

**IRVING CITY COUNCIL
WORK SESSION
October 11, 2006**

The Irving City Council met in work session in the First Floor Council Conference Room of the City Hall Complex on October 11, 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.

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

- 4 Resolution – Approving Change Order No. 2 To PricewaterhouseCoopers LLP In The Amount Of \$25,000.00 To Provide Additional Services Relative To Developing A More Focused And Detailed Analysis Of A Multi-Purpose Center As Identified Through The Feasibility Study

Councilman Philipp asked for a time line on this item.

Executive Director of Irving Convention and Visitors Bureau Maura Gast stated that this contract will enable them to come up with better costs.

- 6 Resolution – Approving A Renewal Contract Between The City Of Irving And Keep Irving Beautiful (KIB) In The Amount Of \$64,880.00

Councilman Stopfer asked if the contract amount included the additional \$12,000.00 that Keep Irving Beautiful needed.

- 29** Ordinance – Amending The Comprehensive Plan To Change The Land Use Recommendation Of The Comprehensive Plan From “Retail” To “Light Commercial” Uses And Granting S-P-2 (Generalized Site Plan) For C-C (Community Commercial) And Auto Sales, Display And Service Uses In Zoning Case #5650 – An Approximately 3.319 Acre Tract Located At 2903 West Airport Freeway (Northwest Corner Of Harvard Street And State Highway 183) – Sharon Barbosa-Crain, Applicant

Senior Planner Ken Bloom presented the case.

There followed a lengthy Council discussion regarding this use and its impact on traffic and the neighborhoods.

Councilman Philipp asked if there is any factual data that indicates this project would hurt the neighborhood.

- 30** Resolution – Notice Of Intention To Lease Land For Mineral Development

Real Estate Services Manager Doug Janeway presented the item and stated that Chapter 71 of the Natural Resources Code requires the city to declare its intent to lease city owned properties for the mining of minerals. Mr. Janeway described the 282 acres in the DCURD district and also the 194 acres near DFW airport. He also stated that these acres are advertised simultaneously with DCURD 1700 acres. And lastly, there will be no surface uses allowed on city property

There were no questions of 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”

Senior Assistant City Attorney Cathy Cunningham stated that the applicant requested this item be postponed for two weeks, as he will be out of town.

Councilman Philipp asked when Tio Carlos opened their business.

Ms. Cunningham stated that she would get this date for the Council.

The Council agreed to postpone this item.

- 32** Resolution – Requesting Sign Variance Case No. 0608-0078 Located At 4402 West Interstate Highway 635 – Scott Ozymy, Representing Koll Development, Applicant

Director of Building Inspections Gary Miller presented the case.

Councilman Philipp asked if this changes the zoning on the property.

Mr. Miller stated that it does not affect the zoning as this item is a sign variance case.

33 Resolution – Authorizing Attorneys For The City Of Irving To Take All Necessary Legal Action Including Filing Suit Against The Owners Or Any Other Person Or Entity Which May Be Liable For the Delinquent Water Bills At The Chivas Square Apartments

34 Resolution -- Authorizing Attorneys For The City Of Irving To Take All Necessary Legal Action Including Filing Suit Against The Owners Or Any Other Person Or Entity Which May Be Liable For The Delinquent Water Bills At The Villa Martinique Apartments

Senior Assistant City Attorney Mike Bucek stated that items #33 and #34 would be discussed in executive session.

37 City Manager's Report

Mr. Gonzalez gave an update on Health Insurance the proposed premium numbers are based on enrollment projections and actual claims experience, which continued to improve through August. These premiums show that employees currently enrolled in the HMO will experience no increase if they enroll in the Choice POS II (PPO) plan and will experience a decrease if they enroll in the High Deductible Health Plan (HDHP). Employees who are currently enrolled in the HDHP and who remain in that plan will see no increase. The Choice POS II employees who remain in that plan will experience a significant decrease.

2 **DISCUSSION:** Las Colinas Live Development Overview

City Manager Gonzalez presented the item and asked Finance and Development Initiatives Director David Leininger to introduce this item and the team that has been working together on this item. The following presented this plan:

Bill Boyt

Dr. David Alameel

Mr. William Robert Barnett "Billy Bob"

Mr. Patrick Kennedy, Water Mark Hotel Company

6 DISCUSSION: Section 287(g) Of The Immigration And Nationality Act (INA) – As Requested By Mayor Gears

Mayor Gears introduced the item and called on Chief of Police Larry Boyd for a presentation.

Chief of Police Larry Boyd gave a power point presentation and stated that (1) Section 287 (g) this provides the authority for the Secretary of Home Land Security to enter into a Memorandum of Understanding with state and local law agencies allowing them to enforce the provisions of the immigration and nationality act. The focus of this program is to provide state and local agencies with tools to allow them to address what they define as criminal aliens and a criminal alien is anyone who is violating the federal immigration laws and at the same time violating any other criminal law.

Councilwoman Van Duyne asked how the city can find out more about this plan and the possibility of Federal Grant Funding.

Mr. Boyd stated that he is not aware if there is any grant money, but he would check.

Mayor Gears appreciated this presentation but he does not feel that there is a great need to enter into this process as this is a Federal issue not a local one.

5 DISCUSSION: Draft Articles Of Incorporation And By-Laws To Create The Irving Housing Finance Corporation

City Manager Gonzalez presented the item and called on Assistant City Manager Cliff Miller to give a presentation on this item.

Assistant City Manager Cliff Miller reviewed a power point presentation on this item. Mr. Miller stated that the Housing Human Services Board has recommended creating the Housing Finance Committee. Staff conducted a study of other cities programs including the City of Austin.

After a lengthy Council discussion, the Council agreed this will be a nine member board made up of the Mayor and Council. The Housing and Human Services Director will serve as a non-voting Vice-President, and all other positions will remain as presented. The Council further agreed that there will be an Executive Committee made up of no less than three nor more than four members. They further agreed to place this on the November 2, 2006, Council meeting for consideration.

3 DISCUSSION: Update On Animal Services And Shelter Operations

Manager of Public Health and Environmental Services John Teel presented a brief update on the Animal Services Enhancement Plan; he stated the Council was given a timeline that shows thirty tasks and projects that the department will be working on this fiscal year. Mr. Teel also announced that they will be holding the 1st Annual Paw Pals Adopt A Thon on Saturday, October 21, 2006, from 9:00 a.m. – 5:00 p.m. at the Irving Animal Shelter located at 100 Briery Road.

4 DISCUSSION: Update On Villa Martinique Apartments

Director of Building Inspections Gary Miller gave a brief update on this item and stated that the three buildings the Building Standards Commissions found to be substandard are vacant and have been fenced by the property owner. The case is scheduled to be heard at the October 26, 2006, Building and Standards Commission meeting. Mr. Miller stated that they will continue to monitor this case through Building and Standards until they are in compliance. The owners have given the city a scope of work and this has been approved by the commission. They intend to do this work and reoccupy the buildings.

The Mayor and Council commended staff for their hard work.

7 DISCUSSION: Appointment Process For The Annual Boards, Commissions and Committees

Mayor Gears stated that this item would be discussed in Executive Session.

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

EXECUTIVE SESSION

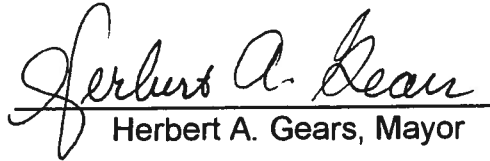
7 DISCUSSION: Appointment Process For The Annual Boards, Commission And Committees

8 DISCUSSION: Land Acquisition – Downtown Transit Oriented Development

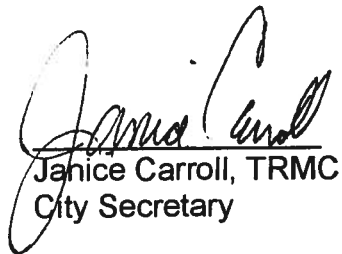
9 DISCUSSION: U.S. Bank, N.A. vs City Of Irving, et., al. (Villa Martinique)

Mayor Gears announced that the Council will now reconvene in Open Session.
The time was 5:12 p.m.

The meeting adjourned at 5:13 p.m.


Herbert A. Gears, Mayor

ATTEST:


Janice Carroll, TRMC
City Secretary

