

**REGULAR MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
April 18, 2013**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, April 18, 2013 at approximately 7:00 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 Deacon Montez Toombs of New Life in Christ Ministries of the City of Irving, Texas.

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**PLEDGE OF ALLEGIANCE**

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The pledge of allegiance was given by the student council of W.T. Haynes Elementary school.

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**PROCLAMATIONS AND ANNOUNCEMENTS**

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Mary Higbie, representative of the Heritage Society, invited the public to the annual Fish Fry on April 19th at Heritage Park. She also announced the Irving Trivia contests will continue this weekend in Valley Ranch.

Mayor Van Duyne presented a proclamation for National Volunteer Week to Jenny Buenatello, Carol Hinrichs, Carla Morgan, and James Smith.

Jonathan Kraatz, representative from the United States Green Building Council (USGBC), presented the City of Irving with an LEED Gold Certificate recognizing the City's achievement of the Leadership in Energy and Environmental Design (LEED) certification at West Irving Library. Mayor Van Duyne, Patrick Lamers, Christine Dobson, Casey Tate, and Rachel Feltenberger accepted the certificate on behalf of the City.

Mayor Van Duyne presented the High Spirited Citizen Award to Kass Prince and Craig Boleman.

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### **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.

Lee Lowrie, 512 S. Jefferson, Irving, TX - Ms. Lowrie asked that single family homes not be built along Delaware Creek and that the area be used for restaurants to draw people to the Heritage District.

Michael R. Whetstone, 700 Krohn Ct., Irving, TX - Mr. Whetstone recognized the Irving Fire Department and thanked them for their help during a house fire involving his family.

Jo Ann Barton Walker, 1512 Ben Dr., Irving, TX - Mrs. Walker spoke regarding police reports she received via an open records requests and concerns she has regarding their legitimacy.

Emma West, 3639 W. Northgate #152, Irving, TX - Ms. West spoke regarding street lights in the City of Irving.

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### **CITY COUNCIL AGENDA**

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#### **1 City Operations Update**

Tommy Gonzalez, City Manager, asked for a moment of silence to honor two staff members, Priscilla Gonzalez and David Cardenas, whom both lost children in the past two weeks.

#### **2 Heritage Crossing Update**

Kevin Kass, Redevelopment and TIF Administrator, presented the Heritage Crossing update at this meeting.

**3 Input from Citizens Regarding Ethics Policies**

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

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**CONSENT AGENDA**

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Motioned by Councilwoman LaMorgese, seconded by Councilman Putnam to approve consent agenda item 4-25; postpone item 15 and pull item 19 for individual consideration.

Motion approved for consent agenda 9-0.

**4 Approving Minutes for Wednesday, April 03, 2013**

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

**5 Approving Minutes for Thursday, April 04, 2013**

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

- 6 Resolution No. RES-2013-120 -- 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>	Brad LaMorgese, Councilman
<b>SECONDER:</b>	Joe Putnam, Councilman
<b>AYES:</b>	Van Duyne, Gallaway, Santoscoy, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

- 7 Resolution No. RES-2013-121 -- 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>	Brad LaMorgese, Councilman
<b>SECONDER:</b>	Joe Putnam, Councilman
<b>AYES:</b>	Van Duyne, Gallaway, Santoscoy, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

- 8 Resolution No. RES-2013-122 -- Approving an Economic Incentive Agreement Between the City of Irving and FleetPride, Inc., in the Estimated Amount of \$57,000 Upon Qualification**

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

- 9 **Resolution No. RES-2013-123** -- Authorizing the Mayor to Accept Funding in the Amount of \$1,100 from Humanities Texas for the Hispanic Heritage Month 2013 Grant

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

- 10 **Resolution No. RES-2013-124** -- Approving an Agreement with Garland Company, Inc. (dba) Design-Build Solutions, Inc., in the Amount of \$72,499.00 for the Roof Repair at the Briery Yard Traffic Sign Building Through the U.S. Communities Cooperative Purchasing Program

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

- 11 **Resolution No. RES-2013-125** -- Awarding a Contract to Wright Construction Co., Inc., in the Amount of \$1,073,055.00 for Tom Braniff 48-Inch Water Line - SH 183 to Texas Plaza Drive Project

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

- 12 Resolution No. RES-2013-126 -- Awarding a Contract to Jet Underground Utilities, Inc., in the Amount of \$259,504.50 for the French Street Drainage Improvements, South of Rene'e Drive**

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

- 13 Resolution No. RES-2013-127 -- Awarding a Contract to All Around Lawn Care, Inc., in the Amount of \$205,511.00 for the Hunter Ferrell Road Median Improvements Project**

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

- 14 Resolution No. RES-2013-128 -- Authorizing DART to Release LAP Funds in the Amount of \$3,353,065 for the Belt Line Road to Story Road Railroad Grade Separation Project**

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

- 15 Resolution No. RES-2013-129** -- Approving a Recreational License and Access Agreement with Surti Leuva Patidar Samaj of DFW for the Use of Vacant Land Located at 1800 North Britain Road

**RESULT:**

**POSTPONED NO VOTE**  
**Next: 5/9/2013 7:00 PM**

- 16 Resolution No. RES-2013-130** -- Opposing Approval of City of Dallas Special Use Permit Z101-220 – Gun Club Site, Special Use Permit Z101-221 and Special Use Permit UP Z101-248 Requesting Gas Drilling and Production Facilities on Property Located in the Vicinity of City of Irving Park Property

The following individuals signed up to speak in support of this item:  
Sherry Bollenbacher, 4567 N. O'Connor #1311, Irving, TX

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

**RESULT:**

**ADOPTED [UNANIMOUS]**

**MOVER:**

Brad LaMorgese, Councilman

**SECONDER:**

Joe Putnam, Councilman

**AYES:** Van Duyne, Gallaway, Santoscoy, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

- 17 Resolution No. RES-2013-131** -- Opposing Use of Park Property for Gas Drilling and Production Facilities

The following individuals signed up to speak in support of this item:  
Zac Trahan, 604 La Vista, Dallas, TX

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

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

- 18 Resolution No. RES-2013-132 --** Approving a Professional Services Agreement Between the City of Irving and McKee & Carman Design Group LLC for the Design and Construction Administration of the Restroom Renovations at the Irving Arts Center in the Amount of \$33,600.

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

- 19 Resolution No. RES-2013-133 --** Authorizing Staff to Proceed with Contract Negotiations or Take Any Appropriate Action Relating to Water Development Public Policy Services (Requested by Council Members Gallaway, Webb, and Cannaday)

The following individuals signed up to speak in support of this item:  
Jay Musser, 319 S. Irving Heights Dr., Irving, TX

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

Ramiro Lopez, Public Works Team Director, provided Council an overview of three Requests for Proposals (RFP's) that are being discussed for consideration, which are Dean International, HillCo Partners LLC, and Averitt and Associates.

Motioned by Councilman LaMorgese, seconded by Mayor Van Duyne to bring this back to the Transportation and Natural Resource (TNR) Committee for further review and vetting so that it can be considered and discussed more in depth, then bring it back before Council for consideration.



Motioned by Councilman Farris, seconded by Councilman LaMorgese to call the question.

Motion approved 5-3-1.

Council members voting in favor of this item include: Mayor Van Duyne, Councilman LaMorgese, Councilman Putnam, Councilman Spink, and Councilman Farris.

Council members voting in opposition to this item include: Councilman Gallaway, Councilwoman Cannaday, Councilman Santoscoy.

Councilman Webb abstained.

Councilman Webb, Councilwoman Cannaday, Councilman Gallaway asked if negotiations alone could be made now regarding the water acquisition portion of the contract. Mr. Lopez said that if the partner is willing to negotiate a contract and if that is what council directs staff to do, yes they can. It was requested by them that the motion be amended to reflect this request.

Council then returned to the original motion which was: Motioned by Councilman LaMorgese, seconded by Mayor Van Duyne to bring this back to the TNR Committee for further review and vetting so that it can be considered and discussed more in depth, then bring it back before Council for consideration.

Motion approved 5-4.

Council members voting in favor of this item include: Mayor Van Duyne, Councilman LaMorgese, Councilman Putnam, Councilman Spink, and Councilman Farris.

Council members voting in opposition to this item include: Councilman Gallaway, Councilwoman Cannaday, Councilman Webb, and Councilman Santoscoy.

<b>RESULT:</b>	<b>POSTPONED [5 TO 4]</b>
<b>MOVER:</b>	Brad LaMorgese, Councilman
<b>SECONDER:</b>	Beth Van Duyne, Mayor
<b>AYES:</b>	Van Duyne, Putnam, LaMorgese, Farris, Spink
<b>NAYS:</b>	Mike Gallaway, Roy Santoscoy, Dennis Webb, Rose Cannaday

**20 Resolution No. RES-2013-134 -- Appointment to the Upper Trinity Regional Water District**

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

James Baker, 2724 Lake Gardens, Irving, TX

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

**21 Resolution No. RES-2013-135 -- Approving the Renewal of an Interlocal Agreement with the City of Dallas in the Annual Not to Exceed Amount of \$103,325.00 to Receive BioTel Systems Services for the City of Irving Fire Department**

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

**22 Resolution No. RES-2013-136 -- Renewing the Annual Contract with Bank of America in the Estimated Annual Amount of \$50,000.00 for Bank Depository Services**

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

- 23 Resolution No. RES-2013-137 -- Renewing the Annual Contract with Crafcو Texas, Inc., in the Total Estimated Amount of \$56,250.00 For Crack Sealing Compound**

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

- 24 Ordinance No. ORD-2013-9441 -- Final Reading - Granting a Franchise to Ambaco, LLC, Dba Diamond Taxi to Operate a Taxicab Service in the City of Irving, Texas**

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

- 25 Ordinance No. ORD-2013-9442 -- Final Reading - Approving a License Agreement Between the City of Irving and Brinks Armoredcar, Inc. for the Purpose of Installing an Underground Conduit and Data Cable Between Two Buildings Located at 2530 and 2550 Century Lake Drive**

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

- 26 Mayor's Report**

There was no Mayor's report at tonight's meeting.

**27 Adjournment**

The meeting adjourned at approximately 8:28 p.m.

The work session was reconvened from yesterday at approximately 8:28 p.m. and the following presentations were given:

Doug Janeway, Chief Development Officer, described the progress on securing the right of way along Chaparral Rails and Kiamichi lines.

Jonathon Bazan, Business and Civic Affairs Director, provided an update on the legislation under consideration in the State Senate and House that may impact the city.

Dan Vedral, Traffic and Transportation Director, presented an overview of the policies the city uses to maintain proper street lighting.

The work session adjourned at approximately 9:12 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary