

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
October 3, 2013**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, October 3, 2013 at approximately 7:05 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	Present	
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

Greg Shelton announced that they are selling "I heart Irving" bumper sticker for \$3.00 of which \$2.50 will go to Irving Cares.

INVOCATION

The invocation was delivered by Pastor Kevin Weathers of Meadowbrook Baptist Church of the City of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Martin Nguyen, Hieu Hoang, and Ryan Sarosy from the Irving Youth Action Council.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Van Duyne presented Irving Independent School District students with certificates for their participation in the Disabilities Poster Contest.

Honorable mentions:

Jennifer Medina - Hanes Elementary School

Nathalie Lopez - Schulze Elementary School

Brithani Albdada - Otis Brown Elementary School
Teresa Depaolo - Otis Brown Elementary School
Keyon Knight - Thomas Haley Elementary School

1st place winners:

Angelina Waggoner - TJ Lee Elementary School
Ismael Jasso - Otis Brown Elementary School
Stephanie Martinez - Otis Brown Elementary School
Marco Vega - Schulze Elementary School
Jennifer Guardiola - Schulze Elementary School

Mayor Van Duyne presented the High Spirited award to Patty Landers and Tom Caperton.

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.

Arnold Martin, 424 East Northgate, Irving, TX - Mr. Martin wanted to welcome Steve McCullough and congratulate Patty Landers on her High Spirited award.

Emmanuel Lewis, Jr., 1909 Anderson St., Irving, TX - Mr. Lewis spoke about the needs of all neighborhoods and noted that some neighborhoods are being neglected and in decline. He asked that the City Council pay attention to the resident needs and not wait until the elections.

Mary Rhodes, 512 S. Delaware St., Irving, TX - Ms. Rhoades wanted to express her sincere thanks to city officials for the improvements made in the para-transit ride program.

Lt. Col. Jay Musser, 319 S. Irving Heights Dr., Irving, TX - Mr. Musser discussed the water RFP and how the contract for the professional consultant has expired. He believes this item should have been voted on long ago and is asking the City Council to retain Dean International as a consultant.

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

CITY COUNCIL AGENDA

1 City Operations Update

Jim Blagg, Interim Director of Community Services, presented the city operations update at tonight's meeting regarding National Night Out.

2 Heritage Crossing Update

There was no update provided at this meeting.

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 Councilwoman Cannaday to approve the consent agenda items 4-22.

Motion approved for consent agenda 9-0.

4 Approving Minutes for Thursday, September 12, 2013

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

5 Approving Minutes for Wednesday, September 18, 2013

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

6 Approving Minutes for Wednesday, September 18, 2013

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

7 Approving Minutes for Wednesday, September 18, 2013

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

8 Approving Minutes for Thursday, September 19, 2013

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

- 9 Resolution No. RES-2013-327 -- Authorizing the Mayor to Accept Grant Funds through the Fiscal Year 2013 Emergency Management Performance Grant (EMPG) Offered by the Governor's Division of Emergency Management**

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

- 10 Resolution No. RES-2013-328 -- Approving an Addendum to the Agreement for Legal Services with Bickerstaff Heath Delgado Acosta LLP**

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

- 11 Resolution No. RES-2013-329 -- In Support of the Regional Implementation Plan (I-Plan) for the Greater Trinity River Bacteria Total Maximum Daily Load (TMDL) Project, Formally Referred to as the "Implementation Plan for Seventeen Total Maximum Daily Loads for Bacteria in the Greater Trinity River Region"**

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

- 12 Resolution No. RES-2013-330** -- Approving Addendum No. 3 in the Amount of \$1,704,431.00 to an Engineering Services Agreement Between the City of Irving and Freese and Nichols, Inc., for the Design of the Delaware Creek Channel Improvements Project for Additional Design Services for Storm Drainage Associated with SH 183 Reconstruction

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

- 13 Resolution No. RES-2013-331** -- Approving the Two-Year Agreement with AT&T in the Total Estimated Amount of \$360,000.00 for Communication Services through the Department of Information Resources (DIR)

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

- 14 Resolution No. RES-2013-332** -- Approving FY2013-14 Funding for the Small Business-Hispanic/Minority Outreach and Economic Development Services Contract Between the City of Irving, Texas and the Irving Hispanic Chamber of Commerce in the Amount of \$124,500.00

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

- 15 Resolution No. RES-2013-333 -- Approving an Interlocal Cooperative Purchasing Agreement Between the City of Irving and National Joint Powers Alliance**

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

- 16 Resolution No. RES-2013-334 -- Approving the Purchase from Siddons-Martin Emergency Group in the Amount of \$2,991,363.00 for Three Fire Engine/Pumpers, an Aerial Ladder Truck, and an Air/Light Utility Vehicle through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program**

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

- 17 Resolution No. RES-2013-335 -- Approving the Purchase from Business Interiors in the Total Estimated Amount of \$54,485.41 for Seating for the Finish Out of Valley Ranch Library through the Texas Multiple Award Schedule (TXMAS) Local Government Statewide Cooperative Purchasing Program**

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

- 18 Resolution No. RES-2013-336** -- Approving the Purchase from Cultural Surroundings in the Total Estimated Amount of \$134,387.13 for Library Furniture for the Finish Out of Valley Ranch Library through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

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

- 19 Resolution No. RES-2013-337** -- Approving and Accepting the Bid of K & L Supply, Inc., in the Total Estimated Amount of \$159,037.00 for Sewer Chemicals

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

- 20 Resolution No. RES-2013-338** -- Approving and Accepting the Bids of Mueller Systems, LLC, for Groups 1-3 in the Total Estimated Amount of \$542,239.20 And Thirkettle Corporation dba Aqua Metric Sales Company for Group 4 in the Total Estimated Amount of \$19,979.75 for Annual Contracts to Provide Water Meters

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

- 21 **Ordinance No. ORD-2013-9512** -- First Reading -- Approving a Negotiated Rate Settlement with Atmos Energy

RESULT:	FIRST READING [UNANIMOUS] Next: 10/17/2013 7:00 PM
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Danish, Meagher, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

- 22 **Ordinance No. ORD-2013-9513** -- Amending Chapter 6 Entitled "Animal Services" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, Adding a Definition for "Designated Caretaker" and Designating the Animal Shelter as "Designated Caretaker" to Facilitate Treatment

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

INDIVIDUAL CONSIDERATION

- 23 **Resolution No. RES-2013-339** -- Approving a Fee Agreement with Dean International, Inc. for Assistance in Transportation and Infrastructure Public Policy Services for an Amount Not to Exceed \$600,000.00

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

Arnold Martin, 424 East Northgate, Irving, TX
Lt. Col. Jay Musser, 319 S. Irving Heights Dr., Irving, TX
Larry Jaspers, 1601 Conya Oaks, Irving, TX

The following individuals signed up to speak in opposition to this item:

James Baker, 2724 Lake Gardens, Irving, TX
Joe Mapes, P.O. Box 141864, Irving, TX

Motioned by Councilman Putnam, seconded by Councilman Meagher to call the question.

Council member(s) voting in favor of this motion include: Councilman Meagher, Councilwoman Cannaday, Councilman Webb, Councilman Danish, Councilman LaMorgese and Mayor Van Duyne.

Council member(s) voting in opposition to this motion include: Councilman Spink, Councilman Farris, and Councilman Putnam

Motioned by Councilwoman Cannaday, seconded by Councilman Webb to approve a Fee Agreement with Dean International, Inc. for Assistance in Transportation and Infrastructure Public Policy Services for an Amount Not to Exceed \$600,000.00.

Motion failed 4-5.

Council member(s) voting in favor of this motion include: Councilman Danish, Councilwoman Cannaday, Councilman Meagher, and Councilman Webb.

Council member(s) voting in opposition to this motion include: Mayor Van Duyne, Councilman Spink, Councilman Farris and Councilman LaMorgese and Councilman Putnam.

RESULT:	DENIED [4 TO 5]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Dennis Webb, Councilman
AYES:	John C. Danish, Allan Meagher, Dennis Webb, Rose Cannaday
NAYS:	Van Duyne, Putnam, LaMorgese, Farris, Spink

24 Resolution No. RES-2013-340 -- Directing City Staff to Issue a Request for Proposal for Professional Services for Transportation and Infrastructure Public Policy Services

The following individuals signed up to speak in support of this item:
Joe Mapes, P.O. Box 141864, Irving, TX

The following individuals signed up to speak in opposition to this item:
Lt. Col. 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

Motioned by Councilman Danish, seconded by Mayor Van Duyne to approve City Staff to Issue a Request for Proposal for Professional Services for Transportation and Infrastructure Public Policy Services subject to specified due date for the RFP and a contract with confirmed dates for the Transportation Convention in March 2014 and the Transportation Summit in August 2014.

Motion approved 5-4.

Council member(s) voting in favor of this motion include: Mayor Van Duyne, Councilman Spink, Councilman Farris, Councilman LaMorgese and Councilman Danish.

Council member(s) voting in opposition to this motion include: Councilman Putnam, Councilwoman Cannaday, Councilman Meagher, Councilman Webb.

RESULT:	ADOPTED [5 TO 4]
MOVER:	John C. Danish, Brad M. LaMorgese
SECONDER:	Beth Van Duyne, Mayor
AYES:	Van Duyne, Danish, LaMorgese, Farris, Spink
NAYS:	Allan Meagher, Dennis Webb, Joe Putnam, Rose Cannaday

ZONING CASES AND COMPANION ITEMS

- 25 Ordinance No. ORD-2013-9514** -- Zoning Case #ZC11-0022 - Granting S-P-1 (Detailed Site Plan) for Hotel and R-AB (Restaurant with Alcoholic Beverage Sales - Approximately 7.762 Acres Located at 4440 West Airport Freeway - Glenn Engineering Corporation, Applicant - Maahiyaa Hotel, LLC, Owner

Mayor Van Duyne opened the public hearing at approximately 7:43 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 7:43 p.m.

Motioned by Councilwoman Cannaday, seconded by Councilman LaMorgese to approve Zoning Case #ZC11-0022 - Granting S-P-1 (Detailed Site Plan) for Hotel and R-AB (Restaurant with Alcoholic Beverage Sales - Approximately 7.762 Acres Located at 4440 West Airport Freeway - Glenn Engineering Corporation, Applicant - Maahiyaa Hotel, LLC, Owner

Motion approved 9-0.

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

APPOINTMENTS AND REPORTS

- 26 Resolution No. RES-2013-341 --** Appointment to the Irving Flood Control District Section I to Fill an Unexpired Term Expiring January 2014

Motioned by Councilman Farris, seconded by Councilman Putnam to appoint Shawn Podrasky to the Irving Flood Control District Section I to Fill an Unexpired Term Expiring January 2014

Motion approved 9-0.

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

- 27 Mayor's Report**

The Mayor announced the dates for the Town Hall meeting.

Adjournment

The meeting was adjourned at approximately 8:57 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary