

**IRVING CITY COUNCIL
WORK SESSION
December 13, 2006**

The Irving City Council met in work session in the First Floor Council Conference Room of the City Hall Complex on December 13, 2006. The following members were present:

Mayor Herbert A. Gears

Councilmembers

James Dickens
Beth Van Duyne
Allan E. Meagher
Lewis Patrick
Lowell Cannaday
Rick Stopfer
Sam Smith
Joe Philipp

Mayor Gears convened the meeting at 12:00 P.M.

- 2 DISCUSSION:** Upcoming 2007 Legislative Session And Legislative Issues – Discussion By State Senators Florence And Chris Harris And State Representative Jim L. Jackson, Kirk Thomson England, Linda Harper Brown And Rafael Anchia

Mayor Pro Tem Smith introduced this item and a handout was given to the Mayor and Council regarding the Legislative program for the City of Irving.

State Representative Linda Harper-Brown made comments regarding critical legislative issues for the City of Irving.

State Representative Kirk England stated that he is one of the newly elected officials in Austin.

Councilman Philipp thanked the senators' office representatives for also being present. He also made comments about the revenue caps and appraisal caps as proposed legislation that the.

The following were present:

Senator Chris Harris' staff: Joan Holland, District Director and Peggy Dodsun, Executive Assistant

Senator Florence Shapiro's staff: Lissa Smith

City Manager Gonzalez stated that he appreciates staff working on this project. He also thanked the legislators and their representatives for attending.

- 1 **DISCUSSION:** Review of Regular Agenda
- 2 Resolution – Authorizing The Amendment Of The FY 2005-2006 And 2006-2007 Action Plans For Use Of Federal Grant Funds Under Community Development Block Grant (CDBG) To Include Façade Improvements To Address Spot Slum And Blight, Reprogram/Reallocate Fund Balances And Revise Rehabilitation Program Policies

Councilman Philipp asked for staff comments on this change.

Director of Housing and Human Services Vivian Ballou stated that this was transferred from demolition to the façade improvement program and will be used in the downtown area.

- 7 Resolution – Authorizing Additional Funding To Fulbright & Jaworski L.L.P. For Advice And Representation In Connection With Texas Stadium

Councilwoman Van Duyne asked for a presentation on this item.

Acting City Attorney Charles Anderson explained that the city will use this firm regarding the Texas Stadium transition issues and this requires additional cost.

Councilwoman Van Duyne asked that this item be discussed in Executive Session.

- 11 Resolution – Approving An Engineering Services Agreement With Hayden Consultants, Inc. In The Amount Of \$210,015.00 For The Design Of The 2006-2007 Water Meter Vault Reconstruction Project

Councilwoman Van Duyne asked if the city is working with the new water meter readers that the city is installing to make sure that they are Y5 compatible.

Director of Public Works Jim Cline stated that this contract does not address the meters. This is the physical vaults that hold the large meters.

- 15 Resolution – Approving A Contract For Property Acquisition In The Amount Of \$165,000.00 Plus Closing Costs Not To Exceed \$5,000.00 -- Lot 2, Block A, Rock Island Road Addition Located At 111 West Irving Boulevard – Vernon Proctor And Ronney Smith, Property Owners

Councilman Philipp asked if there is an appraisal on this property.

Real Estate Services Manager Doug Janeway stated that the city does not have an appraisal on this item. He advised that the cost is not out of line and was presented to the Council at an earlier Executives Session.

- 20** Resolution – Awarding An Annual Contract To Utility & Environmental Services, Inc. For The Annual Sewer Cleaning Inspection And Reporting Contract

Councilwoman Van Duyne asked for the amount of this contract.

Deputy Director of Public Works/Engineering Bob Chapman stated that this is an annual contract, and it is paid for on a project basis.

- 22** Resolution – Purchases Funded In The 2006-2007 Budget

Mayor Gears asked if there were any contested bids.

City Manager Gonzalez stated there were no contested bids.

- 22C** Proposal -- Annual Proposal For Medical/Dental/Vision Insurance; Pharmacy Benefit Manager, Stop-Loss Re-Insurance, Flexible Spending Account Administration And Disease Management and Wellness To Aetna Life Insurance Company; American Stop Loss/ReliaStar Life Insurance Company; CIGNA Dental Health of Texas, Inc.; And National Vision Administrators, LLC In The Net Estimated Amount Of \$1,742,500 For The Period Of January 1, 2007, Through September 30, 2007; \$2,536,900 For The Period Of October 1, 2007, Through September 30, 2008; \$2,726,875 For The Period Of October 1, 2008, Through September 30, 2009, And \$774,756 For The Period Of October 1, 2009, through December 31, 2009, Subject To Funds Being Appropriated In Fiscal Years 2007-2008, 2008-2009 and 2009-2010, To Be Administered By The Human Resources Department.

Councilwoman Van Duyne asked for an overview on this item.

Director of Human Resources Kathy Cleveland stated that these are the costs to provide these programs to city employees. Ms. Cleveland stated that the city will evaluate this every year and that these are just estimates of the costs.

Councilwoman Van Duyne asked why the dramatic increase in expenditures between 06/07 and 07/08 fiscal year?

Ms. Cleveland stated that this is because 06/07 is only nine months as the city is changing to a January start date.

- 26** Ordinance -- Zoning Case #5657 -- Granting S-P-2 (Generalized Site plan) For R-TH (Townhouse) Uses -- An Approximately 3.117 Acre Tract Bounded By Michener Way, Chaucer Way, Hemingway Lane And Tennyson Ridge -- Spiars Engineering, Applicant

Councilwoman Van Duyne asked for an overview of this item.

Senior Planner Ken Bloom presented the case and stated that staff did advise the applicant that the garage doors would have to be 20 feet back from the property lines. He stated that the developer platted the lots and designed the buildings with only ten feet from the garage doors.

Assistant City Manager Cliff Miller stated that the applicant will respond and present their position at the regular Council meeting.

- 27** Ordinance -- Amending The Comprehensive Plan To Change The Recommended Land Use From Office To Retail And Granting C-N (Neighborhood Commercial) District Uses In Zoning Case #5663 -- An Approximately 3.93 Acre Tract Located At 7702 Bent Branch Drive -- RK Planning, Applicant

Senior Planner Ken Bloom presented the case and stated that staff recommended approval and Planning and Zoning Commission also approved it with the stipulation that landscaping be provided along Ben Branch Drive frontage. The applicant has agreed to comply with the stipulation.

There were no questions by the Council.

- 29** Ordinance -- Amending The Comprehensive Plan To Change The Recommended Land Use From Office And Retail To Single Family - Medium Density Residential, Retail, And Multiple Family, High Density Residential Uses, And Approving Multifamily Community Framework Plan And Granting PUD (Planned Unit Development) For C-C (Community Commercial), R-MF-2 (Multifamily), R-TH (Townhouse) And R-ZLa (Single Family - Zero Lot Line) Uses Per Development Plan #12 Las Colinas, PUD 4 -- An Approximately 70.9 Acre Tract Bounded By La Villita Boulevard, Riverside Drive, Royal Lane, And Colwell Boulevard -- Humphreys & Partners Architects, Applicant

Senior Planner Ken Bloom presented the case and stated that the Planning and Zoning Commission recommended denial. Mr. Bloom stated that this was a complex case because it is five development plans rolled into one. There are five very distinct sections.

Councilman Meagher asked if Section four was the only portion of the PUD that required a reduced setback of 15 feet.

Mr. Bloom stated that this was correct.

- 30** Ordinance -- Amending The Comprehensive Plan To Change The Recommended Land Use From Entertainment District To Light Commercial And Granting PUD (Planned Unit Development) For C-C (Community Commercial) And Mini-Warehouse Uses Per Development Plan #14 Las Colinas, PUD 4 Mini Storage -- An Approximately 5.4 Acre Tract Located At 7300 Riverside Drive (Southeast Corner Of Riverside Drive And State Highway 161) -- SV2020 Joint Venture, Applicant

Senior Planner Ken Bloom presented the case, he stated that staff is recommending denial; Planning and Zoning recommended approval.

Mayor Gears asked what is the definition of a "gateway" to the Council.

Assistant City Manager Cliff Miller stated that there are different aspects of "gateways" within the city.

Councilman Smith asked for the Las Colinas Association to address this case at the Council meeting

- 33** Resolution -- Approving A Memorandum Of Understanding Between The City Of Irving And Gables Residential And Urban Partners And Instructing City Staff To Proceed To Work With Appropriate Outside Advisors To Prepare Agreements For City Council Approval To Permit The Projects To Proceed As Described

Mayor Gears asked that a brief presentation be given at the Council meeting tomorrow night.

- 34** Resolution -- Approving A Memorandum Of Understanding Between The City Of Irving And Las Colinas Live! And Instructing City Staff To Proceed To Work With Appropriate Outside Advisors To Prepare Agreements For City Council Approval To Permit The Projects To Proceed As Described

Mayor Gears asked for a presentation on this item

Finance & Development Initiatives Director David Leininger introduced Patrick Kenney with the Watermark Hotel. Mr. Kennedy described the hotel facility.

- 35** Resolution -- Approving A Memorandum Of Understanding Between The City Of Irving And McDougal Properties And Instructing City Staff To Proceed To Work With Appropriate Outside Advisors To Prepare Agreements For City Council Approval To Permit The Projects To Proceed As Described

Finance & Development Initiatives Director David Leininger presented this proposal to the Council; a power point presentation was made and handed out to the Mayor and Council.

Mr. McDougal presented the project; he noted he will be here personally to work on this project.

The Council agreed to commit to this development.

- 36** Ordinance -- Amending Chapter 48 Entitled "Smoking" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, By Providing Definitions; Providing That Restaurants And Entrances To Buildings Be Areas Where Smoking Is Prohibited; Providing That Smoking And Non-Smoking Areas Be Contiguous And Separate; Providing A Permit Requirement For Restaurants; Providing Time And Conditions In Which Establishments Have To Comply To Meet Ventilation Requirements; Providing Affirmative Defenses; Providing A Penalty; Providing A Severability Clause; Providing A Savings Clause; And Providing An Effective Date

Mayor Gears asked that a brief presentation be given at the Council meeting tomorrow night.

- 3** **DISCUSSION:** Request To Initiate An Amendment To Chapter 33A Landscape And Setback Ordinance To Exempt A Tract Of Land At 2810 North Belt Line Road From The 30 Foot Setback Requirement From Belt Line Road – Lucky Food Store, Applicant

Senior Planner Ken Bloom presented the case, he is asking for direction as the ordinance must be amended to allow the applicant to place his sign at the location requested.

The Council consensus is to not amend the ordinance but to continue to work to come up with an alternate solution for this applicant.

- 4** **DISCUSSION:** Public Safety Radio Frequency Rebanding

Director of Information Technology Hong Sae presented this item to the Mayor and Council; he reviewed a hand out presented to the Council.

- 5** **DISCUSSION:** Nextel Communication Device Reliability

Director of Information Technology Hong Sae gave a presentation to the Mayor and Council; he reviewed a hand out presented to the Council.

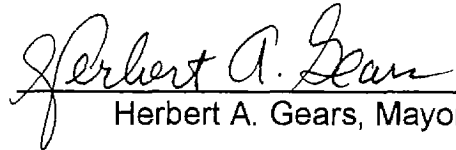
Acting City Attorney Charles Anderson read the Mayor and Council into Executive Session at 3:30 p.m.

EXECUTIVE SESSION

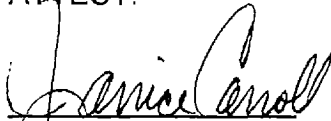
- 6 **DISCUSSION:** Economic Development - McDougal Properties
- 7 **DISCUSSION:** Economic Development – Las Colinas Live
- 8 **DISCUSSION:** Economic Development – Texas Stadium
Redevelopment Issues
- 9 **DISCUSSION:** Legal Advice – Texas Stadium Transition Agreement

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 5:04 p.m.

The meeting adjourned at 5.05 p.m.


Herbert A. Gears, Mayor

ATTEST:


Janice Carroll, TRMC
City Secretary

