

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
July 26, 2012**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, July 26, 2012 at approximately 7:05 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Beth Van Duyne	Irving City Council	Mayor	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Thomas Spink	Irving City Council	Councilman	Present	
Roy Santoscoy	Irving City Council	Councilman	Absent	
Mike Gallaway	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	
Brad LaMorgese	Irving City Council	Councilman	Present	
Joe Putnam	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Lucia Rottenberg, 2220 Indian Creek, Irving, TX - Ms. Rottenberg spoke regarding the Primary Runoff Election on July 31, 2012.

INVOCATION

The invocation was delivered by Reverend Lari Goold of Celebration of Life Center for Spiritual Living, of the City of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Sydney Farris of Irving High School.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Van Duyne presented the High Spirited Citizen Award to Dick Monday and Tiffany Riley.

CITY COUNCIL AGENDA

1 City Operations Update

A video clip featuring the grand opening of Michael's in Irving was shown and Max Duplant, Chief Financial Officer, presented the city operations update.

2 Heritage Crossing Update

Teresa Adrian, Code Enforcement Director, presented the Heritage Crossing Update

3 Input from Citizens Regarding Ethics Policies

The following individuals signed up to speak on this item:

Richard G. Stewart, Arts Center Board Vice Chair, 2327 Southern Oak Dr., Irving, TX

Don Van Slyke, 2617 Castle St., Irving, TX

Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX

CONSENT AGENDA

Motioned by Councilman Farris, seconded by Councilman LaMorgese to approve consent agenda items 4-22 and pull items 7, 8, 12 and 16 for individual consideration.

Motion approved 8-0.

4 Approving Minutes for Wednesday, July 11, 2012

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

5 Approving Minutes for Wednesday, July 11, 2012

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

6 Approving Minutes for Thursday, July 12, 2012

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

7 Resolution No. RES-2012-205 -- Approving the Engagement of PKF Consulting USA, LCC, for a Market Study for the Proposed Convention Center Hotel, Phases 1, 2 and 3

Motioned by Councilman Farris, seconded by Councilman Gallaway to approve the Engagement of PKF Consulting USA, LCC, for a Market Study for the Proposed Convention Center Hotel, Phases 1, 2 and 3.

Motion approved 7-1.

Councilman Putnam voted against this item.

RESULT:	ADOPTED [7 TO 1]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese
NAYS:	Joe Putnam
ABSENT:	Roy Santoscoy

8 Resolution No. RES-2012-206 -- Approving an Engagement Letter with Bracewell & Giuliani LLP for Legal Services Related to the Convention Center Hotel

Karen Brophy, Sr. City Attorney, read into the record the modifications that were made to the engagement letter and made it clear that outside attorneys are to offer hourly services and represent the city in accordance with procedures directed by the City Manager and City Attorney. The modifications to this letter can be found in the City Secretary's Office.

Motioned by Councilman Gallaway, seconded by Councilwoman Cannaday to approve an Engagement Letter with Bracewell & Giuliani LLP for Legal Services Related to the Convention Center Hotel subject to the agreement not to exceed \$25,000.

Motion approved 7-1.

Councilman Putnam voted against this item.

RESULT:	ADOPTED [7 TO 1]
MOVER:	Mike Gallaway, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese
NAYS:	Joe Putnam
ABSENT:	Roy Santoscoy

9 Resolution No. RES-2012-207 -- Approving an Engineering Services Agreement with CHA Consulting, Inc., for the Annual Structural Engineering Contract

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 10 Resolution No. RES-2012-208 -- **Awarding a Contract to JDK Associates, Inc., for the Spillway Restoration Plans for Towne Lake Park Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 11 Resolution No. RES-2012-209 -- **Approving the Purchase from Landscapes Unlimited, LLC for a New Irrigation Pump Station for the Twin Wells Golf Course and Installation Through the Texas Local Government Statewide Purchasing Cooperative (BuyBoard)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 12 Resolution No. RES-2012-210 -- **Approving and Accepting the Bid of Oasis Landscape Company for an Annual Contract for Landscape and Irrigation**

The following individuals signed up to speak in opposition to this item:
Joyce Howard, 1401 Colony Dr., Irving, TX

Motioned by Councilman Webb, seconded by Councilwoman Cannaday to approve and accept a bid of Oasis Landscape Company for an annual contract for landscape and irrigation.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Webb, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 13 Resolution No. RES-2012-211 -- **Awarding a Contract to Bar Constructors, Inc., for the Jamison Water Line Extension and Northgate Pump Station Improvements Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 14 Resolution No. RES-2012-212 -- **Approving the Purchase from Presidio for Firewall Security System through the State of Texas Department of Information Resources (DIR) Program**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

15 Resolution No. RES-2012-213 -- **Approving the Sole Source Purchase from Motorola, for Motorola Mobile Workstations**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

16 Resolution No. RES-2012-214 -- **Approving Renewal of Agreement for Services Between the City of Irving and Keep Irving Beautiful, Inc., for the Keep Irving Beautiful Program**

Motioned by Councilman Farris, seconded by Councilman Spink to approve Renewal of Agreement for Services Between the City of Irving and Keep Irving Beautiful, Inc., for the Keep Irving Beautiful Program

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Thomas Spink, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

17 Resolution No. RES-2012-215 -- **Authorizing the Mayor to Execute an Agreement Granting a License to 7-Eleven, Inc., to Use a Portion of the City's Raw Water Main Easement for a Monument Sign**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 18 Resolution No. RES-2012-216 -- **Approving the Submission of the 2012 Action Plan and Associated Social Service Agency Allocations to the United States Department of Housing and Urban Development (HUD)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 19 Resolution No. RES-2012-217 -- **Approving the Purchase from Caldwell Country Chevrolet for Chevrolet Tahoes through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 20 Resolution No. RES-2012-218 -- **Approving Contracts with West, a Thomson Reuters Business (West Publishing Corporation) for Computer Assisted Legal and Investigative Research Services**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 21 Resolution No. RES-2012-219 -- **Renewal of the Bid of Barney Holland Oil Company dba Fuelman for an Annual Contract for the Fleet Fuel Card Program**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 22 Ordinance No. ORD-2012-9353 -- **Authorizing the Abandonment of a Sight Easement & Landscape Area At 1901 N. MacArthur Boulevard**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

INDIVIDUAL CONSIDERATION

- 23 Ordinance No. ORD-2012-9354 -- **An Ordinance Authorizing the Issuance of City of Irving, Texas General Obligation Refunding and Improvement Bonds, Series 2012, Levying a Tax in Payment Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and an Escrow Agreement; Approving the Official Statement and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance**

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

Kensley Stewart, 3916 Tacoma St., Irving, TX

Joyce Howard, 1401 Colony Dr., Irving, TX

Councilwoman Cannaday spoke regarding the cost comparison of renovating the current Central Library and building a new LEED certified library plus creating a better future for the children.

Councilman LaMorgese inquired about the total cost of building a new library, if taxes would be raised to pay for it, and what will be done with the old building once the library moves to the new site.

Councilman Webb confirmed with the City Attorney Charles Anderson that the ordinance will allow for bond money to be used for the construction of a new library.

Councilman Putnam spoke regarding what the voters originally approved; it was a bond package for maintenance and construction of current city buildings and in his opinion they did not approve the bond money for construction of a new Central Library. He added that for bond money to go toward the construction of new library, the issue would need to go before the voters.

Mayor Van Duyne spoke regarding how the new Central Library that is near the water will attract restaurants, other new development, young people and single family homes to the Heritage District.

Motioned by Councilwoman Cannaday, seconded by Councilman Webb to approve An Ordinance Authorizing the Issuance of City of Irving, Texas General Obligation Refunding and Improvement Bonds, Series 2012, Levying a Tax in Payment Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and an Escrow Agreement; Approving the Official Statement and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance.

Motion approved 7-1

Councilman Putnam voted against this item.

RESULT:	ADOPTED [7 TO 1]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Dennis Webb, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese
NAYS:	Joe Putnam
ABSENT:	Roy Santoscoy

- 24 Ordinance No. ORD-2012-9355 -- **An Ordinance Authorizing the Issuance of City of Irving, Texas, Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2012; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and an Escrow Agreement; Approving the Official Statement and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance**

No one elected to speak on this item.

Motioned by Councilman Webb, seconded by Councilman Farris to approve An Ordinance Authorizing the Issuance of City of Irving, Texas, Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2012; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and an Escrow Agreement; Approving the Official Statement and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance.

Motion approved 8-0

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Webb, Councilman
SECONDER:	Gerald Farris, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

ZONING CASES AND COMPANION ITEMS

- 25 Ordinance No. ORD-2012-9356 -- **Zoning Case #ZC12-0019 - Granting S-P-1 (Detailed Site Plan) for Restaurant and Signs - Approximately 0.81 Acres Located at 200 East Irving Boulevard - Sun Holdings, LLC, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 8:53 p.m.

No one elected to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 8:53 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Farris to approve Zoning Case #ZC12-0019 - Granting S-P-1 (Detailed Site Plan) for Restaurant and Signs - Approximately 0.81 Acres Located at 200 East Irving Boulevard - Sun Holdings, LLC, Applicant/Owner; subject to approving the flag poles and denying the projecting sign, as recommended by staff.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad LaMorgese, Councilman
SECONDER:	Gerald Farris, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

- 26 Ordinance No. ORD-2012-9357 -- **Zoning Case #ZC12-0029 - Granting S-P-1 (Detailed Site Plan) for C-C (Community Commercial) and Recycling Collection Center Uses - Approximately 756 Square Feet Located at 3612 North Belt Line Road - Reimagine Beverage Container, Applicant - Kroger, Texas LP, Owner**

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

No one elected to speak on this item.

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

Motioned by Councilman LaMorgese, seconded by Councilman Farris to approve Zoning Case #ZC12-0019 - Granting S-P-1 (Detailed Site Plan) for Restaurant and Signs - Approximately 0.81 Acres Located at 200 East Irving Boulevard - Sun Holdings, LLC, Applicant/Owner.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad LaMorgese, Councilman
SECONDER:	Gerald Farris, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

APPOINTMENTS AND REPORTS

27 Resolution No. RES-2012-188 -- Selection of Mayor Pro Tem and Deputy Mayor Pro Tem by the City Council

Motioned by Councilman Putnam, seconded by Councilman LaMorgese to appoint Gerald Farris as Mayor Pro Tem and appoint Thomas Spink as Deputy Mayor Pro Tem.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Putnam, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Cannaday, Spink, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Roy Santoscoy

28 Mayor's Report

The Mayor announced that the City of Irving will be highlighted on Channel 8, Daybreak Morning Show tomorrow morning and invited everyone to come to Victory Plaza at 5:00 a.m.

29 Adjournment

The meeting adjourned at approximately 8:57 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary

CITIZENS' FORUM

Katherine Dress, 305 Rochelle Blvd, Irving, TX - Ms. Dress discuss the Irving Entertainment Center and is in favor of it.

Barbara Graettinger, 2505 Briarcrest Dr., Irving, TX - Ms. Greattinger spoke regarding the Entertainment Venue and wanting to set up a meeting to discuss a new TDI proposal.

Sherry Myers, 2318 Creekside Circle, Irving, TX - Ms. Myers spoke about the Irving Entertainment Center and a request for a special meeting for council to hear a new proposal from the development group.

Sanko Priolean, 3930 Portland, Irving, TX - Mr. Priolean left before speaking.

Kensley Stewart, 3916 Tacoma St., Irving, TX - Mr. Stewart spoke about transparency and asked that the dollar amount associated with each item be added to the short agenda.

Manuel Benavidez, 2108 Meadow Glen, Irving, TX - Mr. Benavidez spoke asked that the council begin to focus on safety issues and development in south Irving and the needs of the citizens in Irving.

Emma West, 3639 W. Northgate #152, Irving, TX - Ms. West spoke regarding the new solar street lights between Country Club and Northgate provide very little lighting and wants better lighting for the area.

Lucia Rottenberg, 2220 Indian Creek, Irving, TX - Ms. Rottenberg thanked the Mayor, Council, and Tommy Gonzalez for the new water bill payment process that will allow for credit card payments over the phone.

David Bennett, 3575 N. Beltline Rd, Irving, TX - Mr. Bennett spoke regarding tango, health and fitness.