

**IRVING CITY COUNCIL
WORK SESSION
November 1, 2006**

The Irving City Council met in work session in the First Floor Council Conference Room of the City Hall Complex on November 1, 2006. The following members were present:

Mayor Herbert A. Gears

Councilmembers

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

Councilman Rick Stopfer was not in attendance.

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

- 1 **DISCUSSION:** Review of Regular Agenda

- 2 Resolution – Preliminary/Final Plat – Atwell Addition – An Approximately 0.76 Acre Tract Located On The East Side Of National Drive – Monica Halsey Atwell, Property Owner

Councilman Philipp asked for staff to review this item.

Senior Planner Ken Bloom stated that the property owner purchased all of the property and plans on building a new home on this land. He clarified that accessory buildings can be built but not a second home

- 10 Resolution – Approving Addendum To The Legal Services Agreement With Bickerstaff, Heath, Pollan & Caroom, L.L.P. Reflecting Revised Billing Rates

Councilwoman Van Duyne stated that the city has already met with this firm on council redistricting and asked if the \$350.00 per hour is for time already spent with them on this issue or for future work?

Acting City Attorney Charles Anderson stated that this contract is tailored for this firm to represent the City on water issues. Mr. Anderson stated that the redistricting is a separate contract and the rate was \$350.00 an hour and was done by Administrative Award

- 11** Resolution – Authorizing Staff To Negotiate An Engineering Services Agreement With Halff Associates, Inc. For The Analysis Of The Irving Flood Control District, Section I

Councilman Philipp asked for a presentation on this item.

Director of Public Works Jim Cline stated that the city will be working with the flood control district to look at what improvements and repairs are required for the levees to assure that the city gets full certification.

City Manager Gonzalez stated that this was discussed with Council in Executive Session, and this is a result of that discussion.

Director of Public Works Cline stated that there will be a Public Works Committee meeting in the near future and an update will be given on this item.

- 12** Authorizing Staff To Negotiate With Walter Moore And Associates, Inc For Parking Consulting Services To Perform A Parking Lot Feasibility Study For The Las Colinas Urban Center, Phase II

Mayor Gears asked for a presentation on this item.

Finance and Development Initiatives Director David Leininger gave an update and stated that meetings have been occurring. He will meet with First Southwest next week and in two weeks the first round will be complete and an overview on how this is going to work will come back to Council

Councilman Philipp asked for a scope of work and a dollar amount so that there is a budget allocation for both the "TIF" District and the Las Colinas Urban Center.

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

Councilman Philipp asked if there were any contested bids.

City Manager Gonzalez stated that there were no contested bids.

- 21** Ordinance – Amending Ordinance No. 8711 Calling The Bond Election To Be Held On Tuesday, November 7, 2006, For The Purpose OF Approving Certain Propositions For The Issuance Of General Obligation Bonds

Councilman Smith asked how voters are notified of the polling location change.

City Secretary Janice Carroll stated that cards will be mailed to each registered voter in that precinct informing them of the precinct change.

- 22** Ordinance – Authorizing Amendment Of The City Of Irving Supplement Benefit Plan To Define And Clarify Terms Of Disability Retirement

Councilman Philipp asked for a briefing on this item.

Acting City Attorney Charles Anderson explained the changes to this plan

- 25** Ordinance – Amending The Comprehensive Plan To Change The Land Use Recommendation Of the Comprehensive Plan From “Office” To “Retail” And Granting S-P-2 (Generalized Site Plan) For C-C (Community Commercial) Uses In Zoning Case #5651 – An Approximately 36.72 Acre Tract Located On The Southeast Corner Of Interstate Highway 635 And Beltline Road – RKM Consulting Engineers, Applicant

Senior Planner Ken Bloom presented the case and stated that staff recommended approval.

Councilwoman VanDuyne asked if they would be doing construction on Regent on the west bound lanes as there is now construction on the east bound lanes.

Jim Cline said Public Works is currently working many road repairs that have been caused by soil conditions in this area.

Councilwoman Van Duyne asked if people entering this development from Regent will also have access to SH 635

Mr Bloom responded that this is the ultimate plan

Mr. Cline noted that only streets can intersect with the state’s service road.

Phil Baker, representing the applicant, explained that the thirty six acres are being developed by Cross Development who is also doing the ten acres across Beltline Road, and they are in the midst of discussing access

issues. He stated that this development will not open without service road access.

- 27** Resolution – Special Fence Project Plans #227 And #228 – 0.74 Acres Located At 2402 And 2403 Arbor Court (Northwest And Southwest Of Arbor Court And Story Road) – Head Construction, Inc., Applicant

Senior Planner Ken Bloom presented the case and stated that staff cannot support this case because these properties are corner lots at the entrance of a new subdivision, the properties immediately to north and south of this subdivision front on to Story Road. There are no other side yard fences in this immediate area. The Planning and Zoning Commission denied this case. The applicant did not make a presentation to the Planning and Zoning Commission

Councilman Philipp asked the size of this subdivision.

Mr. Bloom stated that this is about a dozen lots.

Councilman Philipp asked that if the applicant is willing to put up a wrought iron fence if there are no safety issues?

Director of Public Works Jim Cline stated that even an open fence can cause problems with visibility

Director of Planning and Development Ed Barry stated that this is a policy decision for the Council and generally that a four foot fence is the maximum in front yard areas where it is adjacent to public street right of way

Mayor Gears stated that there may be discussion on this item tomorrow

- 28** Ordinance – Zoning Case #5646 – Granting S-P-1 (Detailed Site Plan) For C-C (Community Commercial), Auto Sales, Display And Make Ready Uses – An Approximately 0.754 Acre Tract Located At 431 West Airport Freeway (Northeast Corner Of O'Connor Road And State Highway 183) – Alden Wagner, Applicant (Postponed From The September 21, 2006, City Council Meeting)

Senior Planner Ken Bloom presented the case and stated that this item was postponed at the September 21, 2006 Council meeting at the request of the applicant. Staffs recommendation is still for denial, he stated.

Councilman Cannaday asked if there was any significant difference in what the applicant is proposing today from what he proposed earlier?

Mr. Bloom stated that the applicant has not shown anything different to staff

The Council stated that this case would be denied.

- 29** Ordinance – Zoning Case #5654 -- Granting C-OU -2 (Commercial Outdoor) District Uses – An Approximately 0.416 Acre Tract Located At 100 Strickland Plaza (East Side Of Strickland Plaza, North Of Irving Boulevard) – Graciano Castanon, Applicant

Senior Planner Ken Bloom presented the case and stated that staff recommends denial of this zoning case

Councilwoman Van Duyne asked what uses are consistent with the Downtown Development District.

Mr. Bloom stated that there are a variety of uses, office retail, light manufacturing. It is currently zoned for light manufacturing

Councilman Meagher asked if this property can be used for auto repair based upon current zoning

Mr. Bloom stated that the site can currently be used for auto repairs.

- 30** Ordinance – Zoning Case #5655 – Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) Uses – An Approximately 0.159 Acre Tract Located At 2303 Ridgewood Street (East Of Story Road) – Fred Yarmer, Applicant

Senior Planner Ken Bloom presented the case and stated that the applicant is asking to build a carport. Staff recommends approval of this carport.

There were no questions by the Council

- 31** Resolution – Public Hearing – Failure Of Tio Carlos Mexican Restaurant To Meet The Requirements Of Section 52-49 Of Ordinance No. 1144 “Restaurant With Attendant Accessory Use Of The Sale Of Alcoholic Beverages For On-Premises Consumption” (Postponed From The September 21, 2006, City Council Meeting)

Mayor Gears stated that the applicant will make a presentation to the Council on how they plan to come back into compliance and the Council will have the option to set a time frame for the restaurant to allow them to come into compliance.

32 Resolution – Designating The City Secretary As The Public Information Coordinator For The City Of Irving, Texas

Councilwoman Van Duyne asked who does this now.

City Secretary Janice Carroll stated the city does not have one now, but unofficially most of the open records request come through her office, but is a decentralized procedure with no tracking. A centralized procedure will be developed.

33 Resolution – Approving The Articles Of Incorporation And Bylaws For The Creation Of The Irving Housing Finance Corporation

Acting City Attorney Charles Anderson presented the case and called on Rodney Adams for a presentation.

Assistant City Attorney II Rodney Adams went over the changes that were made to this document and noted that Councilman Philipp has proposed the following wording be added to the Bylaws, Article I, Power and Purposes

By laws, 1) make the meeting recess and convene consistent with the open meetings act, 2) with respect to the executive committee - minimum number of board members for that committee if it is ever formulated to be a minimum of three members 3) Presidents Role – that in the absence of the Mayor serving as president, the Mayor Pro Tem would be able to execute those duties and in lieu of the Mayor Pro Tem, the Deputy Mayor Pro Tem would be able to execute those duties 4) redefining the Vice Presidents position – by making the Vice President the executive director of the city's housing and human services department.

After lengthy Council discussion, the Council agreed to the change in the Bylaws and agreed that they should not limit what the corporation can do. The Council further agreed that the corporation should have the ability to establish committees.

The Council agreed with Councilwoman Van Duyne's request that further study is needed on the development of a Housing Strategy. This was assigned to the Planning and Development Committee.

34 Resolution – Appointments To Boards, Commissions, And Bylaws For The Creation Of The Irving Housing Finance Corporation

Councilman Dickens asked that this item be discussed in executive session.

- 2 DISCUSSION:** Discussion Of Legislative Issues With State Representative Linda Harper-Brown

This item will be deferred to the legislative committee.

- 3 DISCUSSION:** Presentation By Dr Paul Pepe Regarding Emergency Medical Services

Dr. Paul Pepe gave a presentation of this item to the Mayor and Council. He stated that he offers thirty minute CPR lessons and will come here and have classes

Eagles are the final decision makers for paramedic procedures they will hold their meeting in Las Colinas on February 16-17, 2007

Mayor Gears would like this put on a future work session for CPR training.

- 4 DISCUSSION:** Developer Presentation From Woodmont Companies

Paris Rutherford from Woodmont Companies presented the item and stated that Woodmont will develop three mixed-use blocks on 10 acres immediately adjacent to the DART light rail station at O'Connor. It combines both high-rise and mid-rise construction and will be a distinctive addition to the Urban Center through its high design, quality construction and strategic programming. Their goal is to start construction in July or August of next year. A power point presentation was presented to the Council.

Mayor Gears stated that we are on a first come first serve basis and asked that we move it along.

- 5 DISCUSSION:** Irving "Sparkles" Project

Chief Code Compliance Inspector Teresa Adrian gave a presentation on this item and a handout was given to the Council.

- 6 DISCUSSION:** Discussion Of Public Input Received On The Proposed Smoking Ordinance As Recommended By The Irving Health Board

Chief Environmental Health Inspector Darrell Hammond presented this item to the Council; packets were also handed out to the Council for their review.

This item will be brought back to another work session, when all Council members are present.

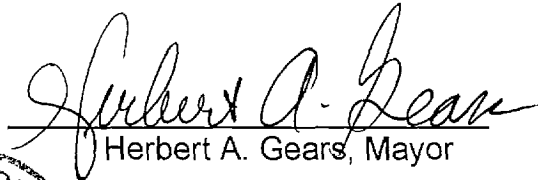
EXECUTIVE SESSION

Acting City Attorney Charles Anderson read the Mayor and Council into Executive Session at 4:15 p.m.

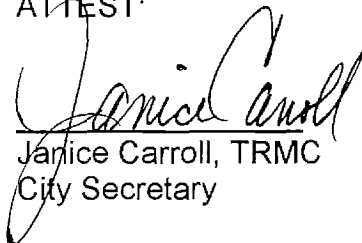
- 7 **DISCUSSION:** Economic Development – Las Colinas Urban Center
- 8 **DISCUSSION:** Attorney/Client – Chivas Square Apartments -
Delinquent Water Bill

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 4:47p.m

The meeting adjourned at 4 48p.m.


Herbert A. Gears, Mayor

ATTEST


Janice Carroll, TRMC
City Secretary

