

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
September 6, 2012**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, September 6, 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	
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	
Joe Putnam	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 Andrew Jackson Jr. of West Irving Church of God in Christ of the City Of Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was given by Dorothy and Guy LaMorgese.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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Mayor Van Duyne presented the High Spirited Citizen Award to Carmen Marie Littleton.

Mayor Van Duyne presented the Spirited Youth Award to Taylor Anderson and Ericka Castillo.

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**CITY COUNCIL AGENDA**

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**1 Public Hearing No. (ID # 4758) -- Public Hearing on the 2012-13 City of Irving Fiscal Year Budget**

Tommy Gonzalez, City Manager, and Bret Starr, Budget Administrator, presented an overview of the 2012-13 budget.

The following individuals signed up to speak on this item:

Jerry Wicker, 627 Hood, Coppell, TX  
Lewis Garrett, 9212 Dillon Trail, Irving, TX  
Sharon West, 1124 Southlake Dr., Desoto, TX  
Becky Fann, 2021 Wood Oak Dr., Irving, TX  
Robert Heflin, 539 Iris Dr., Irving, TX  
Donald Morgan, 845 Pinehill Ln., Grand Prairie, TX  
Janice Carroll, 1004 Sleep Hollow Dr. North, Irving, TX  
Nancy Wester, 4511 N. O'Connor Rd. #2147, Irving, TX

**2 City Operations Update**

Walter Richie, Parks and Recreation Manager, provided a West Nile update for tonight's city operations update.

**3 Heritage Crossing Update**

Steven Reed, Assistant Director of Development Services, presented the Heritage Crossing Update.

**4 Input from Citizens Regarding Ethics Policies**

No one signed up to speak on this item.

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**CONSENT AGENDA**

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Motioned by Councilman Santoscoy, seconded by Councilman LaMorgese to approve consent agenda items 5-55 and pull item 14 for postponement.

Motion approved 9-0.

**5 Approving Minutes for Monday, August 06, 2012**

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

**6 Approving Minutes for Wednesday, August 08, 2012**

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

**7 Approving Minutes for Thursday, August 09, 2012**

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

- 8 Resolution No. RES-2012-237 -- **Approving a 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>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 9 Resolution No. RES-2012-238 -- **Approving a Memorandum of Understanding Between the County of Dallas, and the Cities of Addison, Balch Springs, Carrollton, Cedar Hill, Cockrell Hill, Coppell, Dallas, DeSoto, Duncanville, Farmers Branch, Garland, Glenn Heights, Grand Prairie, Highland Park, Hutchins, Irving, Lancaster, Mesquite, Richardson, Rowlett, Sachse, Seagoville, Sunnyvale, University Park, and Wilmer for Bioterrorism or Health Emergency Assistance**

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

- 10 Resolution No. RES-2012-239 -- **Approving an Interlocal Agreement Between the City of Irving and Irving Independent School District for Emergency Medical Services**

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

11 Resolution No. RES-2012-240 -- **Approving a Schedule of Library Fees**

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

12 Resolution No. RES-2012-241 -- **Approving Mediated Settlement - City of Irving and Fred Curtis v. State National Insurance Company, Inc.**

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

13 Resolution No. RES-2012-242 -- **Granting Consent to the Assignment of an Engineering Services Agreement with CHA Consulting, Inc., for the Annual Structural Engineering Contract to Eikon Consultant Group, LLC**

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

**14 Resolution No. RES-2012-243 -- Awarding a Sole Source Purchase to Marquis Restoration and Preservation for Repair of the Centennial Park Log Cabin**

Motioned by Councilman Gallaway, seconded by Councilman Santoscoy to postpone this item.

Motion approved 9-0.

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

**15 Resolution No. RES-2012-244 -- Awarding a Contract to Omega Contracting, Inc., for the Upper Delaware Creek Basin Wastewater and Water Main Improvements Project**

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

**16 Resolution No. RES-2012-245 -- Awarding a Contract to S.J. Louis Construction of Texas, LTD., for the Loop 12/Grauwyler Sanitary Sewer Basin Capacity Improvements Project**

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

- 17 Resolution No. RES-2012-246 -- **Awarding a Contract to SYB Construction Company, Inc., for the Luzon, Fourth, Schulze and Sun Valley Water Main Replacement Project**

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

- 18 Resolution No. RES-2012-247 -- **Awarding a Contract to SYB Construction Company, Inc., for the 2012 Miscellaneous Drainage Improvements Project**

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

- 19 Resolution No. RES-2012-248 -- **Approving Change Order No. 1 to Barson Utilities, Inc., for the Robinhood, Britain and 8th Street Wastewater Improvements Project**

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

- 20** Resolution No. RES-2012-249 -- **Approving an Agreement Between the City of Irving and Trinity River Authority to Provide Water and Wastewater Laboratory Analysis Services to Meet Federal and State Requirements for the City of Irving, Texas**

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

- 21** Resolution No. RES-2012-250 -- **Approving and Accepting the Bid of Utility Service Co., for the Rehabilitation of the Northwest Elevated Storage Tank**

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

- 22** Resolution No. RES-2012-251 -- **Approving an Extension of the Bear Creek Development Corporation Contract for the Development of Vacant Lots on Tudor Lane**

The following individual signed up to speak on this item:  
Kensley Stewart, 3916 Tacoma St., Irving, TX

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

- 23 Resolution No. RES-2012-252 -- **Approving Amendment to the Irving Community Development Corporation Contract for the Development of Vacant Lots on Tudor Lane**

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

- 24 Resolution No. RES-2012-253 -- **Approving an Extension of the Key Life Homes, Inc. Contract for the Development of Vacant Lots on Tudor Lane**

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

- 25 Resolution No. RES-2012-255 -- **Approving a Single Source Award to Black Box Network Services to Upgrade the City's Nortel Phone System**

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

- 26 Resolution No. RES-2012-256 -- **Approving the Purchase from Dell Marketing, L.P., for Tape Libraries through the State of Texas Department of Information Resources (DIR) Program**

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

- 27 Resolution No. RES-2012-257 -- **Approving Purchase from Dell for Personal Computers through the State of Texas Department of Information Resources (DIR)**

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

- 28 Resolution No. RES-2012-258 -- **Approving the Purchase from Presidio for Blades and Networking through the State of Texas Department of Information Resources (DIR) Program**

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

- 29 Resolution No. RES-2012-254 -- **Approving a Memorandum of Understanding Between the City of Irving and Tarrant County 9-1-1 District to Provide Uninterruptable Power Supply (UPS)**

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

- 30 Resolution No. RES-2012-259 -- **Approving Amendment No. 2 to a System Maintenance Agreement Between the City of Irving and Harris Corporation for Demand Service**

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

- 31 Resolution No. RES-2012-180 -- **Approving Change Orders to Motorola Solutions, Inc., for the Citywide Communication Infrastructure Project**

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

- 32** Resolution No. RES-2012-260 -- **Renewing the Annual Contract with Recovery Systems Inc., dba Pro Tow Wrecker Service for Wrecker Service and Auto Pound Operations**

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

- 33** Resolution No. RES-2012-261 -- **Renewing an Interlocal Agreement with Dallas County Health and Human Services for Control of Communicable Disease Services**

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

- 34** Resolution No. RES-2012-262 -- **Renewing an Annual Contract with the University of Texas Southwestern Medical Center at Dallas for Medical Direction and Quality Assurance Services for Emergency Medical Technicians (EMTs) and Paramedics**

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

- 35** Resolution No. RES-2012-263 -- **Renewing an Annual Contract with the University of Texas Southwestern Medical Center at Dallas for Continuing Education Services for Emergency Medical Technicians (EMTs) and Paramedics**

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

- 36** Resolution No. RES-2012-264 -- **Renewing the Annual Contract with Commercial Metals Company for the Sale by the City of Scrap Metal and White Goods for Recycling**

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

- 37** Resolution No. RES-2012-265 -- **Approving the Purchase from Bond Equipment Company for a Rear Loader Cab and Chassis, from Heil of Texas for a Rear Loader Refuse Collection Body, and from Freightliner of Austin for a Brush Truck through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)**

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

- 38** Resolution No. RES-2012-266 -- **Renewing an Annual Contract with Grant Thornton, LLP, for Professional Auditing Services**

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

- 39** Resolution No. RES-2012-267 -- **Approving and Accepting the Bids of Vulcan, Inc., dba Vulcan Signs and 3M Company for an Annual Contract for Reflective Sign Materials**

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

- 40** Resolution No. RES-2012-268 -- **Approving the Purchase from Philpott Motors for a Ford F-650 Flatbed Dump Truck and a Ford F-750 5-6 Yard Dump Truck through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)**

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

- 41 Resolution No. RES-2012-269 -- **Approving and Accepting the Bid of Logical Solutions, Inc., for an Annual Contract for LENEL Security Systems Hardware and Service**

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

- 42 Resolution No. RES-2012-270 -- **Approving and Accepting the Bid of Universal Lubricants, LLC, for an Annual Contract for Automotive Fluids and Lubricants**

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

- 43 Resolution No. RES-2012-271 -- **Approving and Accepting the Bid of Cummins Southern Plains, LLC, for an Annual Contract for Heavy Equipment Maintenance for Cummins Engines**

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

- 44 Resolution No. RES-2012-272 -- **Rejecting All Bids for Unleaded, Diesel, and Biodiesel Fuel and Awarding an Annual Contract to Martin Eagle Oil Company, Inc., for Fuels through the City of Fort Worth Interlocal Cooperative Purchasing Agreement**

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

- 45 Ordinance No. ORD-2012-9369 -- **Budget Adjustment #4 to the 2011-12 Fiscal Year Budget**

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

- 46 Ordinance No. ORD-2012-9370 -- **Amending Chapter 38 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Adding Article IX. Irving Green Advisory Board**

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

- 47 Ordinance No. ORD-2012-9358 -- **Final Reading - Granting a Franchise to Alamo Cab to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 48 Ordinance No. ORD-2012-9359 -- **Final Reading - Granting a Franchise to WALAAL Corporation dba Ambassador Cab to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 49 Ordinance No. ORD-2012-9360 -- **Final Reading - Granting a Franchise to Cowboy Cab Company, Inc., to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 50 Ordinance No. ORD-2012-9361 -- **Final Reading - Granting a Renewal Franchise to ABC Cab, Inc., dba Eagle Cab to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 51 Ordinance No. ORD-2012-9362 -- **Final Reading - Granting a Franchise to MSS Transportation, Inc., dba Freedom Cab to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 52 Ordinance No. ORD-2012-9363 -- **Final Reading - Granting a Renewal Franchise to Jettaxi, Inc., to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 53 Ordinance No. ORD-2012-9364 -- **Final Reading - Granting a Franchise to D.E.C.D.A., Inc., dba Star Cab to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 54 Ordinance No. ORD-2012-9365 -- **Final Reading - Granting a Franchise to Irving Holdings, Inc., dba Yellow Cab to Operate a Taxicab Service in the City of Irving, Texas**

<b>RESULT:</b>	<b>SECOND READING [UNANIMOUS]</b> <b>Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Roy Santoscoy, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 55 Ordinance No. ORD-2012-9371 -- **Authorizing the Abandonment of a 5' wide Public Utility Easement At 3202, 3206, 3208, & 3210 University Park Lane**

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

**ZONING CASES AND COMPANION ITEMS**

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- 56** Resolution No. RES-2012-273 -- **Approving Sign Variance Case No. S1206-0017 - to Allow a Pole Sign to Exceed the Maximum Height - Property Located at 1308 East Airport Freeway - McDonald's USA, LLC, Applicant -( Postponed at the September 6, 2012 City Council Meeting)**

The applicant has requested postponement of this item.

Motioned by Councilwoman Cannaday, seconded by Councilman Santoscoy to postpone Sign Variance Case No. S1206-0017 to the September 27, 2012 Council meeting.

Motion approved 9-0.

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS] Next: 9/27/2012 7:00 PM</b>
<b>MOVER:</b>	Rose Cannaday, Councilwoman
<b>SECONDER:</b>	Roy Santoscoy, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 57** Ordinance No. ORD-2012-9372 -- **Zoning Case #ZC11-0060 and Multifamily Concept Plan #MF12-0003 - Amending the Comprehensive Plan to Change the Recommended Land Use to Mixed Uses, Granting S-P-2 (Generalized Site Plan) for Mixed Uses and Approving Multifamily Concept Plan #MF12-0003 - Approximately 2.43 Acres Located at 2555 Esters Road - Sharon Barbosa-Crain, Applicant - North American Islamic Trust, Owner**

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

Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX - Mrs. Barbosa-Crain stated this project would have excellent, multi-uses for the City of Irving. In reference to the court case mentioned, she noted that the case was dismissed in court and has nothing to do with zoning case presented to the council.

Mayor Van Duyne closed the public hearing at approximately 8:41 p.m.

Councilman LaMorgese questioned the status of the owner as the unindicted co-conspirator in a case. He would like for the case to go back to the Planning and Zoning Commission be more fully vetted.

Motioned by Councilman Webb, seconded by Councilwoman Cannaday to approve Zoning Case #ZC11-0060 and Multifamily Concept Plan #MF12-0003 - Amending the Comprehensive Plan to Change the Recommended Land Use to Mixed Uses, Granting S-P-2 (Generalized Site Plan) for Mixed Uses and Approving Multifamily Concept Plan #MF12-0003 - Approximately 2.43 Acres Located at 2555 Esters Road - Sharon Barbosa-Crain, Applicant - North American Islamic Trust, Owner.

Motion approved 8-1.

Councilman Brad LaMorgese voted in opposition of this item.

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

- 58 Ordinance No. ORD-2012-9373 -- **Zoning Case #ZC12-0016 - Granting 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 3,167 Square Feet Located at 1111 West Airport Freeway, Suite #131 - Rincon Latino, Applicant - MacArthur Levy, LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:41 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 8:41 p.m.

Motioned by Councilman Farris, seconded by Councilman Webb to approve Zoning Case #ZC12-0016 - Granting 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 3,167 Square Feet Located at 1111 West Airport Freeway, Suite #131 - Rincon Latino, Applicant - MacArthur Levy, LLC, Owner.

Motion approved 9-0.

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

- 59 Ordinance No. ORD-2012-9374 -- **Approving Transit Oriented Development Detail Plan #ZC12-0020 - Approximately 6.64 Acres Located on the Northwest Corner of Spur 348 and Las Colinas Boulevard - Glenn Engineering, Applicant - Hines Las Colinas LLP, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:43 p.m.

Danny Opitz, 6546 Barcelon, Irving, TX - Mr. Opitz represents the property owners of the project, Hines Las Colinas, LLP. He asked the council to approve the project.

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

Motioned by Councilwoman Cannaday, seconded by Councilman Farris to approve Transit Oriented Development Detail Plan #ZC12-0020 - Approximately 6.64 Acres Located on the Northwest Corner of Spur 348 and Las Colinas Boulevard - Glenn Engineering, Applicant - Hines Las Colinas LLP, 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, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 60 Ordinance No. ORD-2012-9375 -- **Zoning Case #ZC12-0034 - Granting C-C (Community Commercial) Uses - Approximately 3,519 Square Feet Located at 7300 North MacArthur Boulevard, Suite 130 - Niranjn Reddy Boodidha, Applicant - MacArthur Las Colinas Partners, LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 9:04 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 9:04 p.m.

Motioned by Councilman Farris, seconded by Councilwoman Cannaday to approve Zoning Case #ZC12-0034 - Granting C-C (Community Commercial) Uses - Approximately 3,519 Square Feet Located at 7300 North MacArthur Boulevard, Suite 130 - Niranjana Reddy Boodidha, Applicant - MacArthur Las Colinas Partners, LLC, Owner.

Motion approved 9-0.

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

- 61 Ordinance No. ORD-2012-9376 -- **Zoning Case #ZC12-0046 - Granting C-C (Community Commercial) Uses - Approximately 5,922 Square Feet Located at 3601 North Belt Line Road - Towne North S/C Partners. LTD, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 9:05 p.m.

Penny Finkenstadt, 5001 Spring Valley Rd, #1100 W., Dallas, TX

Mayor Van Duyne closed the public hearing at approximately 9:05 p.m.

Motioned by Councilman Putnam, seconded by Councilman Spink to approve Zoning Case #ZC12-0046 - Granting C-C (Community Commercial) Uses - Approximately 5,922 Square Feet Located at 3601 North Belt Line Road - Towne North S/C Partners. LTD, Applicant/Owner.

Motion approved 9-0.

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

**62 Ordinance No. ORD-2012-9377 -- Zoning Case #ZC12-0035 - Granting TOD (Transit Oriented Development) - Approximately 14.60 Acres Located at the Southeast Corner of North O'Connor Road and East Las Colinas Boulevard - Gables Residential, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 9:06 p.m.

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

Katy Slade, 5200 N. O'Connor Rd, Irving, TX  
John Gustafson, 2104 South Hill Drive, Irving, TX  
David Cole, 105 E. Rochelle Road, Irving, TX  
Roland Medina, 1600 N. MacArthur Blvd., Irving, TX  
Rick Bidne, 122 W. Carpenter Freeway #550, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 9:23 p.m.

Motioned by Councilwoman Cannaday, seconded by Mayor Van Duyne to approve Zoning Case #ZC12-0035 - Granting TOD (Transit Oriented Development) - Approximately 14.60 Acres Located at the Southeast Corner of North O'Connor Road and East Las Colinas Boulevard - Gables Residential, Applicant/Owner with the stipulation that the site plan be revised to reflect the following: (1) Correct the name of N. O'Connor Road on the site plan; (2) add the pier shown on the landscaping plan to the overall site plans; (3) Landscaping and building elevations shall be installed in substantial conformance to Sheets #3 through #7; substantial conformance includes but is not limited to minor adjustments to materials for effective construction, to building lines to accommodate retail and restaurant needs, and to the open space program to accommodate general public, retail and restaurant requirements; and (4) The final design of the head-in parking spaces will be coordinated with the Traffic and Transportation Department, and will include angled spaces meeting the City of Irving parking design standards including visibility triangles, and a maneuvering area outside the travel lanes of O'Connor Road no less than 8 feet and no more than 10 feet wide for backing vehicles including a bicycle lane. The angled head-in spaces shall not be required to encroach into the subject property by more than approximately 6 feet. The final design will be in substantial conformance with the layout shown on this site plan.

Motion approved 9-0.

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

**63 Ordinance No. ORD-2012-9378 -- Zoning Case #ZC12-0038 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.25 Acres Located at 706 Lexington Drive - Amir Daoud, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 9:33 p.m.

Amir Dove, 706 Lexington Drive, Irving, TX - Mr. Dove is the owner of the property. The house is rented to a person that has recently returned from Iraq. The applicant states that the renter would like to have her car protected.

The following individuals signed up to speak in opposition to this item:  
Johnny Jackson, 621 Beacon Hill Dr., Irving, TX  
Melba Jackson, 621 Beacon Hill Dr., Irving, TX

Mayor Van Duyne closed the public hearing at approximately 9:34 p.m.

It was noted that the opposition represents 44.86% of the land within 200 feet of the subject property. A  $\frac{3}{4}$  vote is required for approval of this request.

Motioned by Mayor Van Duyne, seconded by Councilman LaMorgese to approve Zoning Case #ZC12-0038 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.25 Acres Located at 706 Lexington Drive - Amir Daoud, Applicant/Owner.

Motion to approve denied 9-0.

<b>RESULT:</b>	<b>DENIED [0 TO 9]</b>
<b>MOVER:</b>	Beth Van Duyne, Mayor
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>NAYS:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam

- 64 Ordinance No. ORD-2012-9379 -- **Zoning Case #ZC12-0039 - Amending the Comprehensive Plan to Change the Recommended Land Use to Low Density Residential and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 16.54 Acres Located on the Southwest Corner of Riverside Drive and Creative Way - Jacobs Engineering, Applicant - Riverside Creative Opportunities, LP, Owner**

Mayor Van Duyne opened the public hearing at approximately 9:56 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 9:56 p.m.

Motioned by Councilman Webb, seconded by Councilwoman Cannaday to approve Zoning Case #ZC12-0039 - Amending the Comprehensive Plan to Change the Recommended Land Use to Low Density Residential and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 16.54 Acres Located on the Southwest Corner of Riverside Drive and Creative Way - Jacobs Engineering, Applicant - Riverside Creative Opportunities, LP, Owner

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

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**APPOINTMENTS AND REPORTS**

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**65 Resolution No. RES-2012-274 -- Appointments to the Tax Increment Reinvestment Zone No. 1 Board to Fill Unexpired Terms Expiring January 2013**

Motioned by Councilman Farris, seconded by Councilman Gallaway to appoint Mark Cronenwett, Ken Goodgames and Brian Cumberland to the Tax Increment Reinvestment Zone No. 1 Board to Terms Expiring January 2013.

Motion approved 5-3.

Council members voting in opposition to this motion include: Councilman Santoscoy, Councilman Spink and Councilman Putnam. Councilman Webb was not present during the vote for this item.

<b>RESULT:</b>	<b>ADOPTED [5 TO 3]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Mike Gallaway, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Gallaway, LaMorgese
<b>NAYS:</b>	Thomas Spink, Roy Santoscoy, Joe Putnam
<b>AWAY:</b>	Dennis Webb

**66 Resolution No. RES-2012-275 -- Establishment of and Appointments to the Proposed Charter Review Committee**

Motioned by Councilman Farris, seconded by Councilman LaMorgese to approve Establishment of and Appointments to the Proposed Charter Review Committee.

The following individuals were appointed to the Charter Review Committee:

- Mayor, Beth Van Duyne - Roger Henson
- District 1, Mike Gallaway - Rick Stopfer
- District 2, Roy Santoscoy - Rick Bidne
- District 3, Dennis Webb - Sanko Prioleau
- District 4, Joe Putnam - James Baker
- District 5, Rose Cannaday - Dan Niemeier
- District 6, Brad LaMorgese - Bert Walsh
- District 7, Gerald Farris - Oscar Ward
- District 8, Thomas Spink - Kensley Stewart

Motion approved 8-0. Councilman Webb was not present during the vote for this item.

<b>RESULT:</b>	<b>ADOPTED [8 TO 0]</b>
<b>MOVER:</b>	Gerald Farris, Councilman
<b>SECONDER:</b>	Brad LaMorgese, Councilman
<b>AYES:</b>	Van Duyne, Farris, Cannaday, Spink, Santoscoy, Gallaway, LaMorgese, Putnam
<b>AWAY:</b>	Dennis Webb

**67 Mayor's Report**

The Mayor will be representing the City at the Urban Design Institute in Charlotte North Carolina next week.

**68 Adjournment**

The meeting adjourned at approximately 10:01 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.

Oscar Ward, 608 Farine Dr., Irving, TX - Mr. Ward spoke regarding a resolution for a Letter of Interest to support TxDOT in securing funding of \$350.3 million for private construction

Tina Gannon, 1808 Carolyn St., Irving, TX - Ms. Gannon signed up to speak but left prior to Citizens' Forum

Larry Jasper, 1601 Canyon Oak, Irving, TX - Mr. Jasper signed up to speak but left prior to Citizens' Forum

Arnold Martin, 424 E. Northgate, Irving, TX - Mr. Martin spoke regarding David Dean's Contract and requested that it be approved when the budget is approved.

Doug Fox, 2321 Spanish Trail, Irving, TX - Mr. Fox spoke regarding the 7th season of Miracle Field. He wants to issue a challenge to the City Council and the School Board members to a game in October.