

**IRVING CITY COUNCIL
WORK SESSION
July 18, 2007**

The Irving City Council met in work session in the First Floor Council Conference Room of the City Hall Complex on July 18, 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

Mayor Gears called the meeting to order at noon.

The Council reviewed the items posted for action at the Regular Council meeting to be held at 7:00 P.M. on July 19, 2007. The following Council directions were noted.

1 City Manager's Report

City Manager Tommy Gonzalez stated that he would defer this report to the Regular Meeting.

1 DISCUSSION: Review Of Regular Agenda

1 Public Hearing -- Receiving Public Input On The Proposed Fiscal Year 2007-2008 Action Plan For Use Of Federal Grant Funds Under The Community Development Block Grant (CDBG), HOME Investment Partnerships Grant (HOME), American Dream Down Payment Initiative (ADDI) And Emergency Shelter Grant (ESG) Programs

2 Resolution -- Approving Fiscal Year 2007-2008 Action Plan For Use Of Federal Grant Funds Under The Community Development Block Grant (CDBG), HOME Investment Partnerships Grant (HOME), American Dream Down Payment Initiative (ADDI) And Emergency Shelter Grant (ESG) Programs

3 Resolution – Approving The Housing And Human Services Board Recommended Community Development Block Grant (CDBG) And Emergency Shelter Grant (ESG) Human Service Agency Funding

Allocations As Proposed In The Fiscal Year 2007-2008 Action Plan And Approving Sample CDBG And ESG Agreements

Councilman Stopfer conveyed the citizens' concerns that reallocating CDBG funds to go towards Multi-Family relocations would take away from other agencies' funding within the 15% allotted for non-profit organizations. He assured the representatives of those agencies present today, this has never been the Council's intention.

Mayor Gears requested that the Council address Worksession item #4, HHS- Multi-Family Housing Relocations at this point.

4 DISCUSSION: HHS- Multi-Family Housing Relocations

After discussion the Council reaffirmed that the funding for this program would not be taken from other non-profit organizations funds to fund the relocation of apartment tenants.

City Manager Gonzalez stated he was working with the City Attorney's office regarding the options of a fee or placing a lien toward the property owner as a way for the City to recoup these costs.

Councilman Philipp stated that he asked that this be brought back to the Council only to assure that a multi-family initiative statement be included in the CDBG/HHS Action Plan.

City Attorney Anderson stated that to charge a "relocation" fee to the property owners would require an ordinance that would be brought back to Council for consideration.

Councilwoman Cannaday noted that 20% of the apartment complexes make up 80% of the problems and are consuming a tremendous amount of the City's resources and time. She agreed that social service agencies should take part in the relocation program but noted that the number of citizens in need is unknown at this point.

Councilman Philipp asked for more detail on Worksession item #4 and #5 regarding allocating funds.

13 Resolution -- Amendment No. 1 To Parker And Marks, P.C. To Change The Ending Date From June 30, 2007, To June 30, 2008, And Increase Collection Fees From 15% To 20% For Delinquent Tax Collections To Be Administered By The Economic Development And Financial Services Department

Councilman Philipp requested the staff look at the delinquent tax collection data and bring a report back to Council.

City Manager Gonzalez noted the City was looking into another entity in the future.

14 Resolution -- Cancellation Of Certain Items On Sedans, Pickup Trucks, And Vans With Prestige Ford For Eleven Vehicles

Councilman Patrick asked if Prestige Ford had a performance bond in their bid.

Purchasing Manager Ed Matthews noted a performance bond is not required on a straight purchase but is working with the City Attorney's Office to determine the company's liability in regards to bankruptcy.

Councilman Philipp asked if future contracts could include a "withhold provision" on funds to help assure compliance.

City Attorney Anderson stated the City Attorney's Office will look into that.

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

Mayor Gears stated no contested bids were listed but Item #E will be pulled and no action taken at the request of the staff.

22 Ordinance -- Amending The Comprehensive Plan To Change The Recommended Land Use From Light Commercial To Single Family Detached -- Low Density Residential And Granting S-P-2 (Generalized Site Plan) For R-6 (Single Family) District Uses In Zoning Case #5704 -- An Approximately 25.5 Acre Tract Located At 4600 And 4602 West Rochelle Road -- USF Bestway, Applicant

Senior Planner Kenneth Bloom described applicant's request and noted this request does not conform to the current comprehensive plan and is within airport/161 overlay district. He detailed the staff's objections to this proposal and explained the Police and Fire departments' objections.

The staff and Council discussed the requirement of an abrogation easement to the applicant's proposed site plan to assure that homeowners will know that airport noise will be a problem.

Councilman Cannaday stated that due to the proposed noise improvements in the houses, she has no objections to the applicant's request.

After lengthy Council discussion, Mayor Gears suggested that the new 70 DNL line agreements be reviewed by a Council sub-committee.

Councilman Philipp requested additional notes to the proposed site plan to include commitment from the applicant regarding landscaping, 80% masonry construction, a park within the development and a screening wall on all sides of the development.

Mayor Gears advised the staff to work with the applicant on these issues before their case is heard tomorrow.

Councilman Patrick stated that if a curb cut is required the developer should pay for it.

- 24** Ordinance -- Approving Amendments To The Comprehensive Policy Statement On Local Business Stimulation Incentives (Chapter 380 Policy)

Managing Director Leininger presented the new policy to address small existing businesses that want to expand and this policy is aimed to support South Irving. He commended the Chamber of Commerce and Finance for their efforts with this policy.

- 25** Ordinance -- Public Hearing -- Proposed Designation Of A Commercial/Industrial Tax Abatement Reinvestment Zone No. 52 Being A 50.6198 Tract Of Land In The William Irby Survey, Abstract No. 867, Situated In The City Of Irving, Texas, Being Lot 1, Block A, Of The Kroger Addition, As Recorded In Volume 88185, Page 4127, Plat Records, Dallas County, Texas

- 26** Resolution -- Approving A Real Property Tax Abatement Agreement Between The City Of Irving And Kroger Texas L.P. On Behalf Of Its America's Beverage Division

Managing Director Leininger addressed the terms of this abatement and the location and clarified that Northgate Drive is the north boundary line for "South Irving".

- 31** Resolution -- Authorizing Reimbursement Payment In The Amount Of \$1,529,940.15 To Hines Las Colinas Land Limited Partnership For Capital Infrastructure Improvements Within The La Villita Development As Previously Authorized Through A Developer Reimbursement Agreement By The Irving City Council On November 21, 2002, And Assigned To Hines By Las Colinas Land Limited Partnership (LCLLP) To Hines Las Colinas Land Partnership And As Favorably Recommended Forward By The Tax Increment Finance (TIF) District Board Of Directors At Their June 2007 Meeting

Councilman Philipp asked about an updated TIF plan.

Managing Director Leininger explained the TIF process and the recalculation that will take place in the fall.

Councilman Philipp asked that the updated plan be presented at a December or January Audit and Finance Committee meeting.

Mayor Gears stated that the worksession will now be recessed. The time was 2:00 p.m.

- 6 DISCUSSION:** HFC Meeting – Certified Non-Profit Application

The Housing Finance Corporation Meeting was conducted at this time.

At 2:56 p.m. Mayor Gears reconvened the worksession.

2 DISCUSSION: FY 2008 Water/Sewer Rate Development

Traffic and Transportation Director Jim Cline presented this report identifying a need for the proposed water rate increase.

Councilman Philipp clarified that this policy is a discussion regarding:

1. A change in bond issuance,
2. A non-bond CIP outlay for infrastructure and
3. A rate increase to implement the policy changes

City Manager Gonzalez noted that First Southwest Bank will be looking at a total water package, including a rate structure for residential and commercial water service and a water conservation program as well.

Traffic and Transportation Director Jim Cline stated a timeline will be presented at the budget retreat.

Councilman Philipp noted that both the Audit and Finance Committee and the Public Works Committee endorse this proposal.

3 DISCUSSION: Code Enforcement - Multi-Family Housing

Inspections Director Gary Miller presented an update on the multi-family initiatives and described some of the actions that have been taken on sub-standard properties.

Councilman Philipp commended the Building and Standards Commission for their efforts in bringing multi-family housing up to city code standards.

Councilman Philipp noted his concern regarding gas station standards and requested analysis of all laws available that can be used by the City to bring them into compliance.

City Manager Gonzalez stated his concern regarding the abandoned stations that have become hazardous to the youth and the environment.

4 DISCUSSION: HHS- Multi-Family Housing Relocations

Mayor Gears noted that this item was discussed during the Regular Agenda but may continue. He asked if the funding for this program could come from the Housing Finance Corporation.

City Manager Gonzalez stated that the General Fund, the actual property owners or Housing Finance Corporation could all be options to consider.

5 DISCUSSION: HHS 2007-08 Action Plan

Councilman Philipp again asked that the Council consider asking the Housing and Human Services Board to include a prepared statement in support of the Multi-Family Initiative which includes the assistance to tenants that must be relocated to different housing in the 2007-2008 Action Plan.

The Council agreed that this statement should be included and also agreed that it has never been the intent of the Council to reduce funding to the social service agencies so that the relocation program could be funded.

Councilman Smith suggested a joint meeting of city staff, social service agencies and possible a Council Committee to work on a relocation plan.

Housing and Human Services Director Vivian Ballou presented a PowerPoint presentation on the HHS 2007-08 Action Plan in conjunction with the Consolidated Plan. She noted that changes in the Consolidation Plan would involve submission of the change to HUD and that this plan must be submitted by August 16. She noted that there are strict monitoring regulations when federal funds are used for multi-family housing projects. She asked that the Council consider seeking alternative funds, not federal funds, for the multi-family rehabilitation/redevelopment program. She presented several options. She also suggested that a survey of the needs of the tenants of the "Tier Four" apartments. This will also identify why they are living in these conditions. Finally an educational program for the landlords was proposed.

Mayor Gears noted that the goal of the Council is not to rehabilitate the "Tier Four" apartments, but to build better housing in their place. Single-family housing developments will be funded through Housing and Human Services Action Plan.

There followed a lengthy discussion of housing initiatives and the funding options of these initiatives. It was agreed that the social service agencies should take the lead in establishing this program.

Ms. Ballou stated that funding could be increased to the Social Service agencies to allow them to work on this.

Mayor Gears asked if an option would be to consider lowering the rent paid by Irving Cares to the city in lieu of additional funding.

Councilman Smith also suggested resurrecting Metropolitan Housing Finance Corporation and seek new funding resources for this program.

The Council again agreed that a statement of support on the multi-family initiative will be a part of the 2007/08 Action Plan; data on the homeless situation will be provided to the Council and a coalition will be created to look at these issues.

Mayor Gears further requested a memo be prepared by Ms. Ballou summarizing this discussion and clarifying the directions of the Council.

7 DISCUSSION: Council Committees - Coordinated Effort

This item was not discussed.

8 DISCUSSION: Residential Infill Policy

This item was not discussed.

EXECUTIVE SESSION

Acting City Attorney Charles Anderson read the Mayor and Council into Executive Session at 5:52 p.m.

9 DISCUSSION: Economic Development -- Texas Spirit and Gables

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 5:58 p.m.

The meeting adjourned at 5:59 p.m.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary