

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
April 19, 2012**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, April 19, 2012 at 7:04 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	
Lewis Patrick	Irving City Council	Councilman	Present	
Rick Stopfer	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Joe Philipp	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Roy Santoscoy	Irving City Council	Councilman	Present	
Mike Gallaway	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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**INVOCATION**

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The invocation was delivered by Dr. Naser Zonozy of Bahá'í Faith of Irving of the City of Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was given by Councilman Lewis Patrick.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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**CITIZENS' FORUM**

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NC Wilson, 2911 Bryn Maur, Irving, TX - Ms. Wilson spoke regarding the ethics policy and citizen forum location on the agenda.

Marie Beveridge-Pickett, 506 N. Rogers, Apt. 217, Irving, TX - Ms. Beveridge-Pickett spoke regarding the poor conditions at her apartment complex, Briarcrest Apartments, and the landlord unwilling to assist her.

Emma West, 3639 W. Northgate #152, Irving, TX - Ms. West spoke about a traffic lights at William Dehaes street.

David Bennett, 3525 Beltline, Irving, TX - Mr. Bennett spoke about tango and fitness for children.

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## CITY COUNCIL AGENDA

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### 1 City Operations Update

Tommy Gonzalez, City Manager, provided a video on the City Operations Update.

### 2 Heritage Crossing Update

Teresa Adrian, Code Enforcement Director, provided an update on the Heritage Crossing development.

The following signed up to speak both in favor and opposition:

Carol Lucas, 410 S. Delaware, Irving, TX

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## CONSENT AGENDA

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Motioned by Councilman Santoscoy, seconded by Councilman Philipp to approve consent agenda items 3-16 and pull items 13 and 17 for individual consideration. It was noted that Councilman Gallaway abstained from voting on Item No. 8 and Item No. 14.

Motion approved 9-0.

### 3 Approving Minutes for Wednesday, April 04, 2012

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**4 Approving Minutes for Thursday, April 05, 2012**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**5 Resolution No. RES-2012-113 -- Authorizing the Destruction of Obsolete Records in Accordance with City of Irving's Records Management Policy**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**6 Resolution No. RES-2012-114 -- Approving Tax Increment Reinvestment Zone No. 1 Reimbursement to the City of Irving for Capital Improvements Within the Zone.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**7 Resolution No. RES-2012-115 -- Reimbursing the City of Irving for Capital Expenditures for Street, Library, Gateway Development and Communication Projects in Advance of the Fiscal Year 2012 Bond Sale**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**8 Resolution No. RES-2012-116 -- Awarding a Contract to JDK Associates, Inc., for the Northlake College South Campus Trail Project**

Motioned by Councilwoman Cannaday, seconded by Councilman Patrick to approve a resolution Awarding a Contract to JDK Associates, Inc., for the Northlake College South Campus Trail Project.

Motion approved 8-0-1.

Councilman Gallaway abstained from voting on this item.

<b>RESULT:</b>	<b>ADOPTED [8 TO 0]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Webb
<b>ABSTAIN:</b>	Mike Gallaway

**9 Resolution No. RES-2012-117 -- Awarding a Contract to SYB Construction Company, Inc., for the Union Bower and River Hill Water and Wastewater Main Improvements Project**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 10 Resolution No. RES-2012-118 -- **Awarding a Contract to Texas State Utilities, Inc., for MacArthur Boulevard Corridor Improvements - Utility Undergrounding from Metker to Northgate Project**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 11 Resolution No. RES-2012-119 -- **Authorizing the Mayor to File an Application with the Texas Commission on Environmental Quality (TCEQ) to Further Amend Irving's Certificate of Adjudication No. 03-4799C**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 12 Resolution No. RES-2012-120 -- **Approving the Trust Fund Agreement with International Triathlon Union for the Pan Am Cup Race**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**13 Resolution No. RES-2012-121 -- Supporting the SH 183 Expansion Project in Partnership with the City of Dallas, Dallas County, and the Texas Department of Transportation (TxDOT) and Appointing a Councilmember and Alternate for the Senate Bill 1420 Committee**

Motioned by Councilman Webb, seconded by Councilwoman Cannaday to appoint Councilman Rick Stopfer as representative and Ramiro Lopez as alternate to the Senate Bill 1420 Committee and approve the resolution Supporting the SH 183 Expansion Project in Partnership with the City of Dallas, Dallas County, and the Texas Department of Transportation (TxDOT).

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Rose Cannaday, Councilwoman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**14 Resolution No. RES-2012-122 -- Approving a Crossing Improvement Agreement with Fort Worth & Western Railroad for Improvements at the Existing Crossings at Regent Boulevard, Esters Boulevard and North Royal Lane**

Motioned by Councilman Webb, seconded by Councilman Patrick to approve a resolution for a Crossing Improvement Agreement with Fort Worth & Western Railroad for Improvements at the Existing Crossings at Regent Boulevard, Esters Boulevard and North Royal Lane.

Motion approved 8-0-1

Councilman Gallaway abstained from voting on this item.

<b>RESULT:</b>	<b>ADOPTED [8 TO 0]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Lewis Patrick, Joe Philipp
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Webb
<b>ABSTAIN:</b>	Mike Gallaway

- 15 Resolution No. RES-2012-123 -- **Authorizing the City Manager to Negotiate and the Mayor to Execute a Long Term Electricity Supply Contract for the City of Irving with Constellation NewEnergy, Inc., Gexa Energy, LP, Reliant Energy Retail Services, LLC, Texas General Land Office, or TXU Energy Retail Company, LLC, Based on Best Price and Other Conditions Set by the City Council**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 16 Resolution No. RES-2012-124 -- **Renewing the Annual Contract with Butler Schein Animal Health for Veterinarian Vaccines, Medicines, and Related Supplies**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 17 Ordinance No. ORD-2012-9332 -- **Amending Chapter 38 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Revising a Uniform Guideline for All Boards, Commissions, and Committees Appointed by the City Council and by Adding Article II. Advisory Committee on Disabilities, Article III. Animal Services Advisory Committee, Article IV. Board of Health, Article V. Library Board, Article VI. Museum Advisory Board, Article VII. Parks and Recreation Board, and Article VIII. Youth Council; and Repealing Various Chapters, Articles, and Sections Within the Code Pertaining to Said Boards and Committees**

Motioned by Councilwoman Philipp, seconded by Councilman Cannaday to postpone this item for four weeks and educate the boards and commissions regarding the general ordinance and the specific ordinances.

Motion approved 9-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 5/24/2012 7:00 PM</b>
<b>MOVER:</b>	Joe Philipp, Councilman
<b>SECONDER:</b>	Rose Cannaday, Councilwoman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

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### ZONING CASES AND COMPANION ITEMS

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- 18 Ordinance No. ORD-2012-9333 -- Zoning Case #ZC11-0036 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) - Approximately 0.14 Acres Located at 1102 West Lyndon B. Johnson Freeway - Suri Management Corporation, Applicant - Mayuri India Restaurant, Owner**

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

No one signed up to speak on this item.

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

Motioned by Councilman Santoscoy, seconded by Councilman Philipp to approve Zoning Case #ZC11-0036 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) - Approximately 0.14 Acres Located at 1102 West Lyndon B. Johnson Freeway - Suri Management Corporation, Applicant - Mayuri India Restaurant, Owner

Motion approved 9-0.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**19 Ordinance No. ORD-2012-9334 -- Zoning Case #ZC12-0003 - Granting TOD (Transit Oriented Development) - Approximately 16.813 Acres Located on the Northeast Corner of Lake Carolyn Parkway and Las Colinas Boulevard - AMLI Residential, Applicant - Park Cities Bank, Owner**

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

The following individuals signed up to speak in support of this item:  
Bobbie Stewart, 1311 Travis Circle North, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 7:58 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman Patrick to approve Zoning Case #ZC12-0003 - Granting TOD (Transit Oriented Development) - Approximately 16.813 Acres Located on the Northeast Corner of Lake Carolyn Parkway and Las Colinas Boulevard - AMLI Residential, Applicant - Park Cities Bank, Owner

Motion approved 8-1.

Mayor Van Duyne voted in opposition to this motion.  
Mayor Van Duyne noted that she wants to see retail in any new development and was disappointed that no retail was part of this project.

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb
<b>NAYS:</b>	Beth Van Duyne

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**APPOINTMENTS AND REPORTS**

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**20 Mayor's Report**

City Attorney Charles Anderson lost his father this past week and we appreciate him being here today.

Odyssey Sims who attended Irving MacArthur and now plays for Baylor was recognized yesterday at the work session.

**21 Adjournment**

The meeting adjourned at approximately 8:00 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary