

**IRVING CITY COUNCIL  
WORK SESSION  
May 23, 2007**

The Irving City Council met in work session in the First Floor Council Conference Room of the City Hall Complex on May 23, 2007. The following members were present:

Mayor Herbert A. Gears

**Councilmembers**

Thomas D. Spink  
Beth Van Duyne  
Allan E. Meagher  
Lewis Patrick  
Rose Cannaday  
Rick Stopfer  
Sam Smith  
Joe Philipp

Councilman Joe Philipp arrived during the meeting.

City Secretary Janice Carroll administered the oath of office to the newly elected Councilmembers, Thomas D. Spink, Place 1 and Rose Cannaday, Place 5.

Mayor Gears convened the meeting at 12:15 P.M. and welcomed Councilman Spink and Councilwoman Cannaday. He noted that the formal ceremony for them and the reelected Councilwoman Beth Van Duyne and Councilman Sam Smith will be at the Regular Council meeting to be held tomorrow, May 24, 2007.

**1 DISCUSSION:** Review Of Regular Agenda

The Council reviewed the items posted for action at the Regular Council meeting to be held at 7:00 P.M. on May 24, 2007. The following Council directions were noted.

- 9** Authorizing Attorneys For The City Of Irving To Take All Necessary Legal Action Including Filing Suit Against The Owners Or Any Other Entity Which May Be Liable For The Illegal Outside Storage Of Inoperative Motor Vehicles, Salvage Parts, Vehicle Parts, And Other Trash And Debris On The Property Located At 2616 Alan-A-Dale

Councilman Smith asked for a presentation on this item.

City Manager Gonzalez stated that this item would be discussed in Executive Session.

Acting City Attorney Charles Anderson stated that this allows the city to take the next step in enforcement which may include injunctive action to get the property cleaned up.

- 14** Resolution – Authorizing The Mayor To Execute An Interlocal Cooperative Agreement Between The City Of Irving And The North Central Texas Council Of Governments For Sustainable Development Transportation Land Banking

Mayor Gears asked Councilman Stopfer comment on this item

Councilman Stopfer stated that the NCTCOG initiated this program through the Regional Transportation Council. The Council agreed to participate in this program and this agreement provides the specifics which includes a city match of \$250,000 to the \$1,000,000 authorized by NCTCOG to allocate funds for the land banking of particular properties around the transit rail station located in the Heritage District of the city.

- 15** Resolution -- Resolution – Adopting Prevailing Wage Rates For Use On City Construction Contracts

Councilman Patrick asked how this action relates to the Davis Bacon Act.

Acting City Attorney Charles Anderson stated that this mirrors the Federal law and this action is required to apply for and receive federal grants.

- 16** Resolution -- Approving An Interlocal Agreement Between The City Of Irving And The City Of Coppell To Establish A Mutual Interest In Communications Consultancy Services In An Amount Not To Exceed \$87,500.00 For One Half Of The Actual Costs Of These Services

City Manager Gonzalez stated that the city is agreeing to an interlocal agreement with Coppell in order to partner with them for a strategic communication strategy relate to the development that is taking place with the Crow Billingsley property.

Mayor Gears noted that this will be discussed in Executive Session.

- 18** Resolution -- Authorizing Staff To Negotiate A Professional Engineering Services Contract With TAC Energy Solutions For The Purpose Of Completing A Detailed Energy Audit On City Facilities

City Manager Gonzalez noted that a letter from Johnson Controls, was received, and stated this item would be pulled from the consent agenda. Mayor Gears stated that there would be a complete review at the Council meeting tomorrow night.

- 23** Ordinance -- First Reading -- Adopting Rider 6.1.1.16 - Underground Facilities Cost Recovery Factor Tariff - Proposed Tariff To Implement Electrical Infrastructure Improvements Including Installation Of Underground Wiring

Mayor Gears stated that he would like this item to be pulled from the consent agenda and asked staff for a presentation for the public tomorrow night.

Managing Director Paul Gooch stated that this is the first reading of the ordinance which provides for a tariff funding mechanism for the placement of electrical transmission lines underground. He outlined the cost and the benefits of this program. Mr. Gooch commended Oncor and city staff for their work on this project.

- 29** Ordinance -- Amending The Comprehensive Plan To Change The Recommended Land Use From Open Space And Parks/Possible Wetland Mitigation Area To Single Family Detached - Low Density Residential And Granting R-6 (Single Family) District Uses In Zoning Case #5678 -- An Approximately 0.635 Acre Tract Located At The Southwest Corner Of Bolden Road And Nursery Road -- Ash Abraham, Applicant **(Postponed At The April 5, 2007 City Council Meeting)**

Senior Planner Kenneth Bloom presented the case and stated that the Planning and Zoning Commission as well as city staff recommends denial.

Councilman Patrick asked to see the slides that show the lots that have already been platted. This plat ended at this point due to flooding problems and he is against this development as this land is adjacent to the flood plain and should not be built on; he asked that the zoning case not be approved.

Councilman Smith also stated that he is against this zoning case and would not support this.

- 30** Ordinance -- Amending The Comprehensive Plan Recommended Land use Future Land Use Map To Single Family Attached, Medium Density Residential And Zoning Case #5680 -- Granting S-P-2 (Generalized Site Plan) For R-TH (Townhouse) Uses -- A 20.065 Acre Tract Located On The Southwest Corner Of Pioneer Drive And Hard Rock Road -- Sharon Barbosa-Crain, Applicant

Senior Planner Kenneth Bloom presented the case.

Councilman Patrick asked where the cemetery was located and if there would be access to the cemetery.

The applicant, Sharon Barbosa-Crain, stated that there is a permanent access to the cemetery on the adjacent property.

Councilman Patrick asked what is the difference between the term DNL and LDN?

Sandy Lancaster, representing the DFW International Airport stated that DNL stands for day/night level and LDN is a mathematical formula. She stated that the airport opposes the development in this area, and addressed the variable noise levels and is committed to not exceed the 1992 contour that the city also adopted.

Mayor Gears noted that this has been discussed with airport representatives and this property is not subject to noise impacts of 65 DNL or greater according to newer maps. The 1992 contour map protects the airport's position.

Councilwoman Van Duyne asked for a map of all the town homes currently in this area. She stated that she is also concerned about the number of variances requested.

- 34** Ordinance -- Zoning Case #5702 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) Uses -- An approximately 0.19 Acre Tract Located At 218 Bowman Street -- Kenneth P. LeMaster, Applicant

Senior Planner Ken Bloom presented this case.

Mayor Gears asked how this compares with the Council directive to look at eliminating carports.

There followed a general discussion on the direction that staff is going in their study of carports and accessory buildings. It was noted that staff is advising applicants that this study is underway.

- 36** Resolution -- Approving An Economic Incentive Agreement With Maxim Integrated Products, Inc. For Rebate Of Taxes Paid On "Freeport" Inventory

- 37** Resolution -- Approving An Economic Development Incentive Agreement With Maxim Integrated Products, Inc. For Rebate Of Certain Taxes Paid On Real And Business Personal Property

Mayor Gears asked for a briefing on Items #36 and #37 at the Council meeting tomorrow night.

Managing Director David Leininger noted that there will be an additional agreement coming forward and this development has no impact on the potable water for the City.

- 38** City Manager's Report

**Goal No. 1:**

- Quarter Enhancement
- Project with Oncor

**Goal No. 2: Vibrant Neighborhoods:**

- Neighborhood Enhancement Program (South Austin Heights)
- New Neighborhood Association - The South Austin Heights Neighborhood Association was formed on May 7, 2007, with more than 30 residents in attendance to approve the bylaws and elect officers.
- Litter Control Awareness – Residents of the South Austin Heights Neighborhood Association, with support from city staff and community volunteers, worked on May 19, 2007 to address litter control. This is one of the issues that residents have identified as a high priority for their neighborhood. Keep Irving Beautiful worked with the residents to go door to door with information packets to raise awareness about litter control and recycling programs in their neighborhood. Chief Boyd is leading this process.

**Goal No. 3: Economic Development:**

- There are ninety-five new projects going on in the City Of Irving.
- Olde Towne Redevelopment Project – Managing Director David Leininger gave an update on this, and stated that Mr. McDougal, of McDougal Companies has entered into a contract for the purchase of the Villa Martinique Apartments on MacArthur Boulevard in South Irving. This area will be torn down and the development project under consideration includes an urban village complete with homes, shops, restaurants, offices, and parks centered on the Trinity Railway Express. Councilman Smith feels like this is a win win situation for everyone.

**Goal No. 4: Safe and Secure City**

- Vial of L.I.F.E. – The Irving Fire Department is offering Vial of L.I.F.E. kits free of charge as new public service to residents age 60 and older. The Vial of L.I.F.E. – Lifesaving Information For Emergencies - is a place for residents to store important medical information that emergency medical personnel, such as firefighters, paramedics and hospital staff, need during a time of crisis. Kits are available at all Irving fire stations.
- Fire Department Events – The Fire Department is busy this month with fire prevention education and community service projects. On May 17-19, the department worked on the annual MDA “Fill the Boot” campaign was very successful.
- Thermal Imaging Cameras – New Thermal Imaging Cameras are arriving and the firefighters will be undergoing intensive training with these devices. Through a federal grant, the city will be able to outfit every fire engine with these life-saving units. The Thermal Imaging Camera, or TIC, allows firefighters to see through smoke by using thermal rather than light energy to form an image. The

Fire Department expects to have the training completed and the units placed on the fire equipment by the end of June.

- Red Light Warning Period – The 30-day warning period for the red light enforcement camera system will expire May 30, 2007. Beginning May 31, offenders will receive a notice of violation in the mail.

**Goal No. 5: Diversity**

- Leaders Without Borders Training was held on May 10-11, 2007

**Goal No. 6: Effective Communication**

- Irving ISD Mentorship – Municipal Court employees Diana Soto and David Galvan, and Equipment and Building Services employee Nella McCain served as judges in the Irving Independent Studies Mentorship Showcase at the Academy of Irving on the evening of May 2. This was a community outreach program to assist with judging end-of-year students projects in the Irving school system. City employees were encouraged to participate in this event to better relationships and mentor the you of our community
- Career Fair/Days Participation – During May, city employees participated in career fairs/days at three schools in the Irving ISD and one school in the Coppell ISD.

**Goal No. 7: Cultural, Recreational and Educational Environments**

- Affiliate of the Smithsonian Institute – City Manager Gonzalez called on the Executive Director of the Irving Arts Center to give an update on this. Mr. Huff stated that the city has become a member of the Affiliate Smithsonian Institution – making it one of only 153 nonprofit establishments nationwide to earn this honor. This also allows the city of Irving to use the approximately 136 million artifacts available for use in future Arts Center exhibits. The partnership allows the Arts Center access to the Smithsonian’s educational resources and expertise in the fields of conversation, collections care and exhibit development.

**Goal No. 8: Sound Governance**

- Bond Rating Meetings were held this week and they went well.
- Two new Councilmembers were oriented; Assistant to the Mayor and Council Sheila Stokes will provide the Table of Contents of what was handed out to the new Councilmembers.
- Distinguished Budget Presentation Award – The City of Irving has received the Distinguished Budget Association of the United States and Canada (GFOA) The budget was judged on four criteria: a Policy Document, a Financial Plan, an Operations Guide, and a Communications Device. Irving has received this award 19 consecutive years.

- Building Professional Institute – The Inspections Department played a key role in the 15<sup>th</sup> Annual Building Professional Institute (BPI) held May 14-18, 2007 at the University of Texas at Arlington
- Employee Weight Loss – A total of 95 employees participated in the Step Up to Health – Scale Down to Fitness employee weight loss competition and lost a total of 741 pounds in a two-month period. The competition, which supports the city’s wellness initiative, was sponsored by the Parks and Recreation Department.

**Goal No. 9: Infrastructure Network**

- New Telecommunication System – The Information Technology Department will began the citywide telecommunication (telephone) system replacement next month to update the city to a single communication network.
- English Street Paving Project – Dollars are going to neighborhoods that have been targeted.
- Councilwoman Van Duynes asked how often the system was revamped. Director of Information Technology Hong Sae stated that the phones themselves have a five year life span but the phone system itself has a ten year life span.
- Councilman Stopfer asked that the Austin Heights be put on the neighborhood improvement maps.

**Goal No. 10: Environmentally Sustainable Community**

- Pilot Program for Bin Recycling – Working to expand participation in the city’s curbside recycling program, Solid Waste Services is conducting a three-month pilot program of collecting recyclables in an 18-gallon bin. The Grauwylers Heights Neighborhood Association has been selected as the pilot study area. The program will start on June 8, 2007, and residents will be able to set out their recyclables in either the city-provided blue recycling bin or a blue recycling bag. Each household within the study area has received a blue recycling bin.
- Councilwoman Cannaday asked if lids could be provided for the recycle bins.

**39** Mayor’s Report

- Delbert McDougal has told the Mayor that he has his eye on three other multi-family projects to purchase and redevelop;
- Bond Meetings were successful;
- Super Bowl bid for North Texas was successful, and the City Of Irving was selected as a headquarter hotel for one of the teams and the NFC team will practice at Valley Ranch.

**2** **DISCUSSION:** Briefing On Apartment Complex Code Compliance

Managing Director David Leininger introduced the item. He advised that the apartment products have been divided into four categories, and they are concentrating on the “bottom” ten properties in the level four category.

Director of Inspections Gary Miller presented this briefing to the Council. This included the definition of multi-family, noting that the emphasis is on rental property, and the steps in the program.

Councilman Patrick noted that it is a tremendous expense to retrofit an apartment complex with a sprinkler system and to require this will create a backlash from the industry.

Councilman Cannaday noted that fire extinguishers were required in lieu of sprinkler systems, and they had to pay to have them maintained by the local fire department in another Texas city.

There was Council discussion of these concepts; however, the Council concurred with this program even if new legislation is required to allow the city to pursue enforcement.

**3 DISCUSSION: Corridor Enhancements – Irving Boulevard**

Managing Director Paul Gooch introduced the item and gave a presentation on this new initiative. He notes that this can include streetscaping, public art, gateway architectural elements, and signage. He noted that the goal is to get people into the corridor and the development along the corridor.

He also stated that he recommends that this be “fast tracked” at the intersection of Mac Arthur Boulevard and Shady Grove Road as an example.

Councilwoman Van Duyne asked that the staff consider xeriscaping and the reuse of water to assure that the city is being environmentally responsible.

The Council commended this project.

**4 DISCUSSION: Briefing By Irving Flood Control District No. 3 Board of Directors**

Director of Public Works/Traffic and Transportation Jim Cline introduced the item and also introduced the board members Doug Nash, Jack Murray, Tom Kanipa, Mike Clay and Paul Phy.



Mr. Doug Nash gave a brief introduction and a power point was presented by Mr. Jack Murray on the history of the district's formation and its operations.

There followed a lengthy discussion regarding their role in the Valley Ranch community based upon their legal structure and the lack of positive communication between the two entities. A binder of written documentation had been delivered to the Council, prior to this meeting.

Further the Council agreed that there should be Council Liaisons to all four of the flood control districts.

Mr. Nash committed to better communication from the board and this will be directed to Jim Cline.

**5 DISCUSSION:** Briefing On Regional Transportation Council Funding Initiative For Project Selection Using Proceeds From The State Highway 121 Toll Project

Director of Public Works/Traffic and Transportation Jim Cline gave a presentation on this item and presented a list of projects to be presented to the North Central Texas Council of Government.

**City Focus:**

- Spur 348 @ Las Colinas - Grade Separation
- Conflans @ SH161 - Valley View – Road Construction
- TRE @ Belt Line – Grade Separation

**TxDOT Focus:**

- MacArthur @ IH635 - Bridge Capacity Improvements
- SH356 - Willow Creek to O'Connor - Intersection Geometric Improvements
- Spur 348 @ Riverside - Grad Separation
- Loop 12 - Grauwyler to South City Limits - Frontage Road Improvements
- SH114 - Riverside to Spur 348 - Main Lane Improvements
- SH114 - Spur 348 to SH161 to West City Limit – Main Lane Improvements
- SH114 – 161 to West City Limit – Main Lane Improvements
- SH183 – Carl – to West City Limit – Main Lane Improvements
- SH 183 Carl to West City Limit – Frontage Road Improvements
- Loop 12 – Grauwyler to South City Limits – Main Lane Improvements

**DART:**

- TRE Belt Line – West City Limit to Bear Creek – Double Track
- TRE Belt Line – Rogers to South Irving Station - Double Track

The Council agreed with this list of projects. However, Councilman Meagher objected to tolled exit onto Conflans Road from SH 161.

Mayor Gears requested an update report on the redesign of SH 183.

Acting City Attorney Charles Anderson read the Mayor and Council into Executive Session at 5:15 p.m.

**EXECUTIVE SESSION**

- 6     **DISCUSSION:**     Legal Advice – 2616 Alan-A-Dale
- 7     **DISCUSSION:**     Legal Advice – Sam Houston Park
- 8     **DISCUSSION:**     Acquisition – Animal Shelter
- 9     **DISCUSSION:**     Legal Advice – Kings Manor Apartments

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 5:55 p.m.

The meeting adjourned at 5:56 p.m.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary