

**IRVING CITY COUNCIL**  
**WORK SESSION**  
**September 19, 2007**

The Irving City Council met in work session September 19, 2007. The following members were present:

**Mayor**

Herbert A. Gears

**Council members**

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

Councilman Allan Meagher was not in attendance as he was representing the City at an event and Mayor Herbert Gears arrived at 1:00 pm.

Deputy Mayor Pro Tem Rick Stopfer called the meeting to order 12:00 pm.

**1 DISCUSSION:** Regular Agenda

The Council reviewed the agenda and the following directions were noted.

**12** Resolution -- Approving A Managing Services Agreement With Daily Grind, dba Java Me Up, To Provide Coffee Services At The Valley Ranch Library

Councilman Philipp asked how the revenue received by the City from this contract will be allocated and noted his interest in the funds being reinvested into the library department.

Managing Director Paul Gooch agreed, stating that the revenue will be dedicated to library program expansion.

**17** Resolution -- Approving A Memorandum Of Agreement And Two Partial Termination Of Leases Related To The Sale Of 12.309 Acres Of Texas Stadium Right-Of-Way To The Texas Department Of Transportation For The State Highway 114/Loop 12/State Highway 183 Interchange Improvement Project

Public Works/ Traffic and Transportation Director Jim Cline described the request for proposal process.

Deputy Mayor Pro Tem Rick Stopfer commended Mr. Cline for his efforts in the sale of the right-of-way to support other street projects.

City Manager Tommy Gonzalez said that this represents a 6.5 cents savings on the tax rate and also savings in the water rate as well.

Councilman Philipp asked the staff to be prepared to explain this savings tomorrow evening.

- 18** Resolution -- Approving An "Agreement To Lease" With Trinity East Energy, LLC For Gas Well Drilling And Production Leases On Approximately 439.631 Acres Of City Owned Property And Authorizing The Mayor To Execute Related Oil And Gas Leases

Councilman Philipp requested a written summary tomorrow on how these funds have been allocated, including the Irving Boulevard Corridor and the uncommitted funds.

- 19** Resolution -- Approving A Contract For Property Acquisition Plus Closing Costs And Relocation Expenses For Property Located At 1120 Senter Road -- Joe W. Hendrix, Property Owner

Deputy Mayor Pro Tem Stopfer noted that funding for this project was coming from the Park Land Donation fund.

City Manager Gonzalez stated that citizens want this intersection cleaned up.

- 20** Resolution -- Awarding A Contract To SYB Construction Co., Inc. For Conflans Road From Robbie Drive To Dry Branch Emergency Storm Sewer Pipe Repair Project

Councilman Philipp requested a report detailing history of the unplanned infrastructure repairs from 2005-2006 in the storm and sewer.

- 22** Resolution -- Approving An Engineering Services Agreement With Freese And Nichols, Inc. For A Wastewater Master Plan Update

Councilwoman Van Duyne noted the cost of this study and asked for a review of what has been accomplished since the last study.

Assistant Water Utilities Director Todd Reck described what the update report would include. He noted that the last study was conducted in 2001 and listed the capital improvements plan projects that were a result of the study.

He also noted that the update is a planning tool and is used to aid in prioritizing future improvements.

Councilwoman Van Duyne requested an independent meeting with staff to discuss the survey process in more detail.

It was clarified that this report will be completed prior to the next budget process.

- 28** Resolution -- Purchases Funded In The 2006-2007 Budget Or Subject To Funds Being Appropriated In Future Fiscal Years

(G) Bids -- Award Of Bid To Roof Management Services, Inc. For Partial Roof Replacement For Lee Park Recreation Center

(K) Award -- Approving Award To The Garland Company, Inc. dba Design Build Solutions, Inc. For The Roof Replacements For North Police Station And North Service Center Through The Texas Building & Procurement Commission (TBPC) Texas Multiple Award Schedule (TXMAS) Local Government Statewide Purchasing Cooperative Program

Councilwoman Van Duyne questioned if insurance was included in the Items G and K for roof replacement for Lee Park Recreation Center and the north police station.

Managing Director Paul Gooch affirmed that the insurance was included and the replacements were due to the age of the buildings and the life cycle of the roof.

(I) Award -- Approving Annual Award For Publication Advertisements Awarded To Dallas Morning News; Daily Commercial Record; Dallas Weekly; MON-The Gazette; El Extra Spanish Language Newspaper; The Irving Rambler; The Irving Journal; And The Korea Daily

Councilwoman Van Duyne questioned the legal requirements regarding advertising with the specific vendors listed and suggested holding this item until the Communications Plan is complete.

City Attorney Charles Anderson explained the legal requirements for the official newspaper. He stated that the Dallas Morning News is a "sole source" and a contract is required only for this newspaper.

Corporate Communications Director Laurie Kunke noted that the vendors list is an aid for departments in working with approved vendors to reach the most citizens. She also clarified that the Communications Plan will be completed this fall.

Councilman Philipp suggested the Council limiting the authorized advertising funds until the Communications plan is reviewed.

(J) Bids -- Renewal Of Bid With McGriff, Seibels & Williams Of Texas, Inc. For Excess Insurance Coverage With Star National Insurance Company

Councilman Spink stated that the term used is "self-funded" but actually the City is partially funded. He asked for a review of the number of bids received, how it was bid, and the deductible and a detail of the coverage.

Human Resources Director Janet Robinson stated that the City is self-insured up to \$500,000 and then the insurance covers in excess of that amount up to \$ 50 million. She noted that this is a renewal which is allowed by contract. She stated that a broker of record did a survey of the companies and recommended this renewal.

Human Resources Manager, Ike Obi explained the process and the use of a broker of record that is paid by the City. These programs will be reviewed in the next budget year. He assured Councilman Spink that staff developed the requirements for the insurance and the broker shopped it.

Councilman Spink noted that if claims exceeded \$50 million then the City would be responsible for payment.

- 33** Ordinance -- Amending Chapter 6 Entitled "Animal Services" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, By Adding Definitions; Providing Disposition Of Impounded Animals; Providing For Spaying Or Neutering Of Adopted Animals; Requiring Vaccinations; Providing Animal Shelter Fees; And Providing A Severability Clause

Managing Director Paul Gooch updated the Council on the ordinance revisions and noted that they have been reviewed by the Animal Services Committee and the Community Services Committee which includes adoption fees and pet registration.

Councilwoman Cannaday asked if the cost for services was recovered by the adoption fee.

Managing Director Gooch stated that the new fees will help in cost recovery but the City will subsidize this service.

- 35** Ordinance – Amending Article XVI "Automated Traffic Signal Enforcement" of Chapter 21 Entitled "Motor Vehicles And Traffic" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing Officers, Procedures, Liability, And Penalties For The Enforcement Of Said Article

Public Works/ Traffic and Transportation Director Jim Cline described the proposed amendments and noted that the changes were due to new state legislation.

- 36** Resolution -- Relaxing The Policies Of The City Of Irving Comprehensive Plan That Prohibit New Residential Development In Areas Subject To Noise Impacts Of 65 DNL Or Greater From Dallas/Fort Worth International Airport When Development Applications Include Requirements For Noise Attenuation Construction Techniques, Avigation Easements And Notice To Purchases Of The Airport Proximity

Urban Development Manager Steven Reed reviewed this proposed resolution that allows for more construction inside the noise mitigation contour lines.

The Council discussed the DNL lines that should be utilized by the City for construction projects.

Councilman Patrick noted his concern with the phrasing "or greater" in the resolution.

Councilman Philipp requested a recommendation from staff to set a higher construction standard to reduce the noise further than required by the building code when construction occurs within the contour lines.

Councilwoman Van Duyne questioned staff as to the reason for “relaxing” the policy before the DFW Airport’s sound study is complete.

Urban Development Manager Steven Reed stated that this resolution will give staff flexibility and a way to work with the applicant. He also recommended an independent study if the Council would like to adopt new contour lines that are different from the DFW Airport approved map.

- 37** Ordinance -- Zoning Case #ZC07-0030 -- Granting S-P-1 (Detailed Site Plan) For A Wireless Telecommunications Tower -- A 0.016 Acre Tract Located At 1403 South Story Road (Southwest Corner Of Shady Grove Road And Story Road) -- Site Acquisition Services, Applicant (**Postponed At The September 6, 2007, City Council Meeting**)

Urban Development Manager Steven Reed presented the case and noted that the staff recommends denial due to the need for a stealth design.

Councilman Smith encouraged the applicant to improve the design to better blend with the surrounding areas.

- 38** Ordinance -- Zoning Case ZC07-0037 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) Uses -- An Approximately 0.17 Acre Tract Located At 201 West 12th Street -- Juana DelCarmen Benavides, Owner/Applicant

Urban Development Manager Steven Reed presented the case.

Councilman Philipp suggested contacting the residents that voiced their opposition with the proposed changes.

Councilwoman Cannaday noted her concern with the future use of the garage converted into this living area.

Councilwoman Van Duyne requested details regarding square footage as well as the known number of occupants on the property.

- 2** **DISCUSSION:** Presentation of Convention Center Recommended Site Plan by Hillier Architecture

Executive Director Maura Gast introduced Bob Hillier and Eric Jaffee from Hillier Architecture, the master architect, and Allen Mayer, Bill Sims and Dave Spencer from ADMI, the project management team.

Mr. Hillier presented a progress report on the project and a presentation on the proposed development site plan.

Councilwoman Van Duynes noted her concern with increased traffic crossing Las Colinas Blvd.

Councilwoman Cannaday suggested another access to the site from SH 114.

Managing Director David Leininger stated that he will talk to TX Dot regarding widening SH 114 and its impact on the site.

Mayor Gears clarified that the Council agrees with the site plan as presented.

Mrs. Gast stated that this plan will be brought back within a month with more detail.

**3 DISCUSSION: Multi-Family Update**

Environmental Services Manager Teresa Adrian presented this update.

The Council agreed that they would like a summary of the three lawsuits regarding multi-family housing in an Executive Session.

Councilman Philipp requested the scope and schedule on the Kings Manor Apartments.

Councilman Patrick requested coordination with the surrounding schools in aiding the children affected.

Environmental Services Manager Teresa Adrian noted that the administration has been contacted and will continue to update the IISD.

Councilman Philipp noted his concern regarding the reduction in civil penalties and suggested getting input from the Building and Standards Commission on their policy. He also requested the Building and Standards Commission Chairman Bob Bridges meet with the Council on policies.

**4 DISCUSSION: Review Summary of Terms for the Management Services Agreement between the City of Irving, Texas (COI) and Dallas/Fort Worth Humane Society of Irving (DFWH)**

Managing Director Paul Gooch presented the agreement between the City and the DFW Humane Society which included the expectations of the City staff and the Humane Society. He noted that staff is still going through the design process and this may change the agreement.

Councilman Smith asked what the duties of each organization will entail with regards to programming, as he is concerned about the overlap of services.

Chris Wallace, a Humane Society Board member, assured that a scope of services will also be brought back to assure that the City is receiving adequate services for the \$50,000 paid to the Humane Society.

Managing Director Paul Gooch stated that those details will be included in the final draft that will be presented to the Council after all negotiations have been completed, possibly in early spring.

**5 DISCUSSION: Transportation Update**

Mayor Herbert Gears described the SH 183 expansion project and stated that he had placed this on the agenda. He noted that there are still issues regarding the school district property and Toyota of Irving.

Councilman Patrick stated that all parties involved should be considered when recommendations are made concerning any particular property.

Traffic and Transportation Director Jim Cline gave an update on the Texas Stadium interchange and the DART light rail progress. He noted that the next phase includes frontage roads and sound walls and will limit construction disruptions to the business located on the frontage roads. He recommends working with the property owners to avoid further delays on the expansion of this state highway.

After Council discussion, the Council agreed that Mr. Cline continue to work with IISD on their Administration Building and Toyota of Irving as to the options. This will be brought back to the Council, including park options.

**6 DISCUSSION: Board and Commission Appointments**

City Secretary Janice Carroll presented the Boards, Commissions and Committees process. Her presentation included a listing of the City of Irving boards and the timeline of the appointment process.

**ACTION ITEM**

**7 Amending the Resolution No. 9-6-07-334 Setting a Date For Public Hearing on the 2007-2008 Fiscal Year Budget**

**Councilwoman Van Duyne moved to approve the resolution as presented. Seconded by Councilman Stopfer, the motion was approved by a vote of 9-0.**

**EXECUTIVE SESSION**

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 4:13 p.m.

**8** Water Street Development, O'Connor Boulevard at Las Colinas Boulevard – Economic Development and Legal Advice

**6 DISCUSSION:** Boards and Commissions – Arts, Building and Standards, ICVB, Civil Service Commission, Construction Board of Appeals, Housing and Human Services, Planning and Zoning Commission, Zoning Board of Adjustment and Appeals

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 5:03 p.m.

The meeting adjourned at 5:04 p.m.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary