

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
October 4, 2012**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, October 4, 2012 at approximately 7:05 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	
Mike Gallaway	Irving City Council	Councilman	Present	
Roy Santoscoy	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	
Joe Putnam	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Brad LaMorgese	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Thomas Spink	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 Pastor George Jurecka of Cornerstone 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 Sager and Sagen Gonzalez.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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Mayor Van Duyne presented the High Spirited Citizen Award to Clarence Saunders.

Mayor Van Duyne recognized the following Advisory Board for Disabilities Poster Contest Winners.

Honorable Mention recipients:  
Parvathy Santosh - Stipes Elementary  
Kathleen Dang - Townsell Elementary  
Sofia Rivera - Schulze Elementary

Michael Betancourt - J. Haley Elementary  
Joselyne Soto - J. Haley Elementary  
Maryan Martinez - Stipes Elementary  
Isabella Kimberlin - Britain Elementary  
Charles Chavaria - Stipes Elementary

First place winners:

Brendon Gibson - Thomas Haley Elementary  
Samuel Harpale - Schulze Elementary  
Zoe Goyachea - Davis Elementary  
Emily Villareal - Davis Elementary  
Kaitlyn Grimes - Johnston Elementary  
Lexi Kemper - Brandenburg Elementary

Mayor Van Duyne presented the VHA Proclamation to Kyle Pyron, Senior Vice President, Marketing and Communications; Terri Scannell, Director, Corporate Citizenship and Sustainability; Cindy Cordova, Director, Digital Content Management; and Anne Rener, Senior Director, Communications and Public Relations.

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## CITY COUNCIL AGENDA

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### **1 City Operations Update**

Brenda Haney, Director of Solid Waste Services, presented a video on the City's operations update.

### **2 Heritage Crossing Update**

No update was provided on the Heritage Crossing at tonight's meeting.

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

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

**CONSENT AGENDA**

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Motioned by Councilman LaMorgese, seconded by Councilman Santoscoy to approve consent agenda items 4-17 and pull item 10 for individual consideration.

Motion approved 9-0.

**4 Approving Minutes for Wednesday, August 22, 2012**

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

**5 Resolution No. RES-2012-295 -- Approving an Educational Experience Affiliation Agreement Between the City of Irving and the University of Texas at Arlington, a Component Institution of The University of Texas System, for Social Work Education Programs to be Conducted through the Irving Police Department's Family Advocacy Center**

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

**6 Resolution No. RES-2012-296 -- Approving a Social Work Program Agreement Between the City of Irving and the University of Texas at Arlington, a Component Institution of The University of Texas System, for Social Work Education Programs to be Conducted through the Irving Police Department's Family Advocacy Center**

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

- 7 Resolution No. RES-2012-297 -- **Approving an Amendment to the 2012 Texas Traffic Safety Program Grant Agreement Between the City of Irving and the State of Texas, Acting by and through the Texas Department of Transportation, for a Selective Traffic Enforcement Program (STEP) Grant**

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

- 8 Resolution No. RES-2012-298 -- **Approving a Household Hazardous Waste Interlocal Agreement Between the City of Irving and Dallas County to Provide a Program in Which Residents Can Properly Dispose of Household Chemicals**

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

- 9 Resolution No. RES-2012-299 -- **Approving an Agreement Between the City of Irving and the State of Texas for Installation of Traffic Signals at the SH114 and Cistercian Road Interchange**

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

**10 Resolution No. RES-2012-300 -- Approving an Agreement Between the City of Irving and the Irving Hispanic Chamber of Commerce to Provide Annual Funding for Small Business - Hispanic/Minority Outreach and Economic Development Services for the City of Irving, Texas**

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

Lourdes Spinola, 4608 Windsor Ridge Dr., Irving, TX  
Abel Sanchez, 15618 Silver Ridge Dr., Houston, TX  
Angie Franco, 118 E. Irving Blvd., Irving, TX  
J.R. Gonzales, 2111 Jefferson Davis Hwy, Arlington, VA  
Juan Rivera, 4909 Bending Trail, Killeen, TX  
Ben Mendez, 2723 Houston Ave., Houston, TX  
Pualine Anton, PO Box 41780, Austin, TX  
Leo Baron, 1927 Hidden Valley Dr., Irving, TX  
Trinidad Aquirre, 600 Hidden Ridge, Irving, TX  
Igracino Medrano, 3001 W. Pioneer Dr., Irving, TX  
Manuel Benavidez, 2508 Meadow Glen, Irving, TX

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

Roland Medina, 1600 N. MacArthur Blvd., Irving, TX  
Rene Castilla, 442 W. Northgate, Irving, TX  
Asusena Resendiz, 135 S. Jefferson St., Irving, X  
Jack Spurlock, 1516 W. Pioneer, Irving, TX  
Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX  
Lourdes Campeio, 2230 Hillshire Ln., Irving, TX  
Nancy Navarro, 1513 Cottonwood Valley Circle, Irving, TX

Motioned by Councilman Webb, seconded by Councilwoman Cannaday, to approve an Agreement Between the City of Irving and the Irving Hispanic Chamber of Commerce to Provide Annual Funding for Small Business - Hispanic/Minority Outreach and Economic Development Services for the City of Irving, Texas.

Motion approved 8-1.

Mayor Van Duyne voted in opposition to this motion. She voted in opposition stating that while she fully supports the Hispanic Chamber of Commerce she is not in favor of the City funding it. She added that the City does not provide funding to the Irving Chamber of Commerce but they are paid based on the Economic Development Agreement in place.

<b>RESULT:</b>	<b>ADOPTED [8 TO 1]</b>
<b>MOVER:</b>	Dennis Webb, Councilman
<b>SECONDER:</b>	Rose Cannaday, Councilwoman
<b>AYES:</b>	Gallaway, Santoscoy, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink
<b>NAYS:</b>	Beth Van Duyne

- 11 Resolution No. RES-2012-301 -- **Approving the Single Source Maintenance Agreement Between HOV Services, Inc., and the City of Irving for the Hyland OnBase Document Management System**

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

- 12 Resolution No. RES-2012-302 -- **Approving the Single Source Renewal from Sirsi Corporation for the Library's Catalog Information System Maintenance**

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

- 13 Resolution No. RES-2012-303 -- **Approving Single Source Renewal from Tyler Technologies, Inc., for the Court Case Management System Hardware and Software Maintenance**

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

- 14 Resolution No. RES-2012-304 -- **Renewing the Annual Contract with G T Distributors, Inc., for Police Ammunition**

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

- 15 Resolution No. RES-2012-305 -- **Renewing the Annual Contract with CIGNA Group Insurance for Life Insurance and Accidental Death & Dismemberment (AD&D)**

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

- 16 Resolution No. RES-2012-306 -- **Renewing the Annual Contract with Big City Crushed Concrete and Crouch Sand and Gravel, Inc., for Road Maintenance Materials and Recycled Concrete**

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

- 17 Resolution No. RES-2012-307 -- **Renewing the Annual Contract with Allstates Coatings Company for Traffic Paint**

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

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### ZONING CASES AND COMPANION ITEMS

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- 18 Ordinance No. ORD-2012-9388 -- **Zoning Case #ZC12-0028 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) - Approximately 2.064 Acres Located at 1500 Market Place Boulevard - Twin Restaurant N. Irving, LLC, Applicant - DDR MDT MacArthur Marketplace, L.P., Owner**

Mayor Van Duyne opened the public hearing at approximately 8:23 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 8:25 p.m.

Motioned by Councilman Santoscoy, seconded by Councilwoman Cannaday to approve Zoning Case #ZC12-0028 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) - Approximately 2.064 Acres Located at 1500 Market Place Boulevard - Twin Restaurant N. Irving, LLC, Applicant - DDR MDT MacArthur Marketplace, L.P., Owner.

Motion approved 9-0.

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



- 19 Ordinance No. ORD-2012-9368 -- **Zoning Case #ZC12-0036 - Granting S-P-2 (Generalized Site Plan) for R-ZLa (Zero Lot Line) Uses - Approximately 4.491 Acres Located on Napoli Way Between Venice Drive and Sicily Street at Walnut Hill Lane - JDJR Engineers & Consultants, Inc., Applicant - Silver Bay Group and Signature Estate Development LTD, Owner (Postponed at the August 9, 2012 City Council Meeting)**

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

No one signed up to speak on this item.

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

Motioned by Councilman LaMorgese, seconded by Councilman Gallaway to approve Zoning Case #ZC12-0036 - Granting S-P-2 (Generalized Site Plan) for R-ZLa (Zero Lot Line) Uses - Approximately 4.491 Acres Located on Napoli Way Between Venice Drive and Sicily Street at Walnut Hill Lane - JDJR Engineers & Consultants, Inc., Applicant - Silver Bay Group and Signature Estate Development LTD, Owner (Postponed at the August 9, 2012 City Council Meeting).

Motion approved 9-0.

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

- 20 Ordinance No. ORD-2012-9389 -- **Zoning Case #ZC12-0044 - Amending the Comprehensive Plan to Change the Recommended Land Use to Retail and Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 0.488 Acres Located at 150 North MacArthur Boulevard - Covenant Trophies, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 8:29 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 8:29 p.m.

Motioned by Councilman Gallaway, seconded by Councilman Putnam to approve Zoning Case #ZC12-0044 - Amending the Comprehensive Plan to Change the Recommended Land Use to Retail and Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 0.488 Acres Located at 150 North MacArthur Boulevard - Covenant Trophies, Applicant/Owner.

Motion approved 9-0.

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

- 21 Ordinance No. ORD-2012-9390 -- **Zoning Case #ZC12-0045 - Granting PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-premise Consumption) - Approximately 0.14 Acres Located at 949 West Royal Lane, Ste 180 - Tilted Kilt, Applicant - Victory Group LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:30 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 8:30 p.m.

Motioned by Councilman Santoscoy, seconded by Councilman LaMorgese to approve Zoning Case #ZC12-0045 - Granting PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-premise Consumption) - Approximately 0.14 Acres Located at 949 West Royal Lane, Ste 180 - Tilted Kilt, Applicant - Victory Group LLC, Owner.

Motion approved 9-0.

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

**22 Ordinance No. ORD-2012-9391 -- Zoning Case #ZC12-0053 - Granting DDD (Downtown Development District) Single Family Subdistrict Plus Funeral Home Uses - Approximately 0.63 Acres Located at 403 South Britain Road - City of Irving, Owner/Applicant**

Mayor Van Duyne opened the public hearing at approximately 8:31 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 8:31 p.m.

Motioned by Councilman Gallaway, seconded by Councilwoman Cannaday to approve Zoning Case #ZC12-0053 - Granting DDD (Downtown Development District) Single Family Subdistrict Plus Funeral Home Uses - Approximately 0.63 Acres Located at 403 South Britain Road - City of Irving, Owner/Applicant.

Motion approved 9-0.

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

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## APPOINTMENTS AND REPORTS

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### 23 Mayor's Report

Mayor Van Duyne gave a brief update regarding the Charter Review Committee. There is now a form on the City website for the public to provide input for the Charter Review Committee to consider.

### 24 Adjournment

The meeting was adjourned at 8:37 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary

**Citizens' Forum**

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Citizens are invited to speak for three (3) minutes on matters relating to City government and on items not listed on the regular agenda.

Stacey L. Lawrence, 2805 Cactus Dr., Irving, TX - Mr. Lawrence discussed the construction being done on West Hunter Ferrell and ask that the City consider installing a fence in the area to protect the houses from the commercial traffic that has increased.

Kensley Stewart, 3916 Tacoma, Irving, TX - Mr. Stewart discussed a request for total dollar amount added to an agenda item on the short agenda.