

**IRVING CITY COUNCIL
WORK SESSION
June 27, 2007**

The Irving City Council met in work session in the First Floor Council Conference Room of the City Hall Complex on June 27, 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

Councilman Philipp was not in attendance.

Mayor Gears called the meeting to order at noon.

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 June 28, 2007. The following Council directions were noted.

1 City Manager's Report:

Goal No. 1: Land Use

Vacant Buildings – The City of Irving is better equipped to address buildings that have been vacated and abandoned on a long-term basis, thanks to a city code amendment approved by City Council on June 14. The amendment added to the definition of dangerous buildings “those structures which, although structurally sound, are nevertheless inadequately secured from unauthorized entry by children, vagrants and others.”

Goal No. 2: Vibrant Neighborhoods

Housing Fair – The Irving Housing and Human Services Department and the Irving Housing Finance Corporation will host a 2007 Housing Fair from 10 a.m. to 3 p.m. July 14 at the Irving Mall.

Alan-A-Dale Property – The property at 2616 Alan-A-Dale has been cleaned up and now complies with the city's code requirements. This action follows a May 24 City Council action that authorized the city attorney to file a suit and take legal action, following the failure of the property owner to remove the salvage parts, vehicle bodies and inoperative vehicles, and other trash/debris from the property.

New Code Enforcement Procedures for Violators – Earlier this month, the code enforcement marshal began executing initial and follow-up citations within two working days as part of a more aggressive approach to resolving code violations. A follow-up inspection is scheduled 10 days following the issuance of the citation. If the violation still exists after 10 days, the marshal will issue a second citation and schedule another 10-day inspection. If the violation still exists after the third inspection, another citation is issued and a fourth 10-day inspection is scheduled. If the violation exists after the fourth inspection, the violation will be referred back to Code Enforcement for consideration of other legal options. This more aggressive approach still allows violators multiple opportunities to voluntarily comply prior to involving the code enforcement marshal. Citations issued have increased 500% since the implementation of this program on June 1, 2007.

Councilman Smith noted his concern on the length of time given to a property with these violations for compliance.

City Manager Gonzalez stated the emphasis for Code Enforcement is to educate citizens on the due process and this program achieves that goal.

Environmental Services Manager Teresa Adrian gave examples of cases leading to citations. She also noted that only about 5% of cases get to the citation level.

Court Services Director David Galvan clarified penalties associated with the citations, such as large fines, incarceration, etc. he also addressed the role of the Marshal.

Goal No. 3: Economic Development

Irving Residents Survey – After the City Council set a long-term vision and strategic plan for the City of Irving, the Irving Convention and Visitors Bureau (ICVB) was called upon to define an identity to complement that plan by developing a citywide “brand strategy”. The ICVB is encouraging all Irving residents to participate in an easy online survey, which can be accessed by logging on to www.irvingtexas.com and selecting the “Irving Residents Survey” icon located on the right side of the homepage. The survey will be conducted through July 23; all responses will be kept confidential.

ICVB Dallas Cowboys Promotion – The Irving Convention and Visitors Bureau has created a Dallas Cowboys Getaway package promotion for the upcoming football season.

Financial Empowerment – The Southwest Branch Library is working with the YWCA to bring another round of free financial workshops to Irving on Tuesdays, June 26-Aug. 14. The series, “Financial Empowerment,” teaches residents how to get their personal finances in shape.

Goal No. 4: Safe and Secure City

Certificate of Occupancy Revocation – On June 14, the City Council amended the city code to set new requirements for owners of apartment buildings. If an apartment building’s certificate of occupancy is revoked, the building owner will be required to make life-safety upgrades before a new certificate of occupancy is issued. These upgrades include compliance with current code requirements for electrical systems and the installation of fire protection systems such as fire alarms and fire sprinklers.

West Nile in Mosquito Sample – Irving has received notification that a mosquito sample collected in the La Villita neighborhood, near the Elm Fork of the Trinity River, has tested positive for West Nile virus. City staff will be spraying residential areas where the mosquito was collected to reduce the risk of transmission of the virus to people. The spraying normally takes place in the early morning hours when wind speeds are less than 12 mph. Residents are encouraged to take sensible precautions to avoid mosquito bites.

CrimeWeb – The Police and Information Technology departments are initiating a new crime prevention tool called CrimeWeb. The Police Department also will receive numerous alerts from this

service, regarding homeland and community security, missing children and adults, and major crime. CrimeWeb training for police officers will begin on July 10.

Certified Animal Shelter Volunteer Class – The next certified animal shelter volunteer class is set for June 30. During the class, city staff will educate volunteers on the proper care of animals and facility operations.

Joint Extrication – The Irving and Coppell fire departments have had the opportunity to work together on some emergencies. Most recently, the two departments worked a vehicle extrication call on Interstate 635.

Special Olympics – Several Irving Fire Department members volunteered their time to work at this year's Special Olympics events.

Family Advocacy Center – The Family Advocacy Center was recognized by the Texas Office of the Attorney General (OAG) as a model for collaboration and victim advocacy for law enforcement agencies.

Crime Free Multi-Housing Program – The Police Department conducted a Crime Free Multi-Housing Program training program from June 20-22. The first day of class was the standard phase one training for apartment complex personnel and area law enforcement agency personnel.

Irving Mental Health Collaboration – The first planning meeting of the newly formed Irving Mental Health Collaboration was held June 22 with more than 10 agencies in attendance.

Police Explorers – The Irving Police Explorers Post #252 competed in the State Explorers Competition and took home three trophies: first in felony traffic stops, third in crime-scene search and third in unknown call for police. These Irving Police Explorers will be recognized at the City Council meeting on June 28.

Goal No. 5: Diversity

M/WBE Program – The city's new Minority- and Women-Owned Business Enterprises Program (M/WBE) will formally begin next month. All departments doing procurements will use forms soliciting a "good faith effort" from bidders to reach the city's overall goal of 26 percent M/WBE participation.

Spanish Health Series – The East Branch Library, in collaboration with the City of Irving’s Public Health Education Outreach Program, is offering a summer program series to educate Spanish-speakers on a variety of health topics, including depression, heart health, cancer prevention and diabetes. Programs take place on selected Saturdays through July 28.

Goal No. 6: Effective Communications

Big Brothers Big Sisters School-Based Mentoring – City staff will participate in the Big Brothers Big Sisters of North Texas (BBBS) School-Based Mentoring program beginning with the 2007-08 school year. Upon approval of their supervisors, employees will be interviewed by BBBS for placement with a student at either Austin Middle School or Gilbert Elementary. Both schools are located in the South Irving Heights area.

Goal No. 7: Cultural, Recreational and Educational Environments

Independence Day Parade – The City of Irving will host its Independence Day Parade at 9 a.m. July 4. The 2007 Grand Marshal is Mayor Herbert Gears. Immediately following the parade, there will be a patriotic program in Heritage Park.

KidsArts Summer Camp Program – The Irving Arts Board awarded 17 scholarships to local youth to participate in the 2007 KidsArts Summer Camp program. The scholarship recipients have the opportunity to attend one of the Arts Center’s weeklong summer camps free of charge. Summer camps include Multi-Arts for children ages 6-14; ArtElements for teens ages 13-16; and theater camp for children ages 6-18. Scholarships were valued at \$191 each.

Goal No. 8: Sound Governance

Human Resources Performance Plan – The Human Resources Department is in the process of meeting with department directors to obtain feedback on its services, past experiences and future performance expectations.

Employee Walking Campaign Results – Another employee wellness initiative has resulted in more than 6,800 miles walked to promote a healthier lifestyle. The city will continue to offer wellness

programs that engage employees in physical activities and ultimately help promote good health and reduce medical costs.

Goal No. 9: Infrastructure Network

Lake Chapman Update – Continued rains have helped to offset the low-water level at Lake Chapman, which is the city’s primary source of water. The water surface elevation in Lake Chapman increased to 434.7 feet as of June 26, which is 5.3 feet below conservation level.

Traffic Projects – The Texas Department of Transportation is proceeding with the overlay project on Irving Boulevard with expected completion by the end of the month.

Goal No. 10: Environmentally Sustainable Community

Waste Characterization Study – Solid Waste Services will be conducting a waste characterization study at the Hunter Ferrell Landfill.

Brenda Haney clarified the waste characterization study. There will be 4 sample events to capture all the seasons. The study will focus on all socio-economic areas in the city to target Irving’s waste stream.

- 4-7** Resolutions (Companion Items) – Authorizing the City of Irving/ Irving Convention And Visitors Bureau (City/ICVB) along with the Mayors approval to move forward with contracts negotiations and agreements regarding The Multi-Purpose Facility And Related Facilities Project

Convention and Visitor Bureau Director Maura Gast and Managing Director David Leininger requested to begin negotiations on all Items 4-7, as they are companion items.

Two representatives for the project were present, Bob McClintoch with SMG and Bill Simms with ADMI.

Managing Director David Leininger noted how the updated scope of the project for the City of Irving creates a mixed-use project with the inclusion of hotels, retail and a potential performance venue added to the convention center project.

Convention and Visitor Bureau Director Maura Gast presented a PowerPoint presentation describing the architectural evaluating process. A multi-firm approach was created to accommodate the size of this project. Hillier Architecture will be the lead firm for this development.

- 8** Resolution -- Authorizing Staff To Negotiate A Professional Services Contract With Wiginton Hooker Jeffry, P.C., Architects For The Architectural And Engineering Design Of The New Animal Shelter

Managing Director Paul Gooch gave a presentation to Council, emphasizing the multi- departmental and citizen effort that went into the architectural selection process.

- 10** Resolution -- Awarding A Bid and Approving Change Order No. 1 To J. C. Commercial, Inc. In The Net Amount Of \$1,860,477.00 For The Renovation And Expansion Of Lively Pointe Youth Center

- 11** Resolution -- Approving Change Order No. 1 In The Amount Of \$86,700.00 To The Contract With J. C. Commercial, Inc. For The Construction Of The Lively Pointe Youth Center

Managing Director Paul Gooch stated that items 10 and 11 are companion items. He explained the change order is due to an incorrect specification given to all bidders regarding materials in the original bid.

- 24** Resolution -- Approving Addendum No. 1 To The Engineering Services Agreement With Freese And Nichols, Inc. In The Amount Of \$61,850.00 For Engineering Services Associated With A Unidirectional Flushing Program, A Chlorination Feasibility Study And Miscellaneous Electrical Improvements At The Carbon Road Pump Station

Mayor Gears requested clarification.

Public Works Director Jim Cline stated this service would minimize the amount of water used during the flushing process of the City's water lines.

- 33** Resolution -- The Consideration Of An Ordinance Granting S-P-2 (Generalized Site Plan) For R-TH (Townhouse) Uses In Zoning Case #ZC07-0004 – and Consideration of an Ordinance Granting S-P-1 (Detailed Site Plan) For R-6 (Single Family) Uses in Zoning Case #ZC07-0009

- 34** Resolution -- Postponing to August 2, 2007 the Consideration of an Ordinance Granting S-P-1 (Detailed Site Plan) For R-6 (Single Family) Uses in Zoning Case #ZC07-0009 -- A 0.221 Acre Tract Located At 3117 Bryn Mawr Drive (Northwest Corner Of Bryn Mawr And Santa Clara Street) -- Ivan Ivanov, Applicant

Mayor Gears noted that the applicant has requested postponement.

Councilwoman Cannaday raised questions regarding the concern of the neighborhood that the addition to the home will become rental property.

Councilman Spink agreed with these concerns.

Mayor Gears noted that Council may deny this case rather than postpone. He asked the staff to advise the applicant.

- 36** Ordinance -- Zoning Case #5681 -- Granting S-P-1 (Detailed Site Plan) For ML-20a (Light Industrial) And Outside Storage Uses -- An Approximately 0.713 Acre Tract Located At 1513 Maryland Drive -- C.T. And S., Inc., Applicant

Senior Planner Kenneth Bloom described the applicant's request for a reduced setback to accommodate outside storage and fencing.

Mayor Gears asked if this case should go back to the Planning and Zoning Commission.

Councilman Patrick stated the problems that the Planning and Zoning Commission had in the past with this case have been resolved, and they are recommending approval.

- 38** Ordinance -- Amending The Comprehensive Plan To Change The Recommended Land Use From Urban Center District To Multiple Family - High Density Residential, Approving A Community Framework Plan, Granting TOD (Transit Oriented District) And S-P-2 (Generalized Site Plan) For R-MF-2 (Multifamily) District Uses And Removing The Urban Business Overlay District In Zoning Case #5697, And Approving Multifamily Concept Plan MF07-0001 -- An Approximately 29.4 Acre Tract Located On The North Side Of Spur 348, East Of The Las Colinas Boulevard Right-Of-Way -- Womack & Hampton Architects, Applicant

Senior Planner Kenneth Bloom described the applicant's request for zoning change to comply with proposed multi-family development.

Mayor Gears noted this is the first Transit Oriented Development project.

- 39** Ordinance -- Zoning Case #ZC07-0002 -- Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) District Uses -- An Approximately 1.63 Acre Tract Located At 3920 Jackson Street -- JDJR Engineers & Consultants, Inc., Applicant

Senior Planner Kenneth Bloom explained applicant's request for zoning change due to the proposed eight lot development. The proposed plan

does meet all requirements posed by the Planning and Zoning Commission.

Housing and Human Services Director, Vivian Ballou clarified the cost of the land (\$65,000.00) and described several of the lots involved.

Councilman Smith asked the result of the June 14, 2007 meeting conducted by the staff in the neighborhood.

Housing and Human Services Director Vivian Ballou responded that 40 citizens that attended were in favor of the development and three attendees spoke in opposition.

Councilman Patrick noted that the original concern was a power line running in that area, but that the power line is city-wide and this development is a good use of the land. Also, the purchasers know that they are going to be living adjacent to the railroad.

- 40** Ordinance -- Amending The Comprehensive Plan From "Single Family - Low Density Residential" To "Retail" And Granting C-N (Neighborhood Commercial) Uses In Zoning Case #ZC07-0006 -- An Approximately 0.106 Acre Tract Located At 628 Thompson Street -- Othman B. Hindieh, Applicant

Councilman Meagher asked what the setback requirements will be.

Senior Planner Kenneth Bloom responded that the setback requirements will be six feet and noted that if approved this site would be required to have screening and landscaping.

Councilman Meagher requested the Council consider the closeness of the neighboring houses in the relation to the proposed build out.

- 41** Ordinance -- Zoning Case #ZC07-0007 -- Granting S-P-2 (Generalized Site Plan) For R-7.5 (Single Family) District Uses -- An Approximately 0.28 Acre Tract Located At 501 South Tanglewood Drive -- Robert And Anna Joe Hale And Kenneth Cadenhead, Applicants

Senior Planner Kenneth Bloom described the applicant's request for a reduction in the side yard setback requirements for a room expansion.

Councilwoman Van Duyne requested a better copy of the citizen's comments.

- 43** Ordinance -- Amending Chapter 18 Entitled "Food And Food Establishments" Of The Code Of Civil And Criminal Ordinances Of The

City Of Irving, Texas, By Providing Amendments, Modifications, And Deletions To Definitions, Food Handler Requirements, A Permit Fee Increase, And Permit Compliance And Enforcement Of The Texas Food Establishment Rules, Previously Adopted And Amended; Providing Affirmative Defenses; Providing A Severability Clause; Preserving Pending Actions Under The Existing Ordinance; And Providing An Effective Date

Managing Director Paul Gooch noted that this ordinance change has been improved through the Citizen Input Process since its first appearance in January, resulting in positive feedback. Mr. Gooch explained the Food Handler certification process which includes training material and City sponsored training classes.

City Manager Gonzalez praised both, Chief Health Specialist Darrell Hammond and Managing Director Paul Gooch, for their efforts in preparing this ordinance and working with restaurant owners to assure compliance.

- 44** Resolution -- Approving An Agreement Between The City Of Irving And The South Irving Development Initiative For A Bank Line Of Credit Loan Facility For Landbanking

Managing Director David Leininger gave an overview and stated that more discussion will be held in Executive Session.

Councilwoman Van Duyne questioned the City of Irving's role in the offer pricing as a potential lender.

Managing Director David Leininger clarified that no property can be added to the line without City review and approval.

Mayor Gears also clarified that the Council has the opportunity to not approve a purchase if the cost of the land exceeds the fair market value.

- 45** Resolution -- Approving A Professional Services Agreement With First Southwest For The Design Of A Comprehensive Financial Model For A Long Range Capital Financing Plan For Water And Sewer Enterprise

Managing Director David Leininger noted that this is a capitalization strategy.

2 DISCUSSION: IHFC Meeting

Mayor Gears recessed the Work Session at 2:00 P.M. and convened the Housing Finance Corporation meeting. The meeting adjourned at 2:20 P.M.

Mayor Gears reconvened the Work Session at 2:21 P.M.

3 DISCUSSION: Code Enforcement

Environmental Services Manager Teresa Adrian presented an update on ordinance changes and organizational changes pertaining to the Inspections Department and Code Enforcement. Ms. Adrian described the recent staffing transitions and the Code Enforcement evaluation process.

Councilwoman Cannaday suggested that the before and after pictures be included with a press release.

EXECUTIVE SESSION

Acting City Attorney Charles Anderson read the Mayor and Council into Executive Session at 2:35 p.m.

4 DISCUSSION: Property Acquisition – State Highway 114

5 DISCUSSION: McDougal – Legal Advice

6 DISCUSSION: Convention Center Contract Negotiations – Legal Advice

7 DISCUSSION: City Attorney – Personnel

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 3:12 p.m.

The meeting adjourned at 3:13 p.m.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary