

**IRVING CITY COUNCIL
WORK SESSION
December 12, 2007**

The Irving City Council met in work session December 12, 2007. The following members were present:

Mayor

Herbert A. Gears

Council members

Thomas D. Spink

Rose Cannaday

Allan Meagher

Rick Stopfer

Joe Philipp

Lewis Patrick

Beth Van Duyne

Sam Smith

Mayor Herbert Gears called the meeting to order 12:10 pm.

2 DISCUSSION: Update On Transit Oriented Development Projects In Irving

Councilman Rick Stopfer described the Transit Oriented Development projects that have been proposed along the DART line. He noted the public's support for the DART line as well as described public-private partnerships that have invested or plan to invest in TOD projects including the Texas Stadium site now known as "Crossroads". He noted that the City has secured the right-of-way at a value of 60 million dollars for DART. He also included the entities that would benefit from the DART line, which would include Irving residents, Northlake Community College and University of Dallas students, DFW Airport patrons, as well as citizens in the surrounding areas. He noted that public transportation is a key part to the City of Irving's future success and it is essential that the construction be completed as originally projected.

3 DISCUSSION: DART Presentation

DART President/Executive Director Gary Thomas presented the background on how DART reached this short-fall estimate of 900 million dollars and the timeline for construction. He stated that staff reviews the financial plan that has been based on a four percent per year inflation rate. He presented the financial plan for the Irving project. His presentation also included an approach to reach the \$900 million projected cost increase in the construction of the Northwest Light Rail Line. He described ways to reduce current costs of the project which is called "value engineering", to evaluate DART's twenty-year financial planning document, and to seek new revenue sources, which, if approved by the DART board, could fund

the \$900 million increase and allow the Orange Line (Northwest Light Rail) to be completed by the original date – December 2011.

Michael Morris, Director of Transportation, NCTCOG, stated that land development and transportation must be done concurrently and he commended the City Council for their foresight. He reviewed the status of projects and also agreed with the concept of public private partnerships.

Bill Hale, District Engineer, Texas Department of Transportation, gave updates on current local projects and stated that TxDOT is ready to let the SH 114 contract, and it will be ready, to coordinate with for the completion of the Northwest Line.

The Council members stated their concerns with the construction delays suggested by DART.

Councilwoman Beth Van Duyne asked if DART had prepared a communications plan and requested a copy.

Mr. Thomas advised that he will provide a copy to the City.

Councilman Joe Phillip asked what the new timeline would be to work with the DART Board and City management to reach the construction goal.

Mr. Thomas stated that the financial plan will go before the board on January 8, 2008 and that the board will have a decision by January 22, 2008.

Councilwoman Rose Cannaday noted her concern with “value engineering” and/or cost cutting options as she does not want to compromise the quality of the project.

Councilwoman Van Duyne questioned DART’s cost measurements and noted that delaying the project would increase costs more.

Mr. Thomas stated that they will look at a more effective process for cost estimating.

Councilman Allan Meagher suggested that DART evaluate their other services that are less successful to offset the costs.

Councilwoman Van Duyne requested the cost and timeline commitments in writing from DART.

Councilman Thomas Spink asked Mr. Thomas if DART would be able to achieve their goal after the board meets in January.

Mr. Thomas stated that based on the proposed plan the project would be able to be completed by December 2011.

Mayor Gears asked if the DART board was supportive of the design-build and public-private partnership options. He reminded DART that this is actually a Dallas line.

Mr. Thomas noted that the design-build option would be the only way to meet the scheduled deadlines, and that he believes the board is in favor of many of the proposed financial plans.

Councilman Rick Stopfer requested a public meeting after the DART board meeting so the Irving citizens may attend and ask questions.

Mr. Thomas stated that he would get with City staff to schedule a meeting in January.

- 4 DISCUSSION:** Review OF Schematic Design For The New Animal Shelter As Developed By Wiginton Hooker Jeffry Architects And Jackson & Ryan Architects

Managing Director Paul Gooch and Martha Sing with Jackson and Ryan Architects presented the schematic design.

The Council agreed to move forward.

- 5 DISCUSSION:** Update Of The Corridor Beautification And Enhancements For The City Of Irving As Prepared By The Parks And Recreation Department

Managing Director Gooch gave a brief review.

Councilman Philipp congratulated the staff on their efforts.

- 6 DISCUSSION:** Review Of The 2007 Consolidated Annual Performance And Evaluation Report (CAPER)

Housing and Human Services Director Vivian Ballou presented the evaluation report.

Councilman Philipp requested that Councilman Stopfer and he review with staff the role of the Housing Finance Corporation and its goals. This will be brought back to the Council.

- 1 DISCUSSION:** Regular Agenda

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

- 1** City Manager's Report

City Manager Tommy Gonzalez deferred the report to the regular meeting.

- 3** Resolution -- Authorizing The City Of Irving/Irving Convention And Visitors Bureau To Negotiate A Contract With Austin Commercial As Designated Through The RFP Process And Recommended By The ICVB Board Of Directors To Provide Construction Manager At Risk Services For The Irving Conference And Events Center, 850-1,000 Space Multi-Story Parking Garage And Area Development And Infrastructure In The Irving Convention And Events Center Complex

City Manager Gonzalez noted that this item has been pulled from the agenda.

- 13** Resolution -- Approving Settlement Of A Lawsuit With ART Valley Corporation, Valley Ranch Limited Partnership, ART Lake Chateau, Inc., Louis J. Corna, Ronald Akin, Anthony "Cal" Rossi, Jr., And Does 1-10
City Manager Gonzalez stated that this item will be discussed in more detail during Executive Session.
- 14** Resolution -- Authorizing Staff To Negotiate An Engineering Services Agreement With EJES Incorporated For The Design Of The Senter Road Bridge At Delaware Creek And The Conceptual Design Of The Shady Grove Road/Senter Road Intersection Project
Councilman Lewis Patrick asked if the project included a storm sewer to the north.
Engineering Deputy Director Bob Chapman confirmed the sewer extension.
- 19** Resolution -- Approving A "Lease Renewal Amendment" With The State Of Texas (Texas Department Of Human Services) To Extend The Existing Lease For An Additional Five Years For 7,123 Square Feet Of Space Located In The City's Human Services Building Located At 440 South Nursery Road
Mayor Gears requested that this item be deferred to the Finance Committee regarding Irving Cares.
- 23** Resolution -- Awarding Contract To SYB Construction Co., Inc. For The English Street Paving Improvements From East Pioneer Road To Union Bower Road Project
City Manager Gonzalez noted that staff will bring back the "neighborhood by neighborhood" improvements analysis report in January.
- 27** Resolution -- Approving Amendment No. 2 To A Professional Services Agreement With First Vehicle Services, Inc.
Councilman Meagher asked if the problems with fleet maintenance had been solved with the contracted company.
Managing Director Nancy Bartlett stated that extending the contract 60 days will include an evaluation of improvements and this report will be provided to the Council. She noted that 10 employee positions have been eliminated.
- 31** Ordinance -- First Reading -- Granting A Franchise To ABC Cabs, Inc., dba Eagle Cab, To Operate A Taxicab Service In The City Of Irving, Texas
City Manager Gonzalez noted the possibility of strengthening the ordinance regulating these franchises will be brought back to the Council for their review in the future.

- 36** Ordinance -- Zoning Case #ZC07-0049 -- Granting S-P-2 (Generalized Site Plan) For C-P (Commercial Park) And FWY (Freeway) District Uses With Airport/State Highway 161 Overlay District -- An Approximately 28.79 Acre Tract Located West Of State Highway 161, South Of Block Drive, And North Of Northgate Drive -- ProLogis, Inc., Applicant
- 37** Ordinance -- Master Thoroughfare Plan Amendment To Modify The Current Alignment Of Northview Drive
- 38** Ordinance -- Authorizing The Abandonment Of A Portion Of Northview Drive Right-Of-Way And Associated 15-Foot Public Utility Easements Between Northgate Drive And Block Drive
- 39** Resolution -- Preliminary/Final Plat -- Cornerstone At Northview Addition -- An Approximately 53.94 Acre Tract Located West Of State Highway 161, South Of Block Drive And North Of Northgate Drive -- ProLogis, Inc., Applicant

Senior Planner Kenneth Bloom presented these companion items

Managing Director David Leininger identified the companies and commended all the City departments involved in this project.

Councilwoman Van Duyne asked why the applicant included a road connection over Highway 161.

Urban Development Manager Steven Reed stated that although the connection road is a future development it must be included in the thoroughfare plan to meet TxDOT requirements.

- 41** Resolution -- Final Plat -- Northlake College South Campus Addition -- A 14.92 Acre Tract Located On The Northeast Corner Of MacArthur Boulevard And Shady Grove Road -- Jasper-Quintilla Dallas, LLP, Applicant

Councilman Patrick requested staff from the Planning and Inspections Department to work with Public Works to come back to the Council with suggestions to improve the drainage on both the Northlake College property and the City's property in this area. He noted that money had been escrowed for these improvements in previous plats. He also suggested the Housing and Human Services Department contact the college to utilize the unused property for single-family construction.

- 42** Ordinance -- Zoning Case ZC07-0052 -- Granting S-P-2 (Generalized Site Plan) For C-O (Commercial Office), Assisted Living Facilities, Independent Living Facilities For Senior Citizens, And Other Similar Uses -- A 4.9391 Acre Tract Located On The North Side Of Kinwest Parkway At Parkridge Boulevard -- Kinwest Realty Management, Applicant

Councilwoman Van Duyne noted concerns about an increase of emergency vehicle noise adjacent to a residential neighborhood.

Urban Development Manager Reed said that the proposed property is an independent living facility, not a nursing home, which should not involve an increase in emergency traffic.

- 47** Public Hearing -- Ordinance-- Proposed Designation Of A Commercial/Industrial Tax Abatement Reinvestment Zone No. 54 Being A Tract Of Land Situated In The City Of Irving, Dallas County, Texas, The Chilton Smith Survey, Abstract No. 1293 And Being All Of Those Certain Tracts Of Land Described By Deed To Proterra-PCP Portfolio III Limited Partnership As Recorded In Volume 2003228, Page 7229 (Hereafter Referred To As Proterra Tract 1); Volume 2003228, Page 7276 (Hereafter Referred To As Proterra Tract 3) And Volume 2003228, Page 7284 (Hereafter Referred To As Proterra Tract 2), Of The Deed Records Of Collin County, Texas
- 48** Resolution -- Approving A Real Property Tax Abatement Agreement Between The City Of Irving And Proterra-PCP Portfolio III Ltd., A Texas Limited Partnership
- 49** Resolution -- Approving An Economic Development Incentive Agreement With Proterra-PCP Portfolio III L.P., A Texas Limited Partnership, For Designation Of "Rebate Eligible" For New Construction At 1500 County Line Road
- 50** Public Hearing -- Ordinance -- Proposed Designation Of A Commercial/Industrial Tax Abatement Reinvestment Zone No. 55 Being A Tract Of Land Situated In The James J. Goodman Survey, Abstract No. 1718, And The Chilton Smith Survey, Abstract No. 1293, And Being Lot 1, Block A, Valley View Business Center, Third Installment, And Addition To The City Of Irving, Dallas County, Texas
- 51** Resolution -- Approving A Real Property Tax Abatement Agreement Between The City Of Irving And Realty Associates Fund VII, L.P., A Delaware Limited Partnership
- 52** Resolution -- Approving An Economic Development Incentive Agreement With The Realty Associates Fund VII, L.P. For Designation Of "Rebate Eligible" For New Construction At 5325 FAA Boulevard
- 53** Resolution -- Approving An Economic Development Incentive Agreement With Omega Environmental Technologies For Rebate Of Taxes Paid On "Freepport" Inventory

Managing Director Leininger noted that items 47 – 53 were companion items and described the items and confirmed that the tenant would be Proterra.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 3:50 p.m.

- 7 City Attorney - Personnel
- 8 City Manager - Personnel
- 9 Legal Advice - 801 Lee Street
- 10 Legal Advice - Tudor Lane
- 11 Legal Advice - Airport Inn/Knights Inn/America's Best Hotel
- 12 Legal Advice - Water Development
- 13 Pending Litigation - Spanish Trace Apartments
- 14 Pending Litigation - 1923 Senter Street
- 15 Pending Litigation - City of Irving v. Valley Ranch Ltd.

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 6:30 p.m.

The meeting adjourned at 6:31 p.m.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary