

**REGULAR MEETING OF THE IRVING CITY COUNCIL**  
**MEETING MINUTES**  
May 24, 2012

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, May 24, 2012 at 7:07 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	
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	Present	
Mike Gallaway	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	
Brad LaMorgese	Irving City Council	Councilman	Present	

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**ORGANIZATIONAL SERVICE ANNOUNCEMENTS**

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Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX - Ms. Barbosa-Crain invited everyone to attend the special Memorial Day Ceremony on Sunday, May 27, 2012 at 2:30 p.m. in the Irving Central Library Auditorium.

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**INVOCATION**

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The invocation was delivered by Dr. Dale Patterson, Reverend, of Hackberry Creek Presbyterian Church 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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Representative Linda Harper-Brown acknowledged the outgoing council members and presented them with recognitions for their service.

Mayor Van Duyne presented plaques to Councilman Joe Philipp and Councilman Lewis Patrick for their years of service to the City.

Judge Rodney Adams swore in and administered the statement of elected official to the newly elected Council members: Brad M. LaMorgese, Place 6; Tom Spink, Place 8.

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## CITY COUNCIL AGENDA

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### **1 Public Input on the 2012-13 City of Irving Fiscal Year Budget**

Bret Starr, Budget Administrator, presented an overview of the 2012-13 City of Irving Fiscal Year Budget.

The following individuals signed up to speak on this item:  
Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX  
Sara Beckelman, 2705 Pennington St., Irving, TX

### **2 City Operations Update**

Lynda Johnson, Human Resources Performance Office Director, presented a video on operations of the city.

### **3 Heritage Crossing Update**

Tommy Gonzalez, City Manager, presented the Heritage Crossing Update

### **4 Input from Citizens Regarding Ethics Policies**

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

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

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

Oscar Ward, 608 Farine Dr., Irving, TX  
Nancy Wilson, 2911 Bryn Maur, Irving, TX

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**CONSENT AGENDA**

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Motioned by Councilman Farris, seconded by Councilman Patrick to approve consent agenda items 5-20 and pull item 21 for individual consideration.

**5 Approving Minutes for Wednesday, May 09, 2012**

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

**6 Approving Minutes for Thursday, May 10, 2012**

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

**7 Resolution No. RES-2012-144 -- Approving a Legal Services Agreement with Figari & Davenport**

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

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

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 8 Resolution No. RES-2012-145 -- **Awarding a Contract to Herzog Contracting Corp., for the Upgrade of the Railroad Crossing at Pioneer Drive**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 9 Resolution No. RES-2012-146 -- **Approving an Engineering Services Agreement with RPS Espey for the Design of the Lower Delaware Creek and West Irving Creek Interceptor Projects**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 10 Resolution No. RES-2012-147 -- **Approving Change Order No. 1 to V.A. Construction, Inc., for the 2011 Sidewalk Improvements Project**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 11 Resolution No. RES-2012-148 -- **Accepting Dedication of Land for Recreational and Open Space Uses Relating to the Villas of Escena Development**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 12 Resolution No. RES-2012-149 -- **Approving the Landscape Maintenance Agreement Between the City of Irving and The Las Colinas Association**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 13 Resolution No. RES-2012-150 -- **Approving an Assignment of the Interlocal Cooperative Agreement Between North Central Texas Council of Governments and City of Irving for the Las Colinas Urban Center Sustainable Development Infrastructure Project (APT System)**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 14 Resolution No. RES-2012-151 -- **Renewing the Annual Contract with Bank of America for Bank Depository Services**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 15 Resolution No. RES-2012-152 -- **Renewing the Annual Contracts with Green Planet, Inc., SWS Environmental Services, Formerly Eagle Construction & Environmental Services, and W. Two Plus, Inc., for Regulated Environmental Risk Services**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 16 Resolution No. RES-2012-153 -- **Approving and Accepting the Bid of Irving Red Wing Shoe Store Inc., for an Annual Contract to Provide Work Boots**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 17 Resolution No. RES-2012-154 -- **Approving and Accepting the Bid of Crafcro Texas, Inc., for an Annual Contract to Supply Crack Sealing Compound**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 18 Resolution No. RES-2012-155 -- **Approving and Accepting the Bid of Lone Star Auctioneers, Inc., for an Annual Contract to Provide Auctioneer Services**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 19 Resolution No. RES-2012-156 -- **Approving and Accepting the Bids of Pollock Investments Dba Pollock Paper, Medwaste Solutions, Inc., TGA Enterprise Dba Jani-Mart, and Complete Supply, Inc., for an Annual Contract to Provide Janitorial Supplies**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

**20 Resolution No. RES-2012-157 -- Approving and Accepting the Bid of Ram Comm Inc., for an Annual Contract to Provide Network Cabling Services**

<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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

**21 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**

The following individuals signed up to speak in support of this item:  
Don Wilson, 1410 Ronne Dr., Irving, TX

The following individuals signed up to speak in opposition to this item:  
Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX

Motioned by Councilman Gallaway, seconded by Councilman Santoscoy to approve 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 Committee, amending the motion to include item 4 of the Library Board section to state "May interview with the city manager and make recommendations relating to the duties of the director".

Motion approved 9-0.



<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Gallaway, Councilman
<b>SECONDER:</b>	Roy Santoscoy, Councilman
<b>AYES:</b>	Van Duyne, Patrick, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

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### ZONING CASES AND COMPANION ITEMS

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**22 Ordinance No. ORD-2012-9341 -- Zoning Case #ZC12-0014 - Granting C-N (Neighborhood Commercial) Uses - Approximately 0.16 Acres Located at 4023 West Airport Freeway - Jia He Inc., Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 8:44 p.m.

No one elected to speak at tonight's meeting.

Mayor Van Duyne closed the public hearing at approximately 8:44 p.m.

Motioned by Councilman Farris, seconded by Councilman Patrick to approve Zoning Case #ZC12-0014 - Granting C-N (Neighborhood Commercial) Uses - Approximately 0.16 Acres Located at 4023 West Airport Freeway - Jia He Inc., Applicant/Owner.

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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

- 23 Ordinance No. ORD-2012-9342 -- Zoning Case #ZC12-0022 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sales) - Approximately 1.50 Acres Located at 4300 West Airport Freeway - Greenberg Farrow, Applicant - Drury Southwest, Inc., Owner**

Mayor Van Duyne opened the public hearing at approximately 8:45 p.m.

No one elected to speak at tonight's meeting.

Mayor Van Duyne closed the public hearing at approximately 8:45 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman Farris to approve Zoning Case #ZC12-0022 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sales) -Approximately 1.50 Acres Located at 4300 West Airport Freeway - Greenberg Farrow, Applicant - Drury Southwest, Inc., Owner

Motion approved 9-0.

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

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## APPOINTMENTS AND REPORTS

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- 24 Resolution No. RES-2012-158 -- Confirming the Appointment of Benny Hayes by the City Manager as a Commissioner to Serve on the Fire Fighters' and Police Officers' Civil Service Commission to an unexpired Term Expiring November 2014**

Motioned by Councilman Farris, seconded by Councilman Patrick to confirm the Appointment of Benny Hayes by the City Manager as a Commissioner to Serve on the Fire Fighters' and Police Officers' Civil Service Commission to an unexpired Term Expiring November 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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

**25 Resolution No. RES-2012-159 -- Appointments to Boards, Commissions, and Committees, to Fill Unexpired Terms to the Board of Health and Building and Standards Commission**

Motioned by Councilman Farris, seconded by Councilman Patrick to appoint Adrienne O'Reilly to Place 3 on the Board of Health to a term expiring November 2013; and appoint Rennener Lorica to Place 2, Alternate, on the Building and Standards Commission to a term expiring November 2012; and appoint Danielle Madyun to Place 1, Alternate, on the Building and Standards Commission to a term expiring November 2013.

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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese

**26 Mayor's Report**

No report was provided at tonight's meeting.

**27 Adjournment**

The meeting adjourned at approximately 8:50 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary

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**CITIZENS' FORUM**

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Rob Bell, 1711 W. Irving Blvd., Irving, TX - Mr. Bell, a representative of H.Y.P.E (Helping Young People Evolve), spoke regarding anti-bullying, anti-gangs and anti-drugs programs and the collaborative efforts with Irving ISD and the city Parks Department.

David Bennett, 3575 N. Beltline, Irving, TX - Mr. Bennett spoke in regard to Tango, health and fitness.