

MINUTES
Irving City Council Regular Meeting
Thursday, December 8, 2022 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, December 8, 2022 at approximately 7:00 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Rick Stopfer	Irving City Council	Mayor	Present	
John Bloch	Irving City Council	Councilman	Present	
Brad M. LaMorgese	Irving City Council	Councilman	Present	
Mark Zeske	Irving City Council	Councilman	Present	
Phil Riddle	Irving City Council	Councilman	Present	
J. Oscar Ward	Irving City Council	Councilman	Present	
Al Zapanta	Irving City Council	Councilman	Present	
Kyle Taylor	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Mayor Rick Stopfer recognized Krista Evans, Assistant to the City Secretary, for her years of service with the city.

INVOCATION

The invocation was delivered by Reverend Shane Webb, Woodhaven Presbyterian Church, Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Pro Tem Kyle Taylor.

PROCLAMATIONS

There were no proclamations at tonight's meeting.

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.

Ted Cole, 1137 Anderson, Irving, TX – Mr. Cole spoke regarding the alcohol percentage and asked that it not be decreased per food ratio.

Abdule Jawad, 4525 Birum St., Irving, TX – Mr. Jawad spoke regarding keeping explicit materials out of the libraries.

Jrmar Jefferson, 3700 Reese, Dallas, TX – Mr. Jefferson spoke about housing and the constitution.

Dr. Raed Oman Sbeit, 2700 Almanzor Ave., Irving, TX – Dr. Sbeit spoke regarding the alcohol and restaurant ordinance and the library books in our libraries and asked that we find a solution.

Viki Norman, 1015 Sleepy Hollow, Irving, TX – Mrs. Norman spoke regarding the institution of the library and how it is broken and needs to be fixed.

Timothy Norman, 1015 Sleepy Hollow, Irving, TX – Mr. Norman spoke regarding pornographic materials in the library and how the library doesn't need to contain such materials.

Daniel Rozier, 1963 E. Irving Blvd, Irving, TX – Mr. Rozier spoke about the need for a higher pay rate because the Fire Department is losing their employees at a very high rate.

Anthony Chelette, 305 N. O'Connor, Irving, TX – Mr. Chelette spoke regarding the police officers' low pay and compensation/classification and requested that the council look into keeping them competitive with other cities.

CITY COUNCIL AGENDA

1 City Operations Update

Shannon Phillips, Budget Manager, presented on Item 5, Budget Amendment #2 to the 2022-23 fiscal year budget.

2 Public Hearing No. PH-2022-3 -- Input from Residents Regarding Amendments to the City Charter

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

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

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

No other action is required on this item at tonight's meeting.

CONSENT AGENDA

Motioned by Councilman Ward, seconded by Councilman LaMorgese to approve consent agenda items 3-46 and pull item(s) 11 for individual consideration.

Motion approved 9-0.

3 Approving Minutes for Thursday, November 10, 2022

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

4 Approving Minutes for Thursday, November 10, 2022

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

5 Ordinance No. ORD-2022-10668 -- Amending Ordinance No. 2022-10634 Providing Budget Adjustment #2 to the 2022-23 Fiscal Year Budget

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 6 Resolution No. RES-2022-500** -- Repealing Council Resolutions Nos. 2022-269, 2022-270, and 2022-271 to Identify the Correct Funding for Contracts Issued Under Those Resolutions

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 7 Resolution No. RES-2022-501** -- Approving the Fourth Amendment to the Amended and Restated Interlocal Agreement Between the City of Irving Tax Increment Reinvestment Zone Number One (TIF #1), City of Irving, and the Dallas County Utility Reclamation District (DCURD) Concerning Accelerated Waterway Maintenance Projects

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 8 Resolution No. RES-2022-502** -- Amending the Plan Document of the City of Irving Supplemental Benefit Plan Relating to Non-Elected Voting Board Appointees Attendance and Allowing the Appointment of a Voting Designee at Their Discretion

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 9 **Resolution No. RES-2022-503** -- Approving an Agreement with Advanced Security Technologies for the Purchase of Two Modular Vehicle Barrier 3X Systems in the Total Amount of \$354,634.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 10 **Resolution No. RES-2022-504** -- Approving a Memorandum of Understanding Between the Cities of Irving, Fort Worth, Frisco, Grand Prairie, Haltom City and Hurst, for Participation in the DFW First Responders Critical Incident Stress Management Network

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 11 **Resolution No. RES-2022-505** -- Authorizing the City Attorney's Office to File a Lawsuit Seeking Clarification Regarding the Use of the Property Maintenance Fund in the Clay W. Gilbert Estate

Motioned by Councilman LaMorgese, seconded by Councilman Taylor to Approve Resolution -- Authorizing the City Attorney's Office to File a Lawsuit Seeking Clarification Regarding the Use of the Property Maintenance Fund in the Clay W. Gilbert Estate.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 12 Resolution No. RES-2022-506** -- Approving a Settlement Agreement Between the City of Irving and Komatsu Architecture for the Resolution of Potential Claims for the Fire Apparatus Storage Building at the Public Safety Complex on Belt Line Road

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 13 Resolution No. RES-2022-507** -- Approving Addendum No. 1 to the Professional Services Agreement Between the City of Irving and Pacheco Koch Consulting Engineers, LLC, in the Amount of \$1,233,247.00 for Additional Services for the Brockbank Channel Improvements Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 14 Resolution No. RES-2022-508** -- Approving Addendum No. 2 to the Professional Services Agreement Between the City of Irving and Pape Dawson Engineers, Inc., in the Amount of \$1,255,785.00 for Additional Services for the North Delaware Creek Phase 1 Channel Improvements Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 15 Resolution No. RES-2022-509** -- Approving Change Order No. 4 to the Contract with Flow-Line Construction, Inc. in the Amount of \$16,000.00 for the State Highway 161 Water Improvements Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 16 Resolution No. RES-2022-510** -- Approving a Third Amended and Restated Economic Development Incentive Agreement Between the City of Irving and Allstate Insurance Company in an Amount Not to Exceed \$337,500, Dependent Upon Annual Qualifications

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 17 Resolution No. RES-2022-511** -- Adopting a Policy Affecting Compliance Requirements for Existing Economic Development Incentive Agreements for Calendar Year 2022

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 18 Resolution No. RES-2022-512** -- Approving the Sole Source Renewal from Trittech Software Systems a CentralSquare Technologies Company, in the Total Amount of \$152,251.88 for the Annual Renewal of Tiburon Public Safety System Software Maintenance

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 19 Resolution No. RES-2022-513** -- Approving the Single Source Renewal from Infor Public Sector, Inc., in the Total Amount of \$63,853.30 for Enroute Computer Aided Dispatching (CAD) Software Maintenance and Support

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 20 Resolution No. RES-2022-514** -- Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Lone Star Auctioneers, Inc., for Online Auto Pound, Surplus City Vehicle & Equipment, and Police Property Room Auctions through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 21 Resolution No. RES-2022-515** -- Approving Renewal No. 5 to the Consulting Agreement with Holmes, Murphy & Associates, LLC, in the Total Estimated Amount of \$96,000.00 for Employee Healthcare and Benefits Consulting Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 22 Resolution No. RES-2022-516** -- Approving As-Needed Expenditures with Galls, LLC, in the Total Estimated Amount of \$255,900.00 for First Responder Uniforms, Accessories, and Services through the North Texas SHARE Cooperative Purchasing Program

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 23 Resolution No. RES-2022-517** -- Approving As-Needed Expenditures with Bound Tree Medical, LLC, and Life-Assist, Inc., in an Amount Not to Exceed \$272,000.00 for EMS Fire Dept. Medical Supplies through an Interlocal Cooperation Agreement for Cooperative Purchasing with the City of Midlothian

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 24 Resolution No. RES-2022-518** -- Approving and Accepting the Bids of North America Fire Equipment Co, Inc. (NAFECO), Relitorin International, Inc., Delta Fire & Safety Inc. dba Delta Industrial Service & Supply, Con10gency Consulting, LLC, and Metro Fire Apparatus Specialists, Inc., and in an Amount Not to Exceed \$350,000.00 for an Annual Contract to Provide Bunker Clothing

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 25 Resolution No. RES-2022-519** -- Authorizing Additional Expenditures with Nema 3 Electrical Contractors, Inc., dba Nema 3 Electric, Inc., in the Total Estimated Amount of \$352,139.00 for the Purchase of Electrical Parts and Repair Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 26 Resolution No. RES-2022-520** -- Approving and Accepting the Bid of Viking Fence Co., Ltd, in the Total Estimated Amount of \$72,300.00 for Portable Restroom Rental and Cleaning Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 27 Resolution No. RES-2022-521** -- Approving Additional Expenditures with Complete Supply, Inc., in the Total Estimated Amount of \$50,000.00 for As-Needed Purchases of Janitorial Supplies through the Choice Partners Purchasing Cooperative, a Division of Harris County Department of Education

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 28 Resolution No. RES-2022-522** -- Renewing the Annual Contracts with Leslie's Poolmart, Inc., dba Leslie's Swimming Pool Supplies and DPC Industries, Inc., dba Petra Chemical Acquisition Company, LLC, in the Total Estimated Amount of \$126,000.00 for Swimming Pool Chemicals

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 29 Resolution No. RES-2022-523** -- Approving As-Needed Expenditures with Peruna Glass, Inc., dba Glass Doctor of North Texas in the Total Estimated Amount of \$175,000.00 for Glass Repair and Replacement Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 30 Resolution No. RES-2022-524** -- Approving an Engineering Services Agreement Between the City of Irving and Teague Nall and Perkins, Inc., in an Amount Not to Exceed \$300,000.00 for Annual Surveying and Platting Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 31 Resolution No. RES-2022-525** -- Approving an Engineering Services Agreement Between the City of Irving and Criado & Associates, Inc., in an Amount Not to Exceed \$500,000.00 for Annual Sub-Surface Utility Exploration (Potholing)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 32 Resolution No. RES-2022-526** -- Approving and Accepting the Bid from Fireside Holdings, Inc., dba American Refrigerants in the Total Estimated Amount of \$57,000.00 for the Purchase of Refrigerants for City of Irving's HVAC Systems

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 33 Resolution No. RES-2022-527** -- Approving and Accepting the Bid of Earth Haulers, Inc., in the Total Estimated Amount of \$485,000.00 for Road Maintenance Materials

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 34 Resolution No. RES-2022-528** -- Approving Amendment No. 2 to the Professional Services Agreement between the City of Irving and Walter P. Moore & Associates, Inc., in the Total Estimated Amount of \$600,000.00 for Structural Engineering Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 35 Resolution No. RES-2022-529** -- Approving a Professional Services Consulting Agreement between the City of Irving and National Council for Community Development Inc. dba National Development Council (NDC), in the Total Estimated Amount of \$80,000.00 for a Five Year Consolidated Plan, Analysis of Impediments to Fair Housing Choice, and FY 23-24 First Year Action Plan

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 36 Resolution No. RES-2022-530** -- Renewing the Annual Contracts with Core & Main LP and Ferguson Waterworks in the Total Estimated Amount of \$420,000.00 for Iron Fittings

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 37 Resolution No. RES-2022-531 -- Approving and Accepting the Bid from Carbon Silica Services, LLC, DBA Diamond Services, in the Amount of \$163,000.00 for the Removal and Replacement of the MacArthur Pump Station Sodium Hypochlorite Tank**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 38 Resolution No. RES-2022-532 -- Terminating the Contract with Battery Systems, Inc., for Batteries for Vehicles and Equipment**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 39 Resolution No. RES-2022-533 -- Awarding a Contract to Advanced Containment Systems, Inc., in the Total Estimated Amount of \$119,730.00 for the Purchase of a Shower-Restroom Combination Trailer**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 40 Resolution No. RES-2022-534 -- Approving the Purchases from Caldwell Country Chevrolet, LLC, for Various Vehicles in the Total Estimated Amount of \$313,094.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 41 Resolution No. RES-2022-535 -- Approving the Purchase from MHC Kenworth of Three 2023 or Newer Kenworth T480 Cab and Chassis with Warren 10-12 Yard Dump Bodies in the Total Estimated Amount of \$559,012.80 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 42 Resolution No. RES-2022-536 -- Approving the Purchase of a 2023 Peterbilt 548 Cab and Chassis with Ledwell RTC-0008 Dump Body from Rush Truck Centers of Texas, LP, in the Total Estimated Amount of \$171,567.83 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 43 Resolution No. RES-2022-537** -- Renewing the Annual Contract with U.S. Oil, a Division of U.S Venture, Inc., in an Amount Not to Exceed \$3,625,000.00 for Unleaded Gasoline, Diesel and Biodiesel Fuels

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 44 Resolution No. RES-2022-538** -- Approving Expenditures with GTS Technology Solutions, Inc., in the Total Estimated Amount of \$50,000.00 for As-Needed Purchases of Panasonic Branded Products and Related Services through the State of Texas Department of Information Resources (DIR)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 45 Resolution No. RES-2022-539** -- Approving the Expenditure with CDW Government, LLC, for Veeam Software Annual Subscription Renewal in the Total Amount of \$67,751.10 through a Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with the National Intergovernmental Purchasing Alliance Company dba Omnia Partners, Public Sector (Omnia Partners)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 46 Ordinance No. ORD-2022-10669** -- Amending Ordinance No. 2022-10638 by Approving a Schedule of Classified Personnel for the Fire Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	J. Oscar Ward, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

ZONING CASES AND COMPANION ITEMS

- 47 Ordinance No. ORD-2022-10659** -- ZC21-0067 - Considering a Zoning Change from C-W "Commercial Warehouse" to S-P-1 (C-OU-2) "Detailed Site Plan - Commercial Outdoor 2" to Allow Auto Sales, Auto Repair, and Unscreened Outside Storage, Display and Parking in the Front Setback - Approximately 0.402 Acres Located at 3411 Conflans Road - DeVoe Land Consultants, Applicant; Bayshore Group, Inc. (D.B.A. Autoplaza), Owner (Postponed from October 27, 2022)

Mayor Stopfer opened the public hearing at approximately 7:39 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:40 p.m.

Motioned by Councilman Riddle, seconded by Councilman Zapanta to Deny Ordinance -- ZC21-0067 - Considering a Zoning Change from C-W "Commercial Warehouse" to S-P-1 (C-OU-2) "Detailed Site Plan - Commercial Outdoor 2" to Allow Auto Sales, Auto Repair, and Unscreened Outside Storage, Display and Parking in the Front Setback - Approximately 0.402 Acres Located at 3411 Conflans Road - DeVoe Land Consultants, Applicant; Bayshore Group, Inc. (D.B.A. Autoplaza), Owner (Postponed from October 27, 2022).

Motion approved 9-0.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Phil Riddle, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 48 Ordinance No. ORD-2022-10670 -- ZC22-0055 - Considering a Zoning Change from ML-20 "Light Industrial 20" to S-P-2 (ML-20) "Generalized Site Plan - Light Industrial 20" to Allow a Guard Shack and Fence Turnstile in the Required Front Setback - Approximately 4.85 Acres Located at 2230 East Union Bower Road - Brakebush Irving, Inc., Applicant/Owner**

Mayor Stopfer opened the public hearing at approximately 7:42 p.m.

The following individual(s) signed up to speak in support of this item:
Carey Brakebush, 2230 E Union Bower, Irving, TX

Mayor Stopfer closed the public hearing at approximately 7:42 p.m.

Motioned by Councilman Riddle, seconded by Councilman Taylor to Approve Ordinance -- ZC22-0055 - Considering a Zoning Change from ML-20 "Light Industrial 20" to S-P-2 (ML-20) "Generalized Site Plan - Light Industrial 20" to Allow a Guard Shack and Fence Turnstile in the Required Front Setback - Approximately 4.85 Acres Located at 2230 East Union Bower Road - Brakebush Irving, Inc., Applicant/Owner.

Motion approved 9-0.

RESULT:

MOVER:

SECONDER:

AYES: Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

ADOPTED [UNANIMOUS]

Phil Riddle, Councilman

Kyle Taylor, Councilman

- 49 Ordinance No. ORD-2022-10671 -- ZC22-0065 - Considering a Zoning Change from S-P-2 (C-C) "Generalized Site Plan – Community Commercial" to S-P-1 (R-AB) "Detailed Site Plan – Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption" - Approximately 1,557 Square Feet Located at 8704 Cypress Waters Boulevard, Suite 120 - Politano's Pizza & Pasta, Applicant; Billingsley Company, Owner**

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

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

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

Motioned by Councilman Taylor, seconded by Councilman Webb to Postponed Ordinance -- ZC22-0065 - Considering a Zoning Change from S-P-2 (C-C) "Generalized Site Plan – Community Commercial" to S-P-1 (R-AB) "Detailed Site Plan – Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption" - Approximately 1,557 Square Feet Located at 8704 Cypress Waters Boulevard, Suite 120 - Politano's Pizza & Pasta, Applicant; Billingsley Company, Owner to the January 12, 2023 Council meeting.

Motion approved 9-0.

RESULT:	POSTPONED [UNANIMOUS]
MOVER:	Next: 1/12/2023 7:00 PM
SECONDER:	Kyle Taylor, Councilman
AYES:	Dennis Webb, Councilman
	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 50 Ordinance No. ORD-2022-10672 -- ZC22-0068 - Considering a Zoning Change from ML-20A "Light Industrial 20A" to S-P-2 (ML-20A) "Generalized Site Plan - Light Industrial 20A" to Allow an Accessory Structure in the Required Side Yard Setback - Approximately 6.159 Acres Located at 7880 Bent Branch Road - Entos Design, Applicant; Royal Tech Owner, LLC, Owner**

Mayor Stopfer opened the public hearing at approximately 7:44 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:44 p.m.

Motioned by Councilman Webb, seconded by Councilman LaMorgese to Approve Ordinance -- ZC22-0068 - Considering a Zoning Change from ML-20A "Light Industrial 20A" to S-P-2 (ML-20A) "Generalized Site Plan - Light Industrial 20A" to Allow an Accessory Structure in the Required Side Yard Setback - Approximately 6.159 Acres Located at 7880 Bent Branch Road - Entos Design, Applicant; Royal Tech Owner, LLC, Owner.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Webb, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 51 Ordinance No. ORD-2022-10673 -- ZC22-0070 - Considering a Zoning Change from S-P-2 (C-C) “Generalized Site Plan – Community Commercial” to S-P-1 (R-AB) “Detailed Site Plan – Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption” - Approximately 1.813 Acres Located at the Northeast Corner of Ranch Retail and IH-635 - Fogo De Chao Churrascaria, Applicant; BDDC, Inc., Owner**

Mayor Stopfer opened the public hearing at approximately 7:44 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:44 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Taylor to Approve Ordinance -- ZC22-0070 - Considering a Zoning Change from S-P-2 (C-C) “Generalized Site Plan – Community Commercial” to S-P-1 (R-AB) “Detailed Site Plan – Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption” - Approximately 1.813 Acres Located at the Northeast Corner of Ranch Retail and IH-635 - Fogo De Chao Churrascaria, Applicant; BDDC, Inc., Owner.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 52 Ordinance No. ORD-2022-10674 -- ZC22-0072 - Considering a Zoning Change from C-C "Community Commercial" and S-P-2 (C-C) "Generalized Site Plan – Community Commercial" to S-P-1 (C-C) "Detailed Site Plan – Community Commercial" and Automated Car Wash to Allow an Automated Car Wash and Related Uses, with Variances to the Side Yard Setback- Approximately 1.504 Acres Located at 1701 N. Belt Line Road - MA Engineering & Construction, Applicant; Belt Line CW Investment, Owner**

Mayor Stopfer opened the public hearing at approximately 7:45 p.m.

The following individual(s) signed up to speak in support of this item:
Andrew Ruegg, Masterplan, 2201 Main St., Ste 1280, Dallas, TX
Edward Arshouk, 25 Dunrobin, Carrollton, TX

Mayor Stopfer closed the public hearing at approximately 7:53 p.m.

Motioned by Councilman Webb, seconded by Councilman Riddle to Deny Ordinance -- ZC22-0072 - Considering a Zoning Change from C-C "Community Commercial" and S-P-2 (C-C) "Generalized Site Plan – Community Commercial" to S-P-1 (C-C) "Detailed Site Plan – Community Commercial" and Automated Car Wash to Allow an Automated Car Wash and Related Uses, with Variances to the Side Yard Setback- Approximately 1.504 Acres Located at 1701 N. Belt Line Road - MA Engineering & Construction, Applicant; Belt Line CW Investment, Owner.

Motion failed 4-5.

Councilmember(s) voting in favor of this motion include: Webb, Riddle, Taylor, and Ward

Councilmember(s) voting in opposition of this motion include: Zeske, Bloch, LaMorgese, Zapanta and Mayor Stopfer

Motioned by Councilman Zeske, seconded by Councilman Bloch to Approve Ordinance -- ZC22-0072 - Considering a Zoning Change from C-C "Community Commercial" and S-P-2 (C-C) "Generalized Site Plan – Community Commercial" to S-P-1 (C-C) "Detailed Site Plan – Community Commercial" and Automated Car Wash to Allow an Automated Car Wash and Related Uses, with Variances to the Side Yard Setback- Approximately 1.504 Acres Located at 1701 N. Belt Line Road - MA Engineering & Construction, Applicant; Belt Line CW Investment, Owner.

Motion approved 5-4.

Councilmember(s) voting in favor of this motion include: Zeske, Bloch, LaMorgese, Zapanta and Mayor Stopfer

Councilmember(s) voting in opposition of this motion include: Webb, Riddle, Taylor, and Ward

RESULT:	ADOPTED [5 TO 4]
MOVER:	Mark Zeske, Councilman
SECONDER:	John Bloch, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Zapanta
NAYS:	Phil Riddle, J. Oscar Ward, Kyle Taylor, Dennis Webb

- 53 Ordinance No. ORD-2022-10675 -- ZC22-0073 - Considering a Zoning Change from R-6 "Single-Family Residential 6" to S-P-2 (R-6) "Generalized Site Plan - Single-Family Residential 6" with Variances to the Minimum Lot Area and Depth, Minimum Driveway Length, and Minimum Front and Rear Yard Setbacks - Approximately 0.114 Acres Located at 2003 Royal Oaks Drive - Dolphin Custom Homes, Applicant/Owner**

Mayor Stopfer opened the public hearing at approximately 7:56 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:56 p.m.

Motioned by Councilman Riddle, seconded by Councilman Taylor to Postpone Ordinance -- ZC22-0073 - Considering a Zoning Change from R-6 "Single-Family Residential 6" to S-P-2 (R-6) "Generalized Site Plan - Single-Family Residential 6" with Variances to the Minimum Lot Area and Depth, Minimum Driveway Length, and Minimum Front and Rear Yard Setbacks - Approximately 0.114 Acres Located at 2003 Royal Oaks Drive - Dolphin Custom Homes, Applicant/Owner to the January 12, 2023 Council meeting.

Motion approved 9-0.

RESULT:	POSTPONED [UNANIMOUS]
	Next: 1/12/2023 7:00 PM
MOVER:	Phil Riddle, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 54 Ordinance No. ORD-2022-10676** -- CP22-0013 - Considering a Comprehensive Plan Amendment Changing the Future Land Use Category from "Residential Neighborhood" to "Compact Neighborhood" - Approximately 2.74 Acres Located at 2005 and 2009 State Highway 356, and 330, 404, and 418 Fleming Avenue - JDJR Engineers & Consultants, Inc., Applicant; KBM Fleming, LLC, Owner

Mayor Stopfer opened the public hearing at approximately 7:58 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:58 p.m.

Motioned by Councilman Riddle, seconded by Councilman LaMorgese to Postponed Ordinance -- CP22-0013 - Considering a Comprehensive Plan Amendment Changing the Future Land Use Category from "Residential Neighborhood" to "Compact Neighborhood" - Approximately 2.74 Acres Located at 2005 and 2009 State Highway 356, and 330, 404, and 418 Fleming Avenue - JDJR Engineers & Consultants, Inc., Applicant; KBM Fleming, LLC, Owner to the January 12, 2023 Council meeting.

Motion approved 9-0.

RESULT:	POSTPONED [UNANIMOUS]
	Next: 1/12/2023 7:00 PM
MOVER:	Phil Riddle, Councilman
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 55 Ordinance No. ORD-2022-10677** -- ZC22-0074 - Considering a Zoning Change from R-7.5 "Single-Family Residential 7.5" to S-P-2 (R-TH) "Generalized Site Plan - Townhouse Residential" with Variances to the Minimum Front and Side Yard Setbacks, Minimum Lot Area, Minimum Distance Between Structures, and Maximum Lot Coverage Requirements - Approximately 2.74 Acres Located at 2005 and 2009 State Highway 356, and 330, 404, and 418 Fleming Avenue - JDJR Engineers & Consultants, Inc., Applicant; KBM Fleming, LLC, Owner

Mayor Stopfer opened the public hearing at approximately 7:59 p.m.

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

Mayor Stopfer closed the public hearing at approximately 7:59 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Taylor to Postpone Ordinance -- ZC22-0074 - Considering a Zoning Change from R-7.5

"Single-Family Residential 7.5" to S-P-2 (R-TH) "Generalized Site Plan - Townhouse Residential" with Variances to the Minimum Front and Side Yard Setbacks, Minimum Lot Area, Minimum Distance Between Structures, and Maximum Lot Coverage Requirements - Approximately 2.74 Acres Located at 2005 and 2009 State Highway 356, and 330, 404, and 418 Fleming Avenue - JDJR Engineers & Consultants, Inc., Applicant; KBM Fleming, LLC, Owner to the January 12, 2023 Council meeting.

Motion approved 9-0.

RESULT:	POSTPONED [UNANIMOUS]
MOVER:	Next: 1/12/2023 7:00 PM
SECONDER:	Brad M. LaMorgese, Councilman
AYES:	Kyle Taylor, Councilman
	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 56 Ordinance No. ORD-2022-10678 -- ZC22-0075 - Considering a Zoning Change from S-P-2 (C-W) "Generalized Site Plan – Commercial Warehouse" and State Highway 161 Overlay District to S-P-2 (C-W) "Generalized Site Plan – Commercial Warehouse" with Outside Storage of Fleet Commercial Vehicles (Excluding Truck Trailers) and State Highway 161 Overlay District and Retain Variances Previously Approved with Zoning Case ZC22-0015 (Ord. No. ORD-22-10589) - Approximately 7.64 Acres Located at 4335 West Northgate Drive - J&J Lott Irving, LLC, Applicant/Owner**

Mayor Stopfer opened the public hearing at approximately 8:00 p.m.

The following individual(s) signed up to speak in support of this item:
Mike Timko, 1203 Walnut St., Cincinnati, OH

Mayor Stopfer closed the public hearing at approximately 8:01 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Taylor to Deny Ordinance -- ZC22-0075 - Considering a Zoning Change from S-P-2 (C-W) "Generalized Site Plan – Commercial Warehouse" and State Highway 161 Overlay District to S-P-2 (C-W) "Generalized Site Plan – Commercial Warehouse" with Outside Storage of Fleet Commercial Vehicles (Excluding Truck Trailers) and State Highway 161 Overlay District and Retain Variances Previously Approved with Zoning Case ZC22-0015 (Ord. No. ORD-22-10589) - Approximately 7.64 Acres Located at 4335 West Northgate Drive - J&J Lott Irving, LLC, Applicant/Owner.

Motion approved 9-0.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 57 Ordinance No. ORD-2022-10679 -- ZC22-0076 - Considering a Zoning Change from S-P-2 (C-C) "Generalized Site Plan - Community Commercial" to S-P-2 (C-C) "Generalized Site Plan - Community Commercial" Plus Self-Storage and Outside Storage Uses on Tract 1 with Variances to Lot Coverage and Self-Storage Regulations and to C-C "Community Commercial" on Tract 2 - Approximately 19.512 Acres Located at 2488 Market Place Boulevard - LTFI Investors, LLC, Applicant/Owner**

Mayor Stopfer opened the public hearing at approximately 8:05 p.m.

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

Charles Tourtellotte, 1880 Century Park East, Los Angeles, CA
Chris Tourtellotte, 1880 Century Park East, Los Angeles, CA
Bruce Jordan, 131 Calle Iglesia, Suite 100, San Clemente, CA
Rob Baldwin, 3904 Elm #B, Dallas, TX
Michael Zizik, 1800 Valley View Ln., Suite 400, Farmers Branch, TX

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

Venkat Vedula, 2256 Luckenbach Lane, Irving, TX
Vidhya Mellarkod, 2534 Bailey Ct, Irving, TX

Mayor Stopfer closed the public hearing at approximately 8:35 p.m.

Motioned by Councilman Zapanta, seconded by Councilman Ward to Approve Ordinance -- ZC22-0076 - Considering a Zoning Change from S-P-2 (C-C) "Generalized Site Plan - Community Commercial" to S-P-2 (C-C) "Generalized Site Plan - Community Commercial" Plus Self-Storage and Outside Storage Uses on Tract 1 with Variances to Lot Coverage and Self-Storage Regulations and to C-C "Community Commercial" on Tract 2 - Approximately 19.512 Acres Located at 2488 Market Place Boulevard - LTFI Investors, LLC, Applicant/Owner.

Motion approved 8-1.

Councilmember(s) voting in opposition of this motion include: Taylor

RESULT:	ADOPTED [8 TO 1]
MOVER:	Al Zapanta, Councilman
SECONDER:	J. Oscar Ward, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Webb
NAYS:	Kyle Taylor

APPOINTMENTS AND REPORTS

- 58 Resolution No. RES-2022-540** -- Appointments to the Housing and Human Services Board, Irving Flood Control District (IFCD) Sec. I, IFCD Sec. III, and the Library Board to Fill Various Terms

Motioned by Councilman Taylor, seconded by Councilman Bloch to Approve Resolution – Appointments of the following to the Housing and Human Services Board, Irving Flood Control District (IFCD) Sec. I, IFCD Sec. III, and the Library Board to Fill Various Terms:

Housing and Human Services Board

Yvonne Davis, Place 2

said term of office expiring November 2024.

Irving Flood Control District Section I:

Benjamin M. Gibbs

said term of office expiring January 2025, and the reappointments of:

Robert Galecke

John Plotts

Nicholas Wehmeier

said terms of office expiring January 2025.

Irving Flood Control District Section III:

Douglas Stephan

Chris Calvery

Shrinivas Asanare

said terms of office expiring January 2025.

Irving Library Board:

Kim Andres, Place 4
Alexander Taylor, Place 8

said terms of office expiring November 2024, and the reappointments of:

Marcy Hart, Place 2
Kevin Harbin, Place 6

said terms of office expiring November 2024.

Motion approved 9-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kyle Taylor, Councilman
SECONDER:	John Bloch, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

59 Mayor's Report

The Mayor thanked staff and council members for all they do for our city since it is the last meeting of the year and wished everyone a Happy New Year and Merry Christmas. He also acknowledged Chuck Stevens, who passed away a few years ago, and his wife, who gave the Mayor Chuck's tie; the Mayor wears it in memory of him and all he did for the City.

Adjournment

The meeting was adjourned at approximately 8:38 p.m.

Richard H. Stopfer, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary/Chief Compliance Officer