

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
April 3, 2014**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, April 3, 2014 at approximately 7:05 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Beth Van Duyne	Irving City Council	Mayor	Present	
John C. Danish	Irving City Council	Councilman	Present	
Allan Meagher	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	
Joe Putnam	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Brad M. LaMorgese	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Lucia Rottenberg, 2220 Indian Creek Dr., Irving, TX - Ms. Rottenberg spoke regarding mail-in ballots and wanted to clarify the circumstances under which mail-in ballots will not be counted. There are only three: if you don't have a valid signature on your ballot, you fail to sign your envelope that is mailed in or the signature on the envelope does not match your signature on the ballot, and finally if you put two ballots in one envelope and there is only one signature on the envelope it will be thrown out.

INVOCATION

The invocation was delivered by Pastor J. Don George of Calvary Church of the City of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Mikayla Douglas, Oscar Gandara and Eric Williams from J.O. Davis Elementary School.

PROCLAMATIONS

Mayor Van Duynes presented the High Spirited Citizen Award to Pam Hale.

Mayor Van Duynes presented a proclamation Celebrating Irving Month the City and the Man to Janice Carroll, Irving Heritage Society President, Jan Bodnar, Irving Public Library Community Relations Supervisor, LaNita Johnson, Irving Black Arts Council Vice President, Jackie Madden, City of Irving Special Events Supervisor, and Sandee Hicks, Irving Independent School District Librarian.

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.

Jim Welloughby, 600 Bunn, Irving, TX - Mr. Welloughby spoke regarding three items: Blocking of sidewalks, commercial vehicles parked on the street, and differences in zoning in south Irving versus north Irving. He asked if there was a difference in zoning.

Johnny Jackson, 621 Beacon Hill, Irving, TX - Mr. Jackson spoke regarding cars in the neighborhood blocking streets, people taking their garbage out too early, and commercial trucks, boats, and RV's parked in driveways that decreases the aesthetic appeal of the community.

Melba Jackson, 621 Beacon Hill, Irving, TX - Ms. Jackson spoke regarding large number of people living in one house, particular homes that are rental properties. She is concerned for the seniors in their neighborhood.

Lucia Rottenberg, 2220 Indian Creek Dr., Irving, TX - Ms. Rottenberg spoke regarding the economic impact of freezing senior citizen taxes. She is curious to know what the economic impact would be on the city if the senior taxes were frozen in the city and would services be cut.

Emma West, 3639 W. Northgate #152, Irving, TX - Ms. West spoke regarding street lights on William D. Hale and the lights not being as bright as they are on other streets. She would like to know why some are better lit and some are less lit.

Farah Merchant, 9606 Valley Lake Lane, Irving, TX - Ms. Merchant spoke regarding recycling bins. She spoke about the future generations and how important recycling is to our community and our landfills. She would like the council to look into supporting the recycling bins. She also presented the council with a petition signed by neighbors in favor of the bins.

David Bennett, 3577 N. Belt Line Rd., #1010, Irving, TX - Mr. Bennett spoke regarding tango and ballroom dance.

Rosa Pevehouse, 3201 Pridget Dr., Irving, TX - Ms. Pevehouse indicated she has lived here for 30 years and would be happy to clean bounce houses in the backyard or wherever is legal. She has a large family and the family is coming over; she cannot help the fact that she has a big family.

CITY COUNCIL AGENDA

1 City Operations Update

The Operations Update is viewable OnDemand from yesterday's work session.

2 Heritage Crossing Update

Kevin Kass, Redevelopment and TIF Administrator, stated that staff is in the very early stages of discussion with TxDOT regarding project scope and reconstruction of Irving Blvd. In development news, contracts have been received on four landbank properties. Deep in the heart of Irving Market Day will be held in downtown this weekend. Arbor Days celebration is next Saturday. Music on Main Street will resume Saturday, May 9.

3 Input from Citizens Regarding Ethics Policies

No one spoke on this item at tonight's meeting.

CONSENT AGENDA

Motioned by Councilman Meagher, seconded by Councilman Webb to approve the consent agenda items 4-20.

Motion approved 9-0.

4 Approving Minutes for Wednesday, March 19, 2014

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Allan Meagher, Councilman
SECONDER:	Dennis Webb, Councilman
AYES:	Van Duyne, Danish, Meagher, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

5 Approving Minutes for Thursday, March 20, 2014

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Allan Meagher, Councilman
SECONDER:	Dennis Webb, Councilman
AYES:	Van Duyne, Danish, Meagher, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

6 Resolution No. RES-2014-112 -- Authorizing the Destruction of Obsolete Records in Accordance with the City of Irving's Records Management Policy

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

7 Resolution No. RES-2014-113 -- Cancelling the Contract for Professional Surveying Services with Landes and Associates, Inc.

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

- 8 Resolution No. RES-2014-114 -- Approving a Legal Services Agreement with McKamie Krueger LLP for Legal Representation and Such Other Legal Matters as Deemed Necessary by the City Attorney**

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

- 9 Resolution No. RES-2014-115 -- Awarding a Contract to RKM Utility Services, Inc., in the Amount of \$486,939.00 for the 2014 Manhole Rehabilitation, Section I Project**

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

- 10 Resolution No. RES-2014-116 -- Awarding a Contract to Mastec N.A., in the Amount of \$241,067.28 for the MacArthur Corridor Enhancements: Utility Undergrounding from Grauwlyer to Pioneer, Street Light and Conduit Plans from Grauwlyer to Rock Island Project**

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

- 11 Resolution No. RES-2014-117** -- Approving an Economic Development Agreement with Bill Miller in an Amount Not to Exceed \$5,500.00 for the Removal of an Existing Pole Sign and Replacement with a Monument Sign, Pursuant to the General Provisions of the Corridor Enhancement Incentive Program

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

- 12 Resolution No. RES-2014-118** -- Approving a Sponsorship Agreement in the Amount of \$125,000.00 with the Nexus Club for Services to Produce the 2014 LPGA North Texas Shootout Tournament

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

- 13 Resolution No. RES-2014-119** -- Approving an Event Support Agreement with Ladies Professional Golf Association, LPGA Tournament Properties One, LLC and the Nexus Club for the 2014 LPGA North Texas Shootout Tournament

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

- 14 Resolution No. RES-2014-120** -- Approving a Sales Contract in the Amount of \$42,000.00, Plus Closing Costs Not to Exceed \$5,000.00, for the Acquisition of a 3.985 Acre Tract of Land Located at 1627 and 1629 S. Nursery Road - Kenneth W. Murphy - Property Owner

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

- 15 Resolution No. RES-2014-121** -- Approving an Engineering Services Agreement with Freese and Nichols, Inc., in the Amount of \$564,053.00 for a Long Range Water Plan

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

- 16 Resolution No. RES-2014-122** -- Approving Change Order No. 1 to the Agreement Between the City of Irving and the North Texas Municipal Water District in the Amount of \$23,763.91 for the Chapman Lake Water Access Project

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

- 17 Resolution No. RES-2014-123** -- Approving a Special Event Permit for the 2014 HP Byron Nelson Championship Golf Tournament to be Held May 12-18, 2014, at the Four Seasons Resort & Club Located at 4150 N. MacArthur Blvd., Irving, Texas

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

- 18 Resolution No. RES-2014-124** -- Rejecting the Proposals for Health and Fitness Services for the Irving Fire Department

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

- 19 Resolution No. RES-2014-125** -- Approving the Purchase from Sam Pack's Five Star Ford for Two Ford F-350 Trucks with Utility Body and a Ford F-250 Pickup in the Total Amount of \$58,234.35 Through The State of Texas Cooperative Purchasing Program

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

- 20 Resolution No. RES-2014-126 -- Approving and Accepting the Bids of Garrett Demolition, Inc., and EDRS, Inc., in the Total Amount of \$246,260.00 for Asbestos Abatement and Demolition of Apartment Complex and Pool**

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

INDIVIDUAL CONSIDERATION

- 21 Resolution No. RES-2014-127 -- Approving a Consulting Agreement with David Cain dba DC Strategic Consulting and a Letter Agreement with Baker Botts L.L.P. for Assistance in Transportation Public Policy Services for an Amount Not to Exceed \$250,000.00**

Mayor Van Duyne opened the public hearing at approximately 7:48 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 7:48 p.m.

Motioned by Councilman Danish, seconded by Councilman Meagher to Approve Consulting Agreement with David Cain dba DC Strategic Consulting and a Letter Agreement with Baker Botts L.L.P. for Assistance in Transportation Public Policy Services for an Amount Not to Exceed \$250,000.00

Motion approved 8-1.

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

RESULT:	ADOPTED [8 TO 1]
MOVER:	John C. Danish, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Webb, Cannaday, LaMorgese, Farris, Spink
NAYS:	Joe Putnam

22 Resolution No. RES-2014-128 -- Approving an Economic Incentive Agreement Between the City of Irving and 7-Eleven Inc. in an Amount Dependent Upon Annual Qualification

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

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

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

Motioned by Councilman LaMorgese, seconded by Councilman Meagher to Approve an Economic Incentive Agreement Between the City of Irving and 7-Eleven Inc. In an Amount Dependent Upon Annual Qualification

Motion approved 8-1.

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

RESULT:	ADOPTED [8 TO 1]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Webb, Cannaday, LaMorgese, Farris, Spink
NAYS:	Joe Putnam

23 Resolution No. RES-2014-129 -- Approving an Economic Incentive Agreement Between the City of Irving and Crow-Billingsley 635 Beltline, LTD. in an Amount Dependent Upon Annual Qualification

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

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

Mayor Van Duyne closed the public hearing at approximately 8:00 p.m.

Motioned by Councilman LaMorgese, seconded by Councilwoman Cannaday to Approve an Economic Incentive Agreement Between the City of Irving and Crow-Billingsley 635 Beltline, LTD. In an Amount Dependent Upon Annual Qualification

Motion approved 8-1.

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

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

ZONING CASES AND COMPANION ITEMS

- 24 Ordinance No. ORD-2014-9564** -- Zoning Case #ZC13-0049 - Granting S-P-2 (Generalized Site Plan) for FWY (Freeway) Uses - Approximately 39.03 Acres Located at 6431 Longhorn Drive - Corgan Associates, Applicant - Quality Technology Services, Owner

Mayor Van Duyne opened the public hearing at approximately 8:01 p.m.

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

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

Motioned by Councilwoman Cannaday, seconded by Councilman Meagher to Approve Zoning Case #ZC13-0049 - Granting S-P-2 (Generalized Site Plan) for FWY (Freeway) Uses - Approximately 39.03 Acres Located at 6431 Longhorn Drive - Corgan Associates, Applicant - Quality Technology Services, Owner

Motion approved 9-0.

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

- 25 Ordinance No. ORD-2014-9565 -- Zoning Case #ZC13-00059 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses with a Variance to the Distance Separation Requirements from a Residence - Approximately 0.480 Acres Located at 1210 East Irving Boulevard - Rancho Restaurant, Applicant - JJEMMA, LLC, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:01 p.m.

The following individual(s) signed up to speak in support of this item:
Manuel Benavidez, 2103 Meadow Glen, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 8:01 p.m.
Motioned by Councilman Farris, seconded by Councilman Danish to Approve Zoning Case #ZC13-00059 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses with a Variance to the Distance Separation Requirements from a Residence - Approximately 0.480 Acres Located at 1210 East Irving Boulevard - Rancho Restaurant, Applicant - JJEMMA, LLC, Owner, subject to a façade improvement that include: additional landscaping, fencing repairs, a new door facing Irving Blvd and whatever setback variance is required to accommodate those items within six months.

Motion approved 8-1.

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

RESULT:	ADOPTED [8 TO 1]
MOVER:	Dennis Webb, Councilman
SECONDER:	John C. Danish, Councilman
AYES:	Van Duyne, Danish, Meagher, Webb, Cannaday, LaMorgese, Farris, Spink
NAYS:	Joe Putnam

- 26 Ordinance No. ORD-2014-9566 -- Zoning Case #ZC14-0002 - Amending the Comprehensive Plan to Change the Recommended Land Use from Retail to Medium Density Residential and Granting S-P-2 (Generalized Site Plan) for R-TH (Townhouse) Uses - Approximately 7.8 Acres Located on the Northwest Corner of Hardrock Road and Pioneer Drive - JDJR Engineers, Applicant - DFW South II Limited Partnership, Owner**

Mayor Van Duyne opened the public hearing at approximately 8:22 p.m.

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

Mayor Van Duyne closed the public hearing at approximately 8:22 p.m.

Motioned by Councilman LaMorgese, seconded by Councilman Farris to Approve Zoning Case #ZC14-0002 - Amending the Comprehensive Plan to Change the Recommended Land Use from Retail to Medium Density Residential and Granting S-P-2 (Generalized Site Plan) for R-TH (Townhouse) Uses - Approximately 7.8 Acres Located on the Northwest Corner of Hardrock Road and Pioneer Drive - JDJR Engineers, Applicant - DFW South II Limited Partnership, Owner

Motion approved 8-1.

Councilmember(s) voting in opposition to this motion include: Councilman Meagher

RESULT:	ADOPTED [8 TO 1]
MOVER:	Brad M. LaMorgese, Councilman
SECONDER:	Gerald Farris, Councilman
AYES:	Van Duyne, Danish, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink
NAYS:	Allan Meagher

- 27 Ordinance No. ORD-2014-9567 -- Zoning Case #ZC14-0009 - Granting PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premise Consumption) Uses - Approximately 3,589 Square Feet Located at 6550 N. MacArthur Boulevard, Suite 100 - Snappy Salads, Applicant - Tuscan Shopping Center, Owner**

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

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

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

Motioned by Mayor Van Duyne, seconded by Councilman Meagher to postpone this item to the April 17, 2014 meeting.

Motion approved 9-0.

RESULT:	POSTPONED [UNANIMOUS] Next: 4/17/2014 7:00 PM
MOVER:	Beth Van Duyne, Mayor
SECONDER:	Allan Meagher, Councilman
AYES:	Van Duyne, Danish, Meagher, Webb, Putnam, Cannaday, LaMorgese, Farris, Spink

28 Ordinance No. ORD-2014-9568 -- Amending the Master Thoroughfare Plan Section of the Comprehensive Plan, as Amended - City of Irving, Applicant

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

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

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

Motioned by Councilman Farris, seconded by Councilman Spink to Approve Amending the Master Thoroughfare Plan Section of the Comprehensive Plan, as Amended - City of Irving, Applicant

Motion approved 9-0.

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

APPOINTMENTS AND REPORTS

29 Mayor's Report

There was no Mayor's report at tonight's meeting.

Adjournment

The meeting adjourned at approximately 8:25 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary