has filed an abstention affidavit with the City Secretary prior to the meeting

Motioned by Councilman Palmer, seconded by Councilman Ward to Approve Resolution -- Considering an Offer by Cognizant Technology Solutions U.S. Corporation to Amend the Economic Development Incentive Agreement Between the City of Irving and Cognizant Technology Solutions U.S. Corporation in an Amount Not to Exceed \$356,000

Motion approved 8-0-1.

RESULT:	ADOPTED [8-0-1]
MOVER:	Wm David Palmer, Councilman
SECONDER:	Oscar Ward, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Palmer
ABSTAIN:	Kyle Taylor

- 12 Resolution No. RES-2019-36 --** Selecting Alan Plummer Associates, Inc., as the Most Highly Qualified Provider for Engineering Design Services for the Northgate Pump Station Ground Storage Tank No. 2 and Authorizing Staff to Negotiate an Agreement with Said Provider

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 13 Resolution No. RES-2019-37 --** Approving a Purchase Agreement with Sole Source Provider Xylem Water Solutions USA, Inc., in an Amount Not to Exceed \$130,000.00 for Flygt Equipment to Operate and Maintain Wastewater Pumps and Equipment

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 14 Resolution No. RES-2019-38** -- Approving a Notice of Intent to the Texas Commission on Environmental Quality (TCEQ) for the City of Irving to Participate in the Sanitary Sewer Overflow Initiative (SSOI)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 15 Resolution No. RES-2019-39** -- Resolution Pledging the City's Annual Community Development Block Grant Allocations and Conditionally Pledging the City's Debt Services as Full Faith and Credit, Subject to Approval by the Texas Attorney General, to Serve as Security for the U.S. Department of Housing and Urban Development Section 108 Guaranteed Loan, and Authorizing the Mayor to Execute a Section 108 Loan Guarantee Contract, Note and Related Documents

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 16 Resolution No. RES-2019-40** -- Approving Payment in the Renewal Term of the Contract with Bank of America, NA and Banc of America Merchant Services, LLC in the Total Estimated Amount of \$192,000.00 for Merchant Credit Card Processing Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 17 Resolution No. RES-2019-41 -- Renewing the Contract with NPL Construction Company in an Amount Not to Exceed \$750,000.00 for an Annual Concrete Contract**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 18 Resolution No. RES-2019-42 -- Approving and Accepting the Bids of JLB Contracting, LLC, and TexasBit in the Total Estimated Amount of \$252,750.00 for Asphalt Patching Materials**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 19 Resolution No. RES-2019-43 -- Approving the Purchase from Caldwell Country Chevrolet of Various Vehicles in the Total Amount of \$112,012.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 20 Resolution No. RES-2019-44** -- Approving and Accepting the Bid of George-McKenna Electrical, Inc., in the Total Estimated Amount of \$100,000.00 for Electrical Services for Water Utilities

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 21 Resolution No. RES-2019-45** -- Awarding a Contract to SLM Landscaping & Maintenance in the Total Estimated Amount of \$53,441.00 for Mowing, Litter Control, and Landscape Maintenance for Water Utilities

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 22 Resolution No. RES-2019-46** -- Approving the Purchase from Silsbee Ford for Various Vehicles in the Total Amount of \$55,233.68 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

ZONING CASES AND COMPANION ITEMS

- 23 Resolution No. RES-2019-47** -- Approving Sign Variance Case #S1901-0034 to Allow Modifications to the Height, Setback and Materials for a Monument Sign and Eleven Directional Signs - Property Located at 400 West Las Colinas Boulevard - Westin Irving Convention Center Hotel, Applicant - City of Irving, Owner

Mayor Stopfer opened the public hearing at approximately 7:21 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:21 p.m.

Motioned by Councilman Palmer, seconded by Councilman Riddle to Approve Resolution -- Approving Sign Variance Case #S1901-0034 to Allow Modifications to the Height, Setback and Materials for a Monument Sign and Eleven Directional Signs - Property Located at 400 West Las Colinas Boulevard - Westin Irving Convention Center Hotel, Applicant - City of Irving, Owner.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Wm David Palmer, Councilman
SECONDER:	Phil Riddle, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

- 24 Resolution No. RES-2019-48** -- Approving Special Sign Permit Case #S1812-0009 to Allow Electronic Price Sign on a Pole Sign - Property Located at 3700 North Belt Line Road - Comet Signs, Applicant - Kroger Company, Owner

Mayor Stopfer opened the public hearing at approximately 7:22 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:22 p.m.

Motioned by Councilman Palmer, seconded by Councilman Taylor to Approve Resolution -- Approving Special Sign Permit Case #S1812-0009 to Allow Electronic Price Sign on a Pole Sign - Property Located at 3700 North Belt Line Road - Comet Signs, Applicant - Kroger Company, Owner.

Motion approved 9-0.

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

- 25 Ordinance No. ORD-2019-10151 -- Zoning Case #ZC18-0038 - Granting S-P-2 (Generalized Site Plan) District for R-6 (Single Family) Uses - Approximately 9,973 Square Feet Located at 3945 Carver Place - Spry Surveyors, Applicant - Daniel Hernandez, Owner (Postponed from January 17, 2019)**

Mayor Stopfer opened the public hearing at approximately 7:22 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:22 p.m.

Motioned by Councilman Webb, seconded by Councilman Taylor to Approve Ordinance -- Zoning Case #ZC18-0038 - Granting S-P-2 (Generalized Site Plan) District for R-6 (Single Family) Uses - Approximately 9,973 Square Feet Located at 3945 Carver Place - Spry Surveyors, Applicant - Daniel Hernandez, Owner (Postponed from January 17, 2019).

Motion approved 7-2.

Councilmember(s) voting in opposition of this motion include: Meagher and Palmer

RESULT:	ADOPTED [7 TO 2]
MOVER:	Dennis Webb, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Danish, Webb, Riddle, Ward, Zapanta, Taylor
NAYS:	Allan Meagher, Wm David Palmer

- 26 Ordinance No. ORD-2019-10158** -- Zoning Case #ZC18-0089 - Granting P-O (Professional Office) District - Approximately 0.27 Acres Located at 1021 W. Pioneer Drive - Nicholas Stricklin, Applicant/Owner.

Mayor Stopfer opened the public hearing at approximately 7:24 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:24 p.m.

Motioned by Councilman Ward, seconded by Councilman Taylor to Approve Ordinance -- Zoning Case #ZC18-0089 - Granting P-O (Professional Office) District - Approximately 0.27 Acres Located at 1021 W. Pioneer Drive - Nicholas Stricklin, Applicant/Owner.

Motion approved 9-0.

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

- 27 Ordinance No. ORD-2019-10159** -- Zoning Case #ZC18-0092 - Granting S-P-2 (Generalized Site Plan) District for R-MF-2 (Multifamily) Uses - Approximately 3.1 Acres Locate at 1313 E Shady Grove Road - Robert Reeves & Associates, Applicant - the Woods of Irving, LLC, Owner

Mayor Stopfer opened the public hearing at approximately 7:26 p.m.

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

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

Robert Reeves, 900 Jackson, Suite 160, Dallas, TX
Petrecia Mikus, 1113 Balleywood, Irving, TX

Mayor Stopfer closed the public hearing at approximately 7:35 p.m.

Motioned by Councilman Riddle, seconded by Councilman Zapanta to Approve Ordinance -- Zoning Case #ZC18-0092 - Granting S-P-2 (Generalized Site Plan) District for R-MF-2 (Multifamily) Uses - Approximately 3.1 Acres Locate at 1313 E Shady Grove Road - Robert Reeves & Associates, Applicant - the Woods of Irving, LLC, Owner.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Phil Riddle, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Danish, Meagher, Webb, Riddle, Ward, Zapanta, Taylor, Palmer

APPOINTMENTS AND REPORTS

28 Mayor's Report

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

Adjournment

The meeting was adjourned at approximately 7:38 p.m.

Richard H. Stopfer, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary