

MINUTES
Irving City Council Regular Meeting
Thursday, February 9, 2023 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, February 9, 2023 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

Mary Higbie, Irving Heritage Society, 3835 Twin Falls, Irving, TX – Ms. Higbie invited everyone to attend the Valentine Tea at the Heritage Society on February 12, 2023 at 2:00 p.m.

INVOCATION

The invocation was delivered by Father Hap Tran, St. Luke Catholic Church, Irving, TX

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Councilman 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.

Bill Holcomb, 813 Lane St., Irving, TX – Mr. Holcomb requested that the Council pass a solicitation ordinance that includes checking for warrants and ensuring children are not brought into the solicitation process.

Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX – Ms. Barbosa-Crain, representing the South Irving Task force, asked that the city ban street racing and lobby the legislation to install red light cameras again.

Manuel Benavidez, 2108 Meadow Glen, Irving, TX – Mr. Benavidez requested that sidewalks be made to walk on, trucks drive off the streets, and clean up south Irving.

Anthony Bond, 4109 W. Northgate #821, Irving, TX – Mr. Bond asked for respect in communication from the Council to residents.

Paul Bertanzetti, 3838 Twin Falls, Irving, TX – Mr. Bertanzetti spoke regarding the library.

Viki Norman, 1015 Sleepy Hollow, Irving, TX – Ms. Norman spoke regarding the library collection policy.

CITY COUNCIL AGENDA

1 City Operations Update

Shannon Phillips, Budget Manager, reviewed agenda item 4, Budget Adjustment #9 to 2021-22 fiscal year budget and agenda item 5, Budget Adjustment #3 to the 2022-23 fiscal year budget.

CONSENT AGENDA

Motioned by Councilman Taylor, seconded by Councilman Zapanta to approve consent agenda items 2-42.

Motion approved 9-0.

2 Approving Minutes for Thursday, January 12, 2023

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

3 Approving Minutes for Thursday, January 12, 2023

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

4 Ordinance No. ORD-2023-10695 -- Amending Ordinance No. 2021-10489 Providing Budget Adjustment #9 to the 2021-22 Fiscal Year Budget

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

5 Ordinance No. ORD-2023-10696 -- Amending Ordinance No. 2022-10634 Providing Budget Adjustment #3 to the 2022-23 Fiscal Year Budget

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

6 Resolution No. RES-2023-33 -- Approving the Election Services Contract with Dallas County on Behalf of the Dallas County Elections Administrator in an Amount Not to Exceed \$300,000.00 to Administer the Regular Municipal Election for the Purpose of Electing the Position of Mayor and City Council Places Three (3) and Five (5), and Subsequent Run-Off Election If Necessary, and the Special Charter Election to be Held on Saturday, May 6, 2023

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

- 7 **Resolution No. RES-2023-34** -- Approving an Agreed Partial Judgment for Settlement with Defendants Shiraz Enterprises, Ltd., Mehdi Sharifian Family, LLC, Park Place DFW, LLC, Neda Irving, LLC and Harrod Ventures, LLC in the Lawsuit Styled City of Irving V. Shiraz Enterprises, LTD, Et Al.

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

- 8 **Resolution No. RES-2023-35** -- Approving a Local Administrative Agreement Between Constituent Agencies to Participate in the Texas Anti-Gang Center for North Texas

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

- 9 Resolution No. RES-2023-36** -- Approving an Additional Services Agreement with Sole Source Provider Flock Group Inc. for the Purchase of Additional Falcon Flex Hardware and Subscription in the Total Amount of \$30,000.00 for a Two-Year Term, Authorizing Additional Expenditures in the Amount of \$40,000 for Existing Flock Falcon Camera Hardware and Subscription, and Authorizing the Mayor to Execute the Federal Funds Addendum

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

- 10 Resolution No. RES-2023-37** -- Approving Submission of a General Victim Assistance Direct Services Program Grant Application to the Office of the Governor, Criminal Justice Division, for Specialized Trauma Services Partnership and Designating the Mayor as the Authorized Official to Apply For, Accept, Reject, Alter, or Terminate the Grant on Behalf of the City

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

- 11 Resolution No. RES-2023-38** -- Approving Amendment No. 2 to Memorandum of Understanding Among Participating Local Governments and Dallas County to Participate in the Techshare.Juvenile Program

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

- 12 Resolution No. RES-2023-39** -- Approving Amendment No. 1 to the Memorandum of Understanding Among Participating Local Governments for Criminal Justice Information Sharing Via the Dallas County Techshare Prosecutor

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

- 13 Resolution No. RES-2023-40** -- Approving a Funding Agreement to the Master Agreement Governing the Major Capital Improvement Program, Between the City of Irving and Dallas County, Texas, for the Bachman Lake Trail Connection (Campion Trail) Feasibility Study, MCIP Project 49501

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

- 14 Resolution No. RES-2023-41** -- Approving a Master Services Agreement with Volta Charging, LLC to Conduct a City-Wide Needs Assessment for Electric Vehicle Charging Stations

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

- 15 Resolution No. RES-2023-42 -- Approving the First Amendment to the HOME Investment Partnerships Grant Agreement Between the City of Irving and Housing Channel, Inc.**

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

- 16 Resolution No. RES-2023-43 -- Nominating Michaels Stores, Inc. to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code**

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

- 17 Resolution No. RES-2023-44 -- Approving an Agreement with Sole Source Provider Black & Veatch Corporation in an Estimated Amount of \$184,936.00 to Perform a Network Design Review and a Penetration Test**

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

- 18 Resolution No. RES-2023-45 -- Authorizing As-Needed Expenditures with W. W. Grainger, Inc., in the Total Estimated Amount of \$300,000.00 for Facility Maintenance, Repair & Operations (MRO), Supplies and Equipment through Omnia Partners**

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

- 19 Resolution No. RES-2023-46 -- Awarding a Contract to Rolling Video Games, LLC, in the Total Estimated Amount of \$57,115.00 for the Purchase of a Community Outreach Trailer and Authorizing the Mayor to Execute the Contract and Federal Funds Addendum**

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

- 20 Resolution No. RES-2023-47 -- Approving and Accepting the Bid of Comprehensive Communications Services, LLC in the Total Amount of \$130,583.16 for Surveillance Trailers and Authorizing the Mayor to Execute the Contract and Federal Funds Addendum**

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

- 21 Resolution No. RES-2023-48** -- Approving and Accepting the Bid of Metro Fire Apparatus Specialists, Inc., in the Total Amount of \$83,250.00 for Traffic Advisor Directional Arrow Board and Authorizing the Mayor to Execute the Standard Contract and Federal Funds Addendum

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

- 22 Resolution No. RES-2023-49** -- Awarding an Annual Contract to Illumination Fireworks Partners, LP, in the Total Estimated Amount of \$90,000 for a Fireworks Display and to Flylight Drones, LLC, in the Total Estimated Amount of \$75,000.00 for a Drone Show for City of Irving's 4th of July Fireworks and Drone Show

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

- 23 Resolution No. RES-2023-50** -- Approving Expenditures with Complete Supply, Inc., in the Total Estimated Amount of \$195,000.00 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:	Kyle Taylor, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 24 Resolution No. RES-2023-51 -- Renewing the Annual Contract with Whitmore & Sons, Inc., in the Total Estimated Amount of \$695,000.00 for Landscape Maintenance of Medians, Parkways, and Public Grounds for a Two-Year Period**

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

- 25 Resolution No. RES-2023-52 -- Approving Amendment No. 1 to the Professional Services Agreement between the City of Irving and Biggs & Mathews Environmental, Inc., in the Total Estimated Amount of \$380,857.00 for Compliance Monitoring of the Hunter Ferrell Landfill**

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

- 26 Resolution No. RES-2023-53 -- Approving and Accepting the Bid of Dallas Lite & Barricade, Inc., in the Total Estimated Amount of \$150,000.00 for Portable Traffic Control Signs**

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

- 27 Resolution No. RES-2023-54** -- Renewing the Annual Contract with Midway Press, Ltd., in the Total Estimated Amount of \$115,356.80 for Printing of Resident Newspaper

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

- 28 Resolution No. RES-2023-55** -- Approving Additional Expenditures with Badger Meter, Inc., in the Total Estimated Amount of \$200,900.00 for the Current One-Year Spending Term for Positive Displacement Water Meters

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

- 29 Resolution No. RES-2023-56** -- Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Bond Equipment Company, Inc., through the State of Texas Local Government Statewide Purchasing Cooperative Program (BuyBoard)

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

- 30 Resolution No. RES-2023-57** -- Approving the Purchase from Bond Equipment Company, Inc., for Five 2023 Crane Carrier LET2-26 Cab and Chassis with New Way Cobra 28-yard Rear Loader Bodies in the Total Estimated Amount of \$1,900,090.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

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

- 31 Resolution No. RES-2023-58** -- Authorizing Additional Expenditures with MHD Partners dba Maverick Harley Davidson, in the Total Estimated Amount of \$40,000.00 for As-Needed Parts and Repair Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

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

- 32 Resolution No. RES-2023-59** -- Authorizing Additional Expenditures with Main Street Installers in the Total Estimated Amount of \$60,000.00 for As-Needed Purchases of Vehicle Graphics through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

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

- 33 Resolution No. RES-2023-60** -- Authorizing Additional Expenditures with Texas Kenworth Co., dba MHC Kenworth - Dallas in the Total Estimated Amount of \$70,000.00 for As-Needed Parts and Repair Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

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

- 34 Resolution No. RES-2023-61** -- Authorizing Additional Expenditures with Rush Truck Center of Texas, LP, in the Total Estimated Amount of \$90,000.00 for As-Needed Parts and Repair Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

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

- 35 Resolution No. RES-2023-62** -- Approving the Purchases from Caldwell Country Chevrolet, LLC, for a 2023 Chevrolet 1500 Suburban 4X2 and a 2022 Chevrolet 3500 Silverado 4X2 Truck in the Total Estimated Amount of \$110,765.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

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

- 36 Resolution No. RES-2023-63** -- Approving and Accepting the Bid of Ed Morse Automotive Group, dba Freedom Chevrolet #1179 in the Total Estimated Amount of \$200,000.00 for Repair and Service of Chevrolet/GM Vehicles

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

- 37 Resolution No. RES-2023-64** -- Authorizing Additional Expenditures for As-Needed Purchases from Dell Marketing, L.P., in the Total Estimated Amount of \$800,000.00 for Computer Equipment and Network Appliances through the State of Texas Department of Information Resources (DIR) Cooperative Purchasing Program

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

- 38 Ordinance No. ORD-2023-10697** -- Calling a Special Election to be Held on May 6, 2023 for the Purpose of Submitting to Qualified Voters Proposed Amendments to the City's Home Rule Charter

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

- 39 Ordinance No. ORD-2023-10698** -- Authorizing the Partial Abandonment and Vacation of Certain Portions of a Right of Way Easement Along a Portion of Property Located at 505 W. 4th Street, Within Lone Star Heights Annex No. 2, Lot 15, Block C, Owned by Barnard A. Ellis

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

- 40 Ordinance No. ORD-2023-10681** – Second Reading – Granting to Sprint Communications Company L.P. a Franchise to Construct, Maintain and Operate a Fiber Optic Transmission System and Providing for the Payment of a Fee or Charge for the Use of the Streets, Alleys, and Public Ways

RESULT:	SECOND READING [UNANIMOUS] Next: 2/23/2023 7:00 PM
MOVER:	Kyle Taylor, Councilman
SECONDER:	Al Zapanta, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

- 41 Ordinance No. ORD-2023-10699** -- Amending Section 17-4 of the Irving Land Development Code Including Adoption of the 2021 International Fire Code with Local Amendments

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

- 42 Ordinance No. ORD-2023-10700** -- Amending Chapter 27A Entitled “Personnel” of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Amending Section 27A-14 Relating to Assignment Pay, Section 27A-59 Relating to Education Pay, and Section 27A-60 Relating to Certification Pay

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

INDIVIDUAL CONSIDERATION

- 43 Ordinance No. ORD-2023-10701** -- Public Hearing and First Reading – an Ordinance Amending Section 41-57 of Article IX Entitled “Municipal Drainage Utility System” of Chapter 41 Entitled “Water and Sewer Systems” of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Setting a New Schedule of Drainage Charges; Providing for Penalty; Providing a Severability Clause; and Providing an Effective Date

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

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

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

Motioned by Councilman Riddle, seconded by Councilman Ward to Approve Ordinance -- Public Hearing and First Reading – an Ordinance Amending Section 41-57 of Article IX Entitled “Municipal Drainage Utility System” of Chapter 41 Entitled “Water and Sewer Systems” of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Setting a New Schedule of Drainage Charges; Providing for Penalty; Providing a Severability Clause; and Providing an Effective Date.

Motion approved 9-0.

RESULT:	FIRST READING [UNANIMOUS] Next: 2/23/2023 7:00 PM
MOVER:	Phil Riddle, Councilman
SECONDER:	J. Oscar Ward, Councilman
AYES:	Stopfer, Bloch, LaMorgese, Zeske, Riddle, Ward, Zapanta, Taylor, Webb

ZONING CASES AND COMPANION ITEMS

- 44 Resolution No. RES-2023-65 -- Sign Variance 2022-10-7886 - Considering a Sign Variance to Allow Modifications to Maximum Height and Maximum Area for a Monument Sign with an Electronic Message Sign - Property Located at 515 Cowboys Parkway - CORE Construction, Applicant - Carrollton-Farmers Branch ISD, 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 LaMorgese to Approve Resolution -- Sign Variance 2022-10-7886 - Considering a Sign Variance to Allow Modifications to Maximum Height and Maximum Area for a Monument Sign with an Electronic Message Sign - Property Located at 515 Cowboys Parkway - CORE Construction, Applicant - Carrollton-Farmers Branch ISD, Owner.

Motion approved 9-0.

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

- 45 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 (Postponed from December 8, 2022 and January 12, 2023)

The applicant has requested indefinite postponement.

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 Bloch, seconded by Councilman Taylor to Postpone 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 (Postponed from December 8, 2022 and January 12, 2023).

Motion approved 9-0.

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

- 46 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 (Postponed from December 8, 2022 and January 12, 2023)

The applicant has requested indefinite postponement.

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 Ward, seconded by Councilman Riddle 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 (Postponed from December 8, 2022 and January 12, 2023).

Motion approved 9-0.

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

- 47 Ordinance No. ORD-2023-10702** -- An Ordinance Amending Section 3.3 "Alcoholic Beverages; Sale, Serving, or Storage" to Amend Regulations Relating to the Sale of Alcohol for On-Premise Consumption in the City of Irving; Amending Section 1.12.5 "Administrative Amendments" to Add Provisions for Amendments to Approved R-AB Site Plans; Amending Section 2.5.6 "Neighborhood Commercial (C-N)" to Allow for Outdoor Dining; and Amending Section 9.3 "Definitions" to Add or Amend Definitions; Providing for Conflict Resolution, a Severability Clause, a Savings Clause, a Penalty, and an Effective Date

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

The following individual(s) signed up in opposition of this item but did not want to speak:

Ahmed Hussein, 2508 Glacier St., Irving, TX

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

Sharon Barbosa-Crain, 2608 Alan-a-Dale, Irving, TX

David Gutierrez, 639 Hartin Cir., Irving, TX

Manny Benavidez, 2108 Meadow Glen, Irving, TX

Anthony Bond, 4109 W. Northgate #821, Irving, TX
Dalia Salinas Gutierrez, 639 Hartin Cir., Irving, TX
Chacko Itty, 1641 Park Grove Dr., Irving, TX
Delhi Ekambo, 2225 Spanish Trail, Irving, TX
Husam Azma, 4444 Zahir Ct., Irving, TX
Paul Bertanzetti, 3838 Twin Falls, Irving, TX
Raed Sbiet, 2700 Almanzor Ave., Irving, TX
Juqing Ma, 4627 Galle St., Irving, Irving, TX
Theodore Cole, 1137 Anderson, Irving, TX
Sharon L. Cole, 1137 Anderson, Irving, TX

The following individual(s) signed up to speak in support of this item:
Andrew Goldsmith, 3000 Wingren Rd., Irving, TX

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

Motioned by Councilman Ward, seconded by Councilman Riddle to Approve the OPTIONAL Ordinance -- An Ordinance Amending Section 3.3 "Alcoholic Beverages; Sale, Serving, or Storage" to Amend Regulations Relating to the Sale of Alcohol for On-Premise Consumption in the City of Irving; Amending Section 1.12.5 "Administrative Amendments" to Add Provisions for Amendments to Approved R-AB Site Plans; Amending Section 2.5.6 "Neighborhood Commercial (C-N)" to Allow for Outdoor Dining; and Amending Section 9.3 "Definitions" to Add or Amend Definitions; Providing for Conflict Resolution, a Severability Clause, a Savings Clause, a Penalty, and an Effective Date., carving out the Heritage District.

Motion failed 2-7.

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

Motioned by Councilman Zapanta, seconded by Councilman Taylor to Approve the Ordinance -- An Ordinance Amending Section 3.3 "Alcoholic Beverages; Sale, Serving, or Storage" to Amend Regulations Relating to the Sale of Alcohol for On-Premise Consumption in the City of Irving; Amending Section 1.12.5 "Administrative Amendments" to Add Provisions for Amendments to Approved R-AB Site Plans; Amending Section 2.5.6 "Neighborhood Commercial (C-N)" to Allow for Outdoor Dining; and Amending Section 9.3 "Definitions" to Add or Amend Definitions; Providing for Conflict Resolution, a Severability Clause, a Savings Clause, a Penalty, and an Effective Date.

Motion passed 6-3.

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

RESULT:	ADOPTED [6 TO 3]
MOVER:	Al Zapanta, Councilman
SECONDER:	Kyle Taylor, Councilman
AYES:	Stopfer, Bloch, Zeske, Zapanta, Taylor, Webb
NAYS:	Brad M. LaMorgese, Phil Riddle, J. Oscar Ward

- 48 Ordinance No. ORD-2023-10703** -- An Ordinance Amending the City of Irving Unified Development Code (“UDC”) Section 3.18 “Outside Storage” to Distinguish Between Residential and Nonresidential Outside Storage Regulations; Amending UDC Section 9.3 “Definitions” to Add Related Definitions; Providing for Conflict Resolution, a Severability Clause, a Savings Clause, a Penalty, and an Effective Date

Mayor Stopfer opened the public hearing at approximately 8:29 p.m.

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

Mayor Stopfer closed the public hearing at approximately 8:29 p.m.

Motioned by Councilman Riddle, seconded by Councilman Taylor to Approve Ordinance -- An Ordinance Amending the City of Irving Unified Development Code (“UDC”) Section 3.18 “Outside Storage” to Distinguish Between Residential and Nonresidential Outside Storage Regulations; Amending UDC Section 9.3 “Definitions” to Add Related Definitions; Providing for Conflict Resolution, a Severability Clause, a Savings Clause, a Penalty, and an Effective Date.

Motion approved 9-0.

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

- 49 Ordinance No. ORD-2023-10704** -- An Ordinance Amending the Unified Development Code to Create a New Section 2.3.5 “Conditional Use Permit Overlay” and Add Regulations for the Creation and Operation of a Conditional Use; Providing for Conflict Resolution, a Severability Clause, a Savings Clause, a Penalty, and an Effective Date

Mayor Stopfer opened the public hearing at approximately 8:30 p.m.

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

Mayor Stopfer closed the public hearing at approximately 8:30 p.m.

Motioned by Councilman Taylor, seconded by Councilman Ward to Approve Ordinance -- An Ordinance Amending the Unified Development Code to Create a New Section 2.3.5 “Conditional Use Permit Overlay” and Add Regulations for the Creation and Operation of a Conditional Use; Providing for Conflict Resolution, a Severability Clause, a Savings Clause, a Penalty, and an Effective Date.

Motion approved 7-2.

Councilmember(s) voting in opposition of this motion include: LaMorgese and Riddle

RESULT:	ADOPTED [7 TO 2]
MOVER:	Kyle Taylor, Councilman
SECONDER:	J. Oscar Ward, Councilman
AYES:	Stopfer, Bloch, Zeske, Ward, Zapanta, Taylor, Webb
NAYS:	Brad M. LaMorgese, Phil Riddle

APPOINTMENTS AND REPORTS

- 50 Mayor's Report**

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

Adjournment

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

Richard H. Stopfer, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary/Chief Compliance Officer