

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
February 9, 2012**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, February 9, 2012 at approximately 7 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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Tangerla Williams, 9012 Fox Hollow Trail, Irving, TX - The Irving Museum Advisory Committee is hosting a special event at Jackie Townsell Bear Creek Heritage Center in honor of Black History Month.

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**INVOCATION**

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The invocation was delivered by Rabbi Frank Joseph of Irving Havurah, 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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Mayor Van Duyne presented the Congenital Heart Defect Awareness Week Proclamation to Richard Lindsey.

Mayor Van Duyne presented the Irving Las Colinas Rotary 75th Anniversary proclamation to Rene Castillá.

Mayor Van Duyne presented the National Ambucs Day Proclamation to Don Harring.

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## CITIZENS' FORUM

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Matthew Petrie, 10777 Shady Trail, Dallas, TX - Mr. Petrie spoke in regard to Ordinance 2010-2915 and recycling within the city.

Lee Lowrie, 512 S. Jefferson, Irving, TX - Ms. Lowrie spoke in regard to city debt.

Anthony Bond, 4109 W. Northgate #821, Irving, TX - Mr. Bond spoke in regard to the Irving Fire Chief, IEC and MWBE.

Emma West, 3639 W. Northgate #152, Irving, TX - Ms. West spoke in regard to residential street lights.

John Smith, 1114 Douglas, Irving, TX - Mr. Smith spoke regarding value statements and ethics.

Ken Boozer, 2000 Onetta, Irving, TX - Mr. Boozer spoke regarding the discussion at yesterdays work session on the Fire Department statistics.

Don Van Slyke, 2617 Castle, Irving, TX - Mr. Van Slyke proposed the idea of building a hotel and referred to it as the Mustang Hotel.

Joe Mapes, PO Box 141864, Irving, TX - Mr. Mapes spoke regarding the Entertainment Venue.

David Bennett, 3575 N. Beltline, Irving, TX - Mr. Bennett spoke regarding teaching kids to tango and how it impacts health.

Kensley Stewart, 3916 Tacoma, Irving, TX - Mr. Kensley spoke regarding an ethics policy.

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## CITY COUNCIL AGENDA

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### **1 City Operations Update**

Chris Hooper presented the City Operations Update which included strategic goals number 2, 3, 4, 5, 7 and 8.

## 2 Heritage Crossing Update

Charles Anderson, City Attorney, gave an update on redevelopment in the Heritage Crossing District.

The following individuals signed up to speak regarding the Heritage Crossing District:  
Carol Lucas, 410 S. Delaware, Irving, TX  
Lorraine Taylor, 321 S. O'Connor, Irving, TX  
Lee Lowrie, 512 S. Jefferson St., Irving, TX  
Nancy Wilson, 2911 Bryn Mawr Dr., Irving, TX

## CONSENT AGENDA

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Motioned by Councilman Stopfer, seconded by Councilman Philipp to approve consent agenda items 3-32; pull item 23 for individual consideration and postpone item 11 to the February 23 meeting.

Motion approved 9-0.

## 3 Approving Minutes for Wednesday, January 11, 2012

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rick Stopfer, 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, January 12, 2012

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

- 5 Resolution No. RES-2012-20 -- **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>	Rick Stopfer, Councilman
<b>SECONDER:</b>	Joe Philipp, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 6 Resolution No. RES-2012-21 -- **Designating the Mayor as the Authorized Official and Authorizing the Mayor to Apply For, Accept, Reject, Alter or Terminate Funding through the Office of the Governor, Criminal Justice Division, for a Bilingual Trauma Services Grant for a One-Year Period**

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

- 7 Resolution No. RES-2012-22 -- **Approving the Renewal of the Engineering Services Agreement with Haston Associates for the Annual Compliance Monitoring at the Hunter Ferrell Landfill for a Period of One Year**

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

- 8 Resolution No. RES-2012-23 -- **Approving an Economic Incentive Agreement Between the City of Irving, Texas and Michaels Stores Procurement Company, Inc., and Michaels Stores, Inc.**

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

- 9 Resolution No. RES-2012-24 -- **Approving the Amended City of Irving Investment Policy**

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

- 10 Resolution No. RES-2012-25 -- **Approving a Contract with Paradox Compensation Advisors to Provide Compensation Analysis Services**

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

- 11 Resolution No. RES-2012-26 -- **Approving a Memorandum of Understanding with SWRV, LLC, to Conduct a Feasibility Study for Water Reuse in Irving, Texas**

This item will be postponed to February 23, 2012.

The following individuals signed up in opposition of this item but did not wish to speak:

James Baker, 2724 Lake Gardens Dr., Irving, TX

**RESULT:**

**POSTPONED NO VOTE**  
**Next: 2/23/2012 7:00 PM**

- 12 Resolution No. RES-2012-27 -- **Approving an Engagement Agreement for Legal Services with Bracewell & Giuliani LLP in Connection with Municipal Bonds and Financing Matters**

**RESULT:**

**ADOPTED [UNANIMOUS]**

**MOVER:**

Rick Stopfer, Councilman

**SECONDER:**

Joe Philipp, Councilman

**AYES:** Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 13 Resolution No. RES-2012-28 -- **Authorizing Staff to Negotiate an Engineering Services Agreement with RPS Espey for the Design of the Lower Delaware Creek and West Irving Creek Interceptor Projects**

**RESULT:**

**ADOPTED [UNANIMOUS]**

**MOVER:**

Rick Stopfer, Councilman

**SECONDER:**

Joe Philipp, Councilman

**AYES:** Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 14 Resolution No. RES-2012-29 -- **Approving an Engineering Services Agreement with Alliance Geotechnical Group for the Annual Geotechnical Engineering and Construction Materials Testing and Inspection**

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

- 15 Resolution No. RES-2012-30 -- **Awarding a Contract to Concord Commercial Services, Inc., for the Restroom and Shower Renovation at the Criminal Justice Center**

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

- 16 Resolution No. RES-2012-31 -- **Awarding a Contract to SYB Construction Company, Inc., for the Patricia, Shere, Eleventh, Joslin, Konet, Gail, Jan and Louise Water and Wastewater Main Improvements Project**

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

- 17 Resolution No. RES-2012-32 -- **Approving Addendum No. 2 to the Surveying Services Agreement with Spooner and Associates, Inc., for Annual Surveying and Platting Services**

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

- 18 Resolution No. RES-2012-33 -- **Supporting the Renaming of the South Irving Trinity Rail Express (TRE) Commuter Rail Station to Downtown Irving-Heritage Crossing Station**

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

- 19 Resolution No. RES-2012-34 -- **Awarding a Contract to Natgun Concrete Tank Services for the Modifications to the 5 Million Gallon Concrete Ground Storage Tank at the Northgate Pump Station**

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



- 20** Resolution No. RES-2012-35 -- **Approving Addendum No. 2 to the Engineering Services Agreement with Freese and Nichols, Inc., for Improvements to the Hackberry and Northgate Pump Stations**

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

- 21** Resolution No. RES-2012-36 -- **Approving the Purchase from CDW Government, for Panasonic Toughbook Mobile Data Computers through the State of Texas Department of Information Resources (DIR)**

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

- 22** Resolution No. RES-2012-37 -- **Approving Purchase from Austin Ribbon and Computer Supplies, Inc., for Personal Computers through the State of Texas Department of Information Resources (DIR)**

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

**23 Resolution No. RES-2012-38 -- Approving a Letter of Agreement with Omni Mandalay Hotel at Las Colinas for a Room Block for the 15Th Annual Transportation and Infrastructure Summit**

The following individuals signed up to speak in support and against this item:  
Kensley Stewart, 3916 Tacoma St., Irving, TX

The following individuals signed up in opposition of this item but did not wish to speak:  
James Baker, 2724 Lake Gardens Dr., Irving, TX

Motioned by Councilman Farris, seconded by Councilman Patrick to approve a letter of agreement with Omni Mandalay Hotel at Las Colinas for a room block for the 15th Annual Transportation and Infrastructure Summit.

Motion approved 9-0.

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

**24 Resolution No. RES-2012-39 -- Awarding a Contract to Car Quest for Auto Parts for Light and Medium Vehicles through the U. S. Communities Cooperative Purchasing Program**

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

- 25 Resolution No. RES-2012-40 -- **Awarding a Contract to Wingfoot Tire Company for Passenger and Truck Tires through the City of Dallas Interlocal Cooperative Purchasing Agreement**

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

- 26 Resolution No. RES-2012-41 -- **Awarding a Contract to Martin Eagle Oil Company, Inc., for Fuels: Unleaded, Diesel, and Biodiesel through the City of Fort Worth Interlocal Cooperative Purchasing Agreement**

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

- 27 Resolution No. RES-2012-42 -- **Authorizing Staff to Negotiate the Acquisition of an Easement from Dallas- Fort Worth International Airport for the DART Orange Line I-2 Segment**

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

- 28 Resolution No. RES-2012-43 -- Renewing the Annual Contract with IESI TX Corp, to Provide Collection of Containerized Refuse for City Facilities**

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

- 29 Resolution No. RES-2012-44 -- Renewing the Annual Contract with Resource Rescue, Inc., for the Citizen Recyclable Drop-Off Program**

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

- 30 Resolution No. RES-2012-45 -- Approving and Accepting the Bid of Taylor Summit Electric Service, Inc., for an Annual Contract to Provide Electrical System Repair Service**

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

- 31 Resolution No. RES-2012-46 -- **Renewing the Annual Contract with Quality Tractor Mowing Corp., for Mowing and Litter Control on Public Rights of Way and TXDOT Rights of Way**

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

- 32 Resolution No. RES-2012-47 -- **Renewing the Annual Contracts with Landmark Earth Services, LLC, and Edko, LLC, (formerly SprayMAX, Inc.) for Chemical Weed and Pest Control for Park Areas and Drainage Channels**

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

## **ZONING CASES AND COMPANION ITEMS**

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- 33 Ordinance No. ORD-2011-9308 -- **Ordinance -- Amending Section 52-75 Definitions of Comprehensive Zoning Ordinance No. 1144 and Amending Section 8-4 of Chapter 8 Building Standards Code of the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Amending the Definition of "Family" (Postponed at the December 8, 2011 City Council Meeting)**

Mayor Van Duyne opened the public hearing at approximately 8:12 p.m.

The following individuals signed up to speak in support of this item:

Don Van Slyke, 2617 Castle St., Irving, TX  
Kensley Stewart, 3916 Tacoma, Irving, TX

The following individuals signed up to speak in opposition of this item:

Lee Lowrie, 512 S. Jefferson St., Irving, TX

The following individuals signed up in support of this item but did not wish to speak:

Theodore Cole, 1137 Anderton, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:28 p.m.

Motioned by Councilman Philipp, seconded by Councilman Gallaway to approve Amending Section 52-75 Definitions of Comprehensive Zoning Ordinance No. 1144 and Amending Section 8-4 of Chapter 8 Building Standards Code of the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Amending the Definition of "Family".

Motion approved 9-0.

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

- 34 Ordinance No. ORD-2012-9314 -- **Zoning Case #ZC11-0051 - Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) and Animal Hospital Uses - Approximately 0.768 Acres Located at 3014 North O'Connor Road - 810 JJK Enterprises, Inc., Applicant/Owner - (Postponed from January 12, 2012)**

The following individuals signed up in opposition of this item but did not wish to speak:

Oscar Ward, 608 Farine Dr., Irving, TX

Motioned by Councilman Patrick, seconded by Councilman Stopfer to postpone to March 22, 2012.

Motion approved 9-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 3/22/2012 7:00 PM</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

**35 Ordinance No. ORD-2012-9316 -- Zoning Case #ZC11-0058 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses and Pole Sign - Approximately 1.48 Acres Located at 4095 North Belt Line Road - Fries Restaurant Management, Applicant**

Mayor Van Duyne opened the public hearing at approximately 8:39 p.m.

The following individuals signed up to speak in support of this item:  
Lee Lowrie, 512 S. Jefferson, Irving, TX

The following individuals signed up to speak in opposition of this item:  
Don Van Slyke, 2617 Castle St., Irving, TX

The following individuals signed up in support of this item but did not wish to speak:

The following individuals signed up in opposition of this item but did not wish to speak:

Theodore Cole, 1137 Anderton, Irving, TX  
Kensley Stewart, 3916 Tocomo St., Irving, TX  
Oscar Ward, 608 Farine, Irving, TX  
Kaye Ward, 608 Farine, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:48 p.m.

Mayor Van Duyne spoke regarding the on-going focus of the city to reduce the number of poll signs therefore she would not be supporting this item.

Motioned by Councilwoman Cannaday, seconded by Councilman Patrick to approve Zoning Case #ZC11-0058 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses and Pole Sign - Approximately 1.48 Acres Located at 4095 North Belt Line Road - Fries Restaurant Management, Applicant

Motion approved 7-2.

Council voting in opposition of the motion included: Mayor Van Duyne and Councilman Farris.

<b>RESULT:</b>	<b>ADOPTED [7 TO 2]</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Lewis Patrick, Councilman
<b>AYES:</b>	Patrick, Stopfer, Philipp, Cannaday, Santoscoy, Gallaway, Webb
<b>NAYS:</b>	Beth Van Duyne, Gerald Farris

- 36 Ordinance No. ORD-2012-9317 -- Zoning Case #ZC12-0001 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) and Group Housing Uses - Approximately 0.45 Acres Located at 210 Maltby Road - La Buena Vida Foundation, Applicant - Irving Housing Finance Corporation, Owner**

It was noted that the applicant has requested postponement to the March 22, 2012 Council meeting.

Motioned by Councilman Patrick, seconded by Councilman Stopfer to postpone this item to March 22, 2012.

Motion approved 9-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b> <b>Next: 3/22/2012 7:00 PM</b>
<b>MOVER:</b>	Lewis Patrick, Councilman
<b>SECONDER:</b>	Rick Stopfer, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Stopfer, Farris, Philipp, Cannaday, Santoscoy, Gallaway, Webb

- 37 Ordinance No. ORD-2012-9318 -- Zoning Case ZC12-0002 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sale) Uses - Approximately 1.804 Acres Located at 1001 Macarthur Park Drive - Baja Shrimp Properties, LLC, Applicant - Crosstown Investment Company, Inc., Owner**

Mayor Van Duyne opened the public hearing at approximately 8:54 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 8:54 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman Patrick to approve Zoning Case ZC12-0002 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sale) Uses - Approximately 1.804 Acres Located at 1001 Macarthur Park Drive - Baja Shrimp Properties, LLC, Applicant - Crosstown Investment Company, Inc., Owner

Motion approved 9-0.



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

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## APPOINTMENTS AND REPORTS

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**38** Resolution No. RES-2012-48 -- **Appointing a Board Chair to the Tax Increment Reinvestment Zone No. 1 Board with a Term Expiring January 2013**

Motioned by Councilman Farris, seconded by Councilman Patrick to appoint Bruce Kamis as Board Chair to the Tax Increment Reinvestment Zone No. 1 Board, term expiring January 2013.

Motion approved 8-1.

Council voting in opposition of the motion included: Councilman Galloway

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

**39** Resolution No. RES-2012-49 -- **Appointment to the Irving Flood Control District Section I to Fill Two-Year Terms Expiring January 2014**

Motioned by Councilman Farris, seconded by Councilman Patrick to reappoint Phil Forte and Gary Weinberger to the Irving Flood Control District Section I to Fill Two-Year Terms Expiring January 2014.

Motion approved 9-0.

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

#### **40 Mayor's Report**

No Mayor's report for this meeting.

#### **41 Adjournment**

The regular council meeting was adjourned at approximately 9:00 p.m.

At approximately 9:00 p.m. Mayor Van Duyne reconvened the Council Work Session from yesterday, February 8, 2012. She noted that the discussion on Item 8, regarding the Entertainment Venue, will continue in open session. The Council will go into executive session for Item 9.

#### **8 Economic Development Negotiations - Review of Convention Center Hotel Development Proposals** Texas Open Meetings Act § 551.087

City Attorney Charles Anderson reviewed the two options the City Council has to consider.

- 1) The city has the option to terminate the agreement. Las Colinas Group then has six months to suggest alternative developers that are acceptable to the city. The city is not bound to move forward with these developers. After this six-month time frame the contract terminates.
- 2) The city can outright amend the contract granting an extension to March 29, 2012, and revising other terms of the contract as needed. The Bonds get rated, Las Colinas Group provides their loan commitment, finances close and construction begins.

Mayor Van Duyne, Councilman Philipp and Councilman Farris indicated consensus that they were in favor of exploring other options for an agreement with a different partner/developer to finance the development.

Councilman Webb, Councilwoman Cannaday, Councilman Patrick, Councilman Stopfer, Councilman Santoscoy and Councilman Gallaway indicated consensus to amend the existing contract with Las Colinas Group and move forward with revised terms of an agreement.

Staff will bring back a revised resolution and agreement based on the consensus of the Council.

### **EXECUTIVE SESSION**

Council convened into executive session pursuant to Section 551.074 of the Texas Local Government Code at approximately 10:30 p.m.

- 9** Personnel - Chief, Irving Fire Department  
Texas Open Meetings Act § 551.074

Council reconvened from executive session at approximately 11:30 p.m.

The meeting adjourned at approximately 11:30 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary