

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
August 8, 2013**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, August 8, 2013 at approximately 7:03 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Beth Van Duyne	Irving City Council	Mayor	Present	
John C. Danish	Irving City Council	Councilman	Present	
Allan Meagher	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Absent	
Joe Putnam	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Brad M. LaMorgese	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

INVOCATION

The invocation was delivered by Pastor Andrew Jackson Jr. of West Irving Church of God in Christ in Irving, TX.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Hayden Stroup and Carson Meagher.

PROCLAMATIONS AND ANNOUNCEMENTS

CITIZENS' FORUM

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

Steve Farish, 1408 Brookside Dr., Carrollton, TX - Mr. Farish spoke regarding retiree COLA.

Oscar Ward, 608 Farine Dr., Irving, TX - Mr. Ward apologized for misstating some facts at the last city council meeting toward the City Manager and wanted to inform the council of the same. He also spoke regarding the FRQ/RFP process for various things and thinks this is the correct process to follow.

Sara Beckelman, 2705 Pennington St., Irving, TX - Ms. Beckelman spoke regarding the budget, green initiatives and requested the Council consider including an additional arborist to the FY 2013-14 budget for the Parks Department.

Loren Byers, 918 E. Tanglewood Dr., Irving, TX - Mr. Byers discussed the Birby Creek Bridge.

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

CITY COUNCIL AGENDA

1 City Operations Update

Tommy Gonzalez, the City Manager, presented the city operations update at tonight's meeting.

2 Heritage Crossing Update

Kevin Kass, Redevelopment and TIF Administrator, provided the Heritage Crossing Update.

3 Input from Citizens Regarding Ethics Policies

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

CONSENT AGENDA

Motioned by Councilman LaMorgese, seconded by Councilman Meagher to approve the consent agenda items 4-26 and postpone item 20.

Motion approved for consent agenda 8-0.

4 Approving Minutes for Friday, June 28, 2013

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

5 Approving Minutes for Wednesday, July 24, 2013

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

6 Approving Minutes for Thursday, July 25, 2013

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

7 Resolution No. RES-2013-243 -- Approving a Memorandum of Understanding Between the City of Irving and North Central Texas College for EMS Programs

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

8 Resolution No. RES-2013-244 -- Approving an Interlocal Agreement Between the City of Irving and Irving Independent School District for Emergency Medical Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

9 Resolution No. RES-2013-245 -- Approving a Professional Services Agreement Between the City of Irving and Burgess and Niple Engineering, Inc., in the Amount of \$602,820.00 for the Design of the Southwest Interceptor Improvements Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 10 Resolution No. RES-2013-246 --** Nominating Corphealth, Inc., to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 11 Resolution No. RES-2013-247 --** Approving Assignment of Sublease Agreement Between the City of Irving, the Islamic Center of Irving and the Valley Ranch Islamic Center for Lease of Property Located at 9940 Valley Ranch Parkway

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 12 Resolution No. RES-2013-248 --** Approving an Interlocal Agreement with the Coppell Independent School District (ISD) to Provide Wastewater Service, and a Request for Reciprocal Wastewater Service from the City of Dallas

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 13 Resolution No. RES-2013-249** -- Approving an Agreement Between the City of Irving and the North Texas Municipal Water District in the Amount of \$67,666.22, to Participate in Engineering Services Related to the Chapman Lake Water Access Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 14 Resolution No. RES-2013-250** -- Approving the Purchase of As-Needed Non-Destructive Underground Leak Detection Services from Pure Technologies in the Total Not to Exceed Amount of \$68,000.00 through an Interlocal Cooperative Purchasing Agreement with the City of Dallas

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 15 Resolution No. RES-2013-251** -- Approving a License Agreement with the Texas Water Development Board for Water Conservation Public Awareness Programs

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 16 Resolution No. RES-2013-252** -- Approving the Submission of the 2013 Action Plan and Associated Allocations to Non-Profit Organizations to the United States Department of Housing and Urban Development (HUD) for the Award Amount of \$2,866,994.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 17 Resolution No. RES-2013-253** -- Approving and Accepting the Proposal of Black Box Network Services in the Total Estimated Amount of \$894,664.80 for a Five Year Agreement to Provide Phone System Maintenance and On-Site Technician

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 18 Resolution No. RES-2013-254** -- Approving and Accepting the Bids of Burst Communications Inc., in the Total Amount of \$129,909.00 and Digital Resources, Inc., in the Total Amount of \$10,569.00 for Audio/Video Equipment

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 19 Resolution No. RES-2013-255 -- Approving and Accepting the Bid of UWS, Inc., in the Total Estimated Amount of \$82,484.61 for an Annual Contract to Provide Large Water Meter Testing and Repair**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 20 Resolution No. RES-2013-256 -- Approving and Accepting the Bid of A National Auto Sales & Repair dba A National Auto Body & Paint for Body Work in the Estimated Amount of \$194,118.38 for Hail Damaged Vehicles**

RESULT:	POSTPONED NO VOTE Next: 9/5/2013 7:00 PM
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- 21 Resolution No. RES-2013-257 -- Approving the Purchase from Philpott Motors of a Ford F-450 with Utility Body and Hydraulic Tools in the Amount of \$59,301.00 through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 22 Resolution No. RES-2013-258** -- Approving the Purchase from Philpott Motors for a Ford F-750 5-6 Yard Dump Truck in the Amount of \$76,073.00 through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 23 Resolution No. RES-2013-259** -- Approving the Purchase from Philpott Motors of a Ford F-250 with Animal Control Body in the Amount of \$55,322.85 through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 24 Ordinance No. ORD-2013-9488** -- Amending Article III of Chapter 2 of the Code of Civil and Criminal Ordinances Concerning the Sale, Exchange, and Abandonment of Real Property of the City of Irving, Texas

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 25 Ordinance No. ORD-2013-9485 -- Second Reading - Granting a Franchise to Darya Corporation, Dba Executive Taxi, to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	SECOND READING [UNANIMOUS] Next: 9/5/2013 7:00 PM
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 26 Ordinance No. ORD-2013-9486 -- Second Reading - Granting a Franchise to Khorshid, Inc., Dba Taxi Dallas, to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	SECOND READING [UNANIMOUS] Next: 9/5/2013 7:00 PM
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

ZONING CASES AND COMPANION ITEMS

- 27 Ordinance No. ORD-2013-9489 -- Zoning Case #ZC13-0010 - Amending the Comprehensive Plan to Change the Recommended Land Use to Single Family Uses, Approving an Amendment to the Master Thoroughfare Plan, and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) - Approximately 77 Acres Located on the Southwest Corner of State Highway 114 and Belt Line Road - Hines Interests Limited Partnership, Owner/Applicant - (Postponed at the August 8, 2013 City Council Meeting)**

It was noted that the applicant has requested this item be postponed to September 5, 2013.

Motioned by Councilman LaMorgese, seconded by Councilman Meagher to postpone Zoning Case #ZC13-0010 to September 5, 2013.

Motion approved 8-0.

RESULT:	POSTPONED [UNANIMOUS] Next: 9/5/2013 7:00 PM
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 28 Ordinance No. ORD-2013-9490 --** Zoning Case #ZC13-0014 - Amending the Comprehensive Plan to Change the Recommended Land Use to Single Family Uses, Approving an Amendment to the Master Thoroughfare Plan, and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 86.6 Acres Located on the Northeast Corner of Esters Boulevard and Cabell Drive - Hines Interests Limited Partnership, Owner/Applicant - (Postponed at the August 8, 2013 City Council Meeting)

It was noted that the applicant has requested this item be postponed to September 5, 2013.

Motioned by Councilman LaMorgese, seconded by Councilman Meagher to postpone Zoning Case #ZC13-0014 to September 5, 2013.

Motion approved 8-0.

RESULT:	POSTPONED [UNANIMOUS] Next: 9/5/2013 7:00 PM
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 29 Ordinance No. ORD-2013-9491** -- Zoning Case #ZC13-0012 - Granting PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of Selling Alcoholic Beverages for On-Premise Consumption) Uses - Approximately 3,160 Square Feet Located at 949 West Royal Lane, #108 - Pho Chateau Dallas, LP, Applicant - Victory SG Ventures, LLC, Owner

Mayor Van Duyne opened the public hearing at approximately 7:27 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 7:27 p.m.

Motioned by Councilman Meagher, seconded by Councilman LaMorgese to approve Zoning Case #ZC13-0012 - Granting PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of Selling Alcoholic Beverages for On-Premise Consumption) Uses - Approximately 3,160 Square Feet Located at 949 West Royal Lane, #108 - Pho Chateau Dallas, LP, Applicant - Victory SG Ventures, LLC, Owner.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Allan Meagher, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 30 Ordinance No. ORD-2013-9492** -- Zoning Case #ZC13-0017 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.15 Acres Located at 2509 DeWitt Street - Jaime Rivera, Applicant - Roxanna Trevino, Owner

Mayor Van Duyne opened the public hearing at approximately 7:27 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 7:27 p.m.

Motioned by Councilman Putnam, seconded by Councilman Spink to approve Zoning Case #ZC13-0017 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.15 Acres Located at 2509 DeWitt Street - Jaime Rivera, Applicant - Roxanna Trevino, Owner.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Putnam, Councilman
SECONDER:	Thomas Spink, Councilman
AYES: Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink	
ABSENT:	Dennis Webb

- 31 **Ordinance No. ORD-2013-9493** -- Zoning Case #ZC13-0020 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.26 Acres Located at 904 Lane Street - Cydney Roberts, Applicant/Owner

Mayor Van Duyne opened the public hearing at approximately 7:28 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 7:28 p.m.

Motioned by Councilman Putnam, seconded by Councilman Meagher to approve Zoning Case #ZC13-0020 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.26 Acres Located at 904 Lane Street - Cydney Roberts, Applicant/Owner.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Putnam, Councilman
SECONDER:	Allan Meagher, Councilman
AYES: Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink	
ABSENT:	Dennis Webb

- 32 Ordinance No. ORD-2013-9494** -- Zoning Case #ZC13-0022 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of Selling Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 6,811 Square Feet Located at 1143 East Irving Boulevard - Adrian Sagrero, Applicant - Santander Irvinggate, Owner

Mayor Van Duyne opened the public hearing at approximately 7:29 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 7:29 p.m.

Motioned by Councilman Farris, seconded by Councilman Putnam to approve Zoning Case #ZC13-0022 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of Selling Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 6,811 Square Feet Located at 1143 East Irving Boulevard - Adrian Sagrero, Applicant - Santander Irvinggate, Owner.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Joe Putnam, Councilman
AYES: Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink	
ABSENT:	Dennis Webb

- 33 Ordinance No. ORD-2013-9495** -- Consider an Ordinance Amending Section 52-40(L) of Comprehensive Zoning Ordinance No. 1144 Regarding Carports in Residential Districts - City of Irving, Applicant

It was noted that staff has requested this item be postponed based on Council discussion at the work session meeting.

Motioned by Councilman Meagher, seconded by Councilwoman Cannaday to indefinitely postpone this item to a future date.

Motion approved 8-0.

RESULT:	POSTPONED [UNANIMOUS] UNDETERMINED DATE
MOVER:	Allan Meagher, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 34 Ordinance No. ORD-2013-9496 --** Consider an Ordinance Amending Section 52-49 Sale, Serving or Storage of Alcoholic Beverages of Comprehensive Zoning Ordinance No. 1144 Regarding the Definition of Mixed Beverage Permit - City of Irving, Applicant

Mayor Van Duyne opened the public hearing at approximately 7:30 p.m.

No one signed up to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 7:30 p.m.

Motioned by Councilman Putnam, seconded by Councilman Farris to approve Ordinance Amending Section 52-49 Sale, Serving or Storage of Alcoholic Beverages of Comprehensive Zoning Ordinance No. 1144 Regarding the Definition of Mixed Beverage Permit - City of Irving, Applicant.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Putnam, Councilman
SECONDER:	Gerald Farris, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

APPOINTMENTS AND REPORTS

- 35 Resolution No. RES-2013-260** -- Reappointment to the Dallas Area Rapid Transit Board of Directors Aggregated Position to a Term Expiring July 2015

Motioned by Councilman Danish, seconded by Councilman Farris to reappoint Randall Chrisman to the Dallas Area Rapid Transit Board of Directors Aggregated Position to a Term Expiring July 2015.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Danish, Councilman
SECONDER:	Gerald Farris, Councilman
AYES:	Van Duyne, Danish, Meagher, Putnam, Cannaday, LaMorgese, Farris, Spink
ABSENT:	Dennis Webb

- 36 Mayor's Report**

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

Adjournment

The meeting adjourned at approximately 7:31 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary