

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
February 21, 2013**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, February 21, 2013 at 7:00 p.m. The following members were present/absent:

Attendee Name	Organization	Title	Status	Arrived
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	

INVOCATION

The invocation was delivered by Pastor Robert Corser of Joy Fellowship of the City of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Kai Contreras who attends Las Colinas Elementary school and is a member of Webelos Scout Pack 679.

PROCLAMATIONS

Mayor Van Duyne presented the AI's Rent to Own 40th Anniversary proclamation to Ron and Maryla Zimmerman and Joe Redmon, Store Manager.

Mayor Van Duyne recognized the Irving Police Athletic League (IPAL) boxers for their participation in the Dallas Golden Gloves tournament. Coaches Don Bolke and Roberto Hernandez were also recognized.

Mayor Van Duyne presented certificates to the Gang Poster Contest Winners: Yumika Fushimi 1st place winner; Angelina Agu 2nd place winner; Mikayla Joiner 3rd place winner.

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.

Sherry Bollenbacher, 4567 O'Connor Rd. #1311, Irving, TX - Ms. Bollenbacher spoke regarding the proposed gas drilling site and processing facility at the L.B. Houston Golf Course and on Luna Road near Trinity East which is currently being considered by the City of Dallas and expressed her opposition to it.

Kenneth Cook, 1921 West 11th, Irving, TX - Mr. Cook spoke regarding Bowman Street Bridge and asked the City to make some modifications to the bridge to prevent flooding in the residential area.

Don Miller, 1823 Post Oak Dr., Irving, TX - Mr. Miller spoke regarding the City Manager's employment agreement with the City of Irving and spoke in support of the City Manager.

Dorothy Gonzalez, 1008 Windmill Lane, Irving, TX - Ms. Gonzalez spoke regarding city staff and Animal Services.

Aimee Early, 1008 Windmill Lane, Irving, TX - Ms. Early spoke regarding the cover-up at the animal shelter and asked that City employees follow the same rules as residents.

Kitty Baker, 1825 Keathley Dr, Irving, TX - Ms. Baker spoke regarding Tommy Gonzalez in support of negotiating a contract.

Beth Paul, 312 LeLa Street, Irving, TX - Ms. Paul spoke regarding the City Manager and her support of negotiating a contract.

Fred O'Dell, 501 N. Durango, Irving, TX - Mr. O'Dell spoke regarding the accomplishments of Tommy Gonzalez over the last six years and supports keeping Mr. Gonzales as the City Manager.

NC Wilson, 2911 Bryn Maur, Irving, TX - Ms. Wilson spoke regarding upcoming Council elections and asked that interested candidates file for office. She also spoke regarding Teresa Adrian's impeccable work ethic and in support of Tommy Gonzalez.

David Bennett, 3577 N. Beltline Rd., Irving, TX - Mr. Bennett spoke regarding health, fitness and tango.

Kensley Stewart, 3916 Tacoma Street, Irving, TX - Mr. Stewart spoke regarding city staff and violations reported with animal services.

CITY COUNCIL AGENDA

1 City Operations Update

Larry Boyd, Police Chief, presented the City's operations update.

2 Heritage Crossing Update

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

3 Input from Citizens Regarding Ethics Policies

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

CONSENT AGENDA

Motioned by Councilman Santoscoy, seconded by Councilman LaMorgese to approve consent agenda items 4-26 and pull items 8, 9, 12, 15, and 23 for individual consideration.

Motion approved for consent agenda 9-0.

4 Approving Minutes for Wednesday, February 06, 2013

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

5 Approving Minutes for Thursday, February 07, 2013

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

6 Resolution No. RES-2013-52 -- Authorizing the Mayor to Enter into an Agreement with Dallas County Elections Department in an Amount Not to Exceed \$100,000.00 to Administer the Regular Municipal Election and Special Charter Amendment Election to be Held on Saturday, May 11, 2013, for the Purpose of Electing City Council Places One (1), Two (2) and Seven (7), Special Charter Amendment Election and Subsequent Run-Off Election If Necessary

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

7 Resolution No. RES-2013-53 -- Approving the Renewal of the Engineering Services Agreement with Haston Associates in the Amount of \$197,022.65 for the Annual Compliance Monitoring at the Hunter Ferrell Landfill for a Period of One Year

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

- 8 Resolution No. RES-2013-54 --** Relating to the Giving of Notice of Intention to Issue City of Irving, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013A in an Amount Not to Exceed \$9,000,000 and Providing an Effective Date

The following individual signed up to speak in opposition of this item:
Loren Byers, 918 E. Tanglewood, Irving, TX

Motioned by Councilman LaMorgese, seconded by Councilwoman Cannaday to approve a resolution Relating to the Giving of Notice of Intention to Issue City of Irving, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013A in an Amount Not to Exceed \$9,000,000 and Providing an Effective Date.

Motion approved 8-1.

Council member(s) voting in opposition to this item include: Councilman Putnam

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

- 9 Resolution No. RES-2013-55 --** Relating to the Giving of Notice of Intention to Issue City of Irving, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013B in an Amount Not to Exceed \$3,500,000 and Providing an Effective Date

Motioned by Councilwoman Cannaday, seconded by Councilman LaMorgese to approve a resolution Relating to the Giving of Notice of Intention to Issue City of Irving, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013B in an Amount Not to Exceed \$3,500,000 and Providing an Effective Date

Motion approved 8-1.

Council member(s) voting in opposition to this item include: Councilman Putnam

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

- 10 Resolution No. RES-2013-56 --** Accepting the Preliminary Service and Assessment Plans for the Levy of Assessments for Public Improvements in the Bridges Public Improvement District and in the Ranchview Public Improvement District; Setting a Date for Public Hearings; Authorizing the Publication of Notice; and Enacting Other Provisions Relating Thereto

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

- 11 Resolution No. RES-2013-57 --** Awarding a Contract to Utilitex Construction LLP, in the Amount of \$1,067,752.00 for the Cabell Drive Wastewater Main Improvements Project

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

- 12 Resolution No. RES-2013-58** -- Approving a Letter of Agreement with Omni Mandalay Hotel at Las Colinas in the Total Estimated Amount of \$150,000.00 in Connection with the 16Th Annual Transportation and Infrastructure Summit (Requested by Councilwoman Cannaday, Councilman Gallaway and Councilman Webb)

Motioned by Councilwoman Cannaday, seconded by Councilman Santoscoy to approve a Letter of Agreement with Omni Mandalay Hotel at Las Colinas in the Total Estimated Amount of \$150,000.00 in Connection with the 16th Annual Transportation and Infrastructure Summit.

Motion approved 8-1.

Council member(s) voting in opposition to this item include: Mayor Van Duyne

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

- 13 Resolution No. RES-2013-59** -- Approving the Interlocal Facility Use Agreement Between the Irving Arts Center and the Irving Independent School District for the Annual Exhibition of IISD Artwork to be Exhibited at the Irving Arts Center from March 4 - April 15, 2013

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

- 14 Resolution No. RES-2013-60 -- Authorizing the City to File a Lawsuit Against Miguel Briceno Relating to a Workers' Compensation Claim**

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

- 15 Resolution No. RES-2013-61 -- Renewing the Annual Contract with Progressive Waste Solutions (formerly IESI TX Corp) in the Total Estimated Amount of \$69,698.58 To Provide Collection of Containerized Refuse for City Facilities**

The following individual signed up to speak in opposition of this item:
Loren Byers, 918 E. Tanglewood, Irving, TX

Motioned by Councilwoman Cannaday, seconded by Councilman Gallaway to approve a resolution Renewing the Annual Contract with Progressive Waste Solutions (formerly IESI TX Corp) in the Total Estimated Amount of \$69,698.58 To Provide Collection of Containerized Refuse for City Facilities.

Motion approved 9-0.

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

- 16 Resolution No. RES-2013-62 -- Renewing the Annual Contract with Whitmore & Sons, Inc., in the Total Estimated Amount of \$328,010.32 For Mowing of Medians, Parkways, and Landscapes**

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

- 17 Resolution No. RES-2013-63** -- Approving and Accepting the Bids of Baker & Taylor, Inc., and Ingram Library Services Inc., in the Total Estimated Amount of \$961,092.00 for Library Books and AV Materials with Electronic Ordering Interface

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

- 18 Resolution No. RES-2013-64** -- Renewing the Annual Contract with H2O Solutions, LLC, in the Total Estimated Amount of \$65,300.00 for Water Storage Tank In-Service Cleaning and Special Diving Services

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

- 19 Resolution No. RES-2013-65** -- Rejecting All Proposals for Video-in-Print Direct Mail Campaign

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

- 20 Resolution No. RES-2013-66 --** Renewing a Contract with Wingfoot Tire Company for Passenger and Truck Tires in the Total Estimated Amount of \$477,000.00 Through The City of Dallas Interlocal Cooperative Purchasing Agreement

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

- 21 Resolution No. RES-2013-67 --** Approving As-Needed Purchases of Vehicles & Heavy Trucks (Repair Parts and Labor) from MHC Kenworth in the Total Not To Exceed Amount of \$100,000.00 Through The State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)

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

- 22 Resolution No. RES-2013-68 --** Approving the Purchase from Presidio Networked Solutions in the Total Estimated Amount of \$53,404.00 for Network Equipment for South Library through the State of Texas Department of Information Resources (DIR) Program

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

23 Ordinance No. ORD-2013-9434 -- Budget Adjustment #3 to the 2012-13 Fiscal Year Budget

The following individuals signed up to speak in opposition of this item:
Kensley Stewart, 3916 Tacoma St., Irving, TX

Motioned by Councilwoman Cannaday, seconded by Councilman Gallaway to approve Budget Adjustment #3 to the 2012-13 Fiscal Year Budget.

Motion approved 9-0.

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

24 Ordinance No. ORD-2013-9435 -- Amending Chapter 21 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, to Provide Speed Regulations for School Zone for Barbara Cardwell Career Preparatory Center; and Providing a Severability Clause

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

25 Ordinance No. ORD-2013-9436 -- Approving a Project and Financing Plan for Tax Increment Reinvestment Zone No. 3, City of Irving, Texas; Making Various Findings Related to Such Plan; Providing for Severability; and Providing an Effective Date

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

- 26 Ordinance No. ORD-2013-9437** -- Approving a Project and Financing Plan for Tax Increment Reinvestment Zone No. 4, City of Irving, Texas; Making Various Findings Related to Such Plan; Providing for Severability; and Providing an Effective Date

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

APPOINTMENTS AND REPORTS

- 27 Resolution No. RES-2013-69** -- Appointment to the Irving Flood Control District Section I and Irving Flood Control District Section III to Fill a Two-Year Term Expiring January 2015

Motioned by Councilman Farris, seconded by Councilman Gallaway to reappoint Patrick Daly, Robert Galecke, Jon Schneider and Gary Swink to the Irving Flood Control District, Section I to terms expiring January 2015. And reappoint Kim Andres, Chris Calvery and Mazhar Islamraja to the Irving Flood Control District, Section III to terms expiring January 2015.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Gallaway, Santoscoy, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

- 28 Resolution No. RES-2013-70** -- Appointments to Boards, Commissions, and Committees, to Fill Unexpired Terms to the Advisory Committee on Disabilities, Animal Services Advisory Committee and Building & Standards Commission

Motioned by Councilman Farris, seconded by Councilman Webb to appoint Krishnaraj Subramanian to Place 11 on the Advisory Committee on Disabilities to a term expiring November 2013; appoint Dr. Monica Diaz- Melendez to Place 4 on the Animal Services Advisory Committee to a term expiring November 2014; and appoint Deo Nabar to Place 5 on the Building & Standards Commission to a term expiring November 2013.

Motion approved 9-0.

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

29 Mayor's Report

The Mayor had no report at tonight's meeting.

30 Adjournment

The meeting adjourned at approximately 8:22 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary