

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
February 6, 2014**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, February 6, 2014 at approximately 7:00 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	Absent	
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 Rev. Dr. Ashley M. Classen at St. Mary's Anglican Church of the City of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Councilman Farris.

PROCLAMATIONS AND ANNOUNCEMENTS

Mark Hafner, City of Keller Police Chief and President of the Texas Police Chiefs Association, presented Mayor Van Duyne and Police Chief Larry Boyd an award for "Recognized Status" which is granted to police departments that have consistently followed Best Practices.

Mayor Van Duyne introduced a short video on the Fire Department.

Mayor Van Duyne presented a proclamation to Interim Fire Chief Victor Conley.

Betty Wilkes, Executive Director of the Texas Fire Chiefs Association and Chris Connealy, State of Texas Fire Marshall, presented the Recognized Best Practices award to Interim Chief Victor Conley, Assistant Chief Wilson and Assistant Chief Harvey.

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.

No one signed up to speak at tonight's citizen's forum.

CITY COUNCIL AGENDA

1 City Operations Update

Todd Reck, Water Utilities Director, spoke regarding the Water Department and the Irving School District program in which students are able to obtain a water or waste water certification. The City and the School District were presented with the Crystal Award by the Texas Association for Partners in Education for the successful program.

Casey Tate, Capital Improvements Team Director, provided tonight's operations update regarding the O'Connor Road construction and the South Irving Library. The construction is almost complete on South O'Connor Road and construction will begin on North O'Connor. The foundation for South Irving Library is being poured and structural elements are expected to go up in early March.

Dan Vedral, Traffic Engineering Director, spoke regarding the State Highway 114 and MacArthur intersection project, which will increase the intersection capacity and improve traffic for the surrounding area.

2 Heritage Crossing Update

There was no Heritage Crossing Update at tonight's 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 Councilman Farris to approve the consent agenda items 4-23.

Motion approved 8-0.

4 Approving Minutes for Saturday, January 04, 2014

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

5 Approving Minutes for Wednesday, January 08, 2014

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

6 Approving Minutes for Thursday, January 09, 2014

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

7 Approving Minutes for Friday, January 17, 2014

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

8 Resolution No. RES-2014-30 -- Authorizing the Destruction of Obsolete Records in Accordance with City of Irving's Records Management Policy

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

- 9 **Resolution No. RES-2014-31** -- Approving an Interlocal Agreement with North Central Texas Council of Governments in the Amount of \$6,000.00 for a Cooperative Data Program Public Entity Participation Agreement

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

- 10 **Resolution No. RES-2014-32** -- Approving a Second Amended Economic Incentive Agreement Between the City of Irving and Aviall Services, Inc., in an Amount Dependent Upon Inventory Qualifying for Freeport Exemption Annually

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

- 11 **Resolution No. RES-2014-33** -- Selecting RPGA Design Group, Inc., as the Most Highly Qualified Provider for Professional Services for the Design and Construction Administration of the Renovation of the Brighter Tomorrow Facilities and Authorizing Staff to Negotiate an Agreement with Said Provider

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

- 12 Resolution No. RES-2014-34 -- Approving an Increase of \$220,000.00 to the Not to Exceed Amount for a New Total in an Amount Not to Exceed \$440,000.00 to Pacheco Koch Consulting Engineers, Inc., for Surveying and Platting Services**

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

- 13 Resolution No. RES-2014-35 -- Authorizing the Termination of the Nonexclusive Distribution Agreement Between the City of Irving and the North Texas Tollway Authority for the Issuance of TollTags**

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

- 14 Resolution No. RES-2014-36 -- Renewing the Annual Contract with Alliance Geotechnical Group in the Total Estimated Annual Amount of \$175,000.00 for Geotechnical Engineering and Construction Materials Testing and Inspection**

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

15 Resolution No. RES-2014-37 -- Rejecting All Proposals for Installation of Fiber Optic Cabling for Rock Island/Briery Complex

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

16 Resolution No. RES-2014-38 -- Selecting Freese and Nichols, Inc., as the Most Highly Qualified Provider for Engineering Services for a Long Range Water Plan and Authorizing Staff to Negotiate an Agreement with Said Provider

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

17 Resolution No. RES-2014-39 -- Approving the As-Needed Purchase of Passenger and Truck Tires from Wingfoot Tire Company in the Total Estimated Amount of \$318,000.00 through the City's Interlocal Cooperative Purchasing Agreement with the City of Dallas

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

- 18 Resolution No. RES-2014-40** -- Approving As-Needed Purchases of Vehicles & Heavy Trucks (Repair Parts and Labor) from MHC Kenworth in an Amount Not to Exceed \$72,000.00 through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)

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

- 19 Resolution No. RES-2014-41** -- Approving As-Needed Single Source Purchases of Original Equipment Manufacturer (OEM) Parts and Repairs for Freightliner and Sterling Equipment from ATC Freightliner - Dallas Texas in an Amount Not to Exceed \$70,000.00

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

- 20 Ordinance No. ORD-2014-9542** -- Calling a Regular Municipal Election to be Held on Saturday, May 10, 2014, for the Purpose of Electing the Position of Mayor and City Council Places Three (3) and Five (5), and Calling a Subsequent Run-Off Election, If Necessary

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

- 21 Ordinance No. ORD-2014-9528 -- Final Reading -- Granting a Franchise to B & B Waste Transit, Inc., for Solid Waste Collection Services Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

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

- 22 Ordinance No. ORD-2014-9543 -- Authorizing the Partial Abandonment of a Public Utility Easement and an Enclosed Storm Sewer Easement at 1999 W. Airport Freeway**

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

- 23 Ordinance No. ORD-2014-9544 -- Authorizing the Partial Abandonment of a Public Utility Easement at 101 Decker Drive**

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

INDIVIDUAL CONSIDERATION

- 24 Ordinance No. ORD-2014-9545** -- Public Hearing and Ordinance Designating a Certain Contiguous Geographic Area in the City of Irving as “Tax Increment Reinvestment Zone Number Five, City of Irving, Texas”; Providing the Effective and Termination Dates for the Zone; Establishing a Tax Increment Fund for the Zone; and Containing Other Matters Related to the Zone

Mayor Van Duyne opened the public hearing at approximately 7:35 p.m.

No one signed up to speak at tonight’s meeting under this item.

Mayor Van Duyne closed the public hearing at approximately 7:35 p.m.

Motioned by Councilman Farris, seconded by Councilman LaMorgese to Approve an Ordinance Designating a Certain Contiguous Geographic Area in the City of Irving as “Tax Increment Reinvestment Zone Number Five, City of Irving, Texas”; Providing the Effective and Termination Dates for the Zone; Establishing a Tax Increment Fund for the Zone; and Containing Other Matters Related to the Zone.

Motion approved 7-1.

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

RESULT:	ADOPTED [7 TO 1]
MOVER:	Gerald Farris, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Van Duyne, Danish, Meagher, Webb, LaMorgese, Farris, Spink
NAYS:	Joe Putnam
ABSENT:	Rose Cannaday

25 Resolution No. RES-2014-25 -- Amending Agreement Between the City of Irving and Stephen W. McCullough; Extending Term to April 2, 2016 (Postponed from January 9, 2014)

The following individual(s) signed up to speak in favor of this item:

Tom Madrozykowski, 2220 Spanish Trail, Irving, TX

Motioned by Councilman Putnam, seconded by Councilman Webb to take no action on this item.

Motion failed 4-4.

Council member(s) voting in support of this motion include: Councilman Putnam, Councilman Danish, Councilman Meagher and Councilman Webb.

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

Motioned by Councilman Farris, seconded by Councilman Spink to Deny Amending the Agreement Between the City of Irving and Stephen W. McCullough; Extending Term to April 2, 2016

Motion approved 5-3.

Councilmember(s) voting in support of this motion include: Mayor Van Duynes, Councilman LaMorgese, Councilman Farris, Councilman Spink and Councilman Webb.

Councilmember(s) voting in opposition to this motion include: Councilman Putnam, Councilman Danish and Councilman Meagher.

RESULT:	DENIED [5 TO 3]
MOVER:	Gerald Farris, Councilman
SECONDER:	Thomas Spink, Councilman
AYES:	Van Duynes, Webb, LaMorgese, Farris, Spink
NAYS:	John C. Danish, Allan Meagher, Joe Putnam
ABSENT:	Rose Cannaday

ZONING CASES AND COMPANION ITEMS

- 26 Ordinance No. ORD-2014-9546 -- Zoning Case #ZC13-0042 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) - Approximately 3,038 Square Feet Located at 7300 North MacArthur Boulevard, Suite #105 - Up in Smoke, Applicant - MacArthur Las Colinas Partners, LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 7:49 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 7:49 p.m.

Motioned by Councilman Farris, seconded by Councilman Danish to approve Zoning Case #ZC13-0042 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) - Approximately 3,038 Square Feet Located at 7300 North MacArthur Boulevard, Suite #105 - Up in Smoke, Applicant - MacArthur Las Colinas Partners, LLC, Owner

Motion approved 8-0.

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

- 27 Ordinance No. ORD-2014-9547 -- Zoning Case #ZC13-0051 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.16 Acres Located at 10008 Bluewater Terrace - Karthik Thirumalai, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 7:50 p.m.

Karthik Thirumalai, 10008 Bluewater Terrace, Irving, TX - the applicant, spoke regarding this case.

Mayor Van Duyne closed the public hearing at approximately 8:03 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Meagher to approve Zoning Case #ZC13-0051 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.16 Acres Located at 10008 Bluewater Terrace - Karthik Thirumalai, Applicant/Owner, subject to a 15 foot setback based on City staff recommendation.

Motion approved 8-0.

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

- 28 Ordinance No. ORD-2014-9548 -- Zoning Case #ZC13-0052 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.16 Acres Located at 10015 Sandbar Drive - Ananth Mallavarapu, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 8:23 p.m.

Ananth Mallavarapu, 10015 Sandbar Dr., Irving, TX - the applicant, spoke regarding this case.

Mayor Van Duyne closed the public hearing at approximately 8:23 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Farris to approve Zoning Case #ZC13-0052 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 0.16 Acres Located at 10015 Sandbar Drive - Ananth Mallavarapu, Applicant/Owner, subject to a 15 foot setback based on City staff recommendation.

Motion approved 8-0.

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

- 29 Ordinance No. ORD-2014-9549 -- Zoning Case #ZC13-0053 - Granting R-6 (Single Family) Uses - Approximately 0.54 Acres Located at 2617 Lago Vista Loop - Arturo Farran, Applicant/Owner**

Mayor Van Duyne opened the public hearing at approximately 8:24 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 8:24 p.m.

Motioned by Councilman Meagher, seconded by Councilman Danish to approve Zoning Case #ZC13-0053 - Granting R-6 (Single Family) Uses - Approximately 0.54 Acres Located at 2617 Lago Vista Loop - Arturo Farran, Applicant/Owner

Motion approved 8-0.

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

- 30 Ordinance No. ORD-2014-9550 -- Zoning Case #ZC13-0055 - Granting S-P-1 (Detailed Site Plan) for Hospital Helipad, and Repeal of Ordinance No. 7053 (S-P-1 for Helistop) and Ordinance No. 2013-9449 (S-P-1 for Heliport) - Approximately 0.38 Acres at 1901 N. MacArthur Boulevard - Kimley-Horn and Associates, Applicant - Irving Hospital Authority, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:26 p.m.

The following individual(s) signed up to speak in support of this item:

Don Arnwine, 1421 Travis Circle South, Irving, TX

Blake Hodge, 4663 Newcastle Drive, Frisco, TX

Walter Wilson, 10405 Winners Drive, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:26 p.m.

Motioned by Councilman Meagher, seconded by Councilman Danish to approve Zoning Case #ZC13-0055 - Granting S-P-1 (Detailed Site Plan) for Hospital Helipad, and Repeal of Ordinance No. 7053 (S-P-1 for Helistop) and Ordinance No. 2013-9449 (S-P-1 for Heliport) - Approximately 0.38 Acres at 1901 N. MacArthur Boulevard - Kimley-Horn and Associates, Applicant - Irving Hospital Authority, Owner

Motion approved 8-0.

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

APPOINTMENTS AND REPORTS

- 31 Resolution No. RES-2014-42 -- Appointing a Board Chair to the Tax Increment Reinvestment Zone No. 1 Board with a Term Expiring January 2015**

Motion by Councilman Farris, seconded by Councilman Danish to Appoint Mark Cronenwett as Board Chair to the Tax Increment Reinvestment Zone No. 1 Board with a Term Expiring January 2015

Motion approved 8-0.

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

32 Mayor's Report

Mayor Van Duyne yielded her report to the Interim City Manager and asked if he had any words to speak regarding item 25. Mr. McCullough stated he will be happy to serve until October or at the will of the council until they do get someone permanent, but he does not want the job permanently.

Adjournment

The meeting was adjourned at approximately 8:30 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary