

**IRVING CITY COUNCIL  
WORK SESSION  
January 9, 2008**

The Irving City Council met in work session January 9, 2008. 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.

**1 DISCUSSION:** Review Of Regular Agenda

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

**1** City Manager's Report

City Manager Tommy Gonzalez thanked the staff and Council for their involvement in working with DART and the media in voicing the City's stance on the Orange Line. He also noted that a petition drive will be formed in partnership with the Chamber of Commerce for residents to sign in support of the City's efforts.

Public Works Director Jim Cline updated the Council on the Irving projects that were discussed at the DART Board meeting on January 8, 2008. His update included the "value engineering" initiatives at Northlake College, APT, and the Hidden Ridge alignment.

Chamber of Commerce President/CEO Chris Wallace detailed the agenda for the January 15, 2008 DART briefing.

Councilman Joe Philipp asked how many of the DART Board members were attending the briefing.

Mr. Wallace stated that the current confirmations included nine or ten board members and DART management staff.

Councilman Philipp asked how the City will follow up with the members that will not be in attendance.

Mr. Wallace stated that the Chamber will contact the members that will not be able to attend and will offer individual tours.

Councilman Philipp questioned what the City staff was doing to stay in line and up-to-date with DART management.

City Manager Gonzalez stated that the City Attorney's Office and Chief Financial Officer Max Duplant have been working with DART's counterparts.

Councilman Philipp requested the City staff verify the coverage ratios that were mentioned by the DART Board. He also suggested that City staff contact Dallas business owners that own property in Irving and see what they will commit to for the January 15<sup>th</sup> and January 22<sup>nd</sup> meetings.

Mr. Wallace stated that several of the developers attending the January 15<sup>th</sup> briefing also have projects in downtown Dallas.

Mayor Herbert Gears requested an updated packet to the Council before the January 15<sup>th</sup> briefing.

Councilman Philipp noted his concern with the additional TIF funding provided by the City and the City's additional 60 million dollars for right-of-way dedication and the suggestion that the City could be obligated for further funding.

Councilman Sam Smith agreed with Councilman Philipp and suggested a monthly or quarterly meeting with the Irving DART representative to stay on top of developments.

Councilman Rick Stopfer requested a fact sheet on Irving's history of commitments to this line for the DART Board and their staff.

Councilwoman Rose Cannaday agreed with Councilman Stopfer and asked if the DART meetings were televised or if ICTN could televise them.

City Manager Gonzalez confirmed that ICTN will be at the January 15<sup>th</sup> and the January 22<sup>nd</sup> meeting.

- 4** 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

Mayor Gears requested a update on the Convention Center complex.

Managing Director David Leininger introduced Roger Files and Chris Guice from Austin Commercial and described the architectural strategies under review. His report included a description of the staff and consultants involved, the projected timeline, the project status and phasing. He also defined the Construction Manager at Risk process.

Councilman Philipp asked what the criteria is for the subcontractor selection.

Managing Director Leininger stated that the CMAR Process allows the staff to evaluate bidders based on several criteria including City policy as well as quality. He noted that no consultants participated in the firm rankings and described the selection criteria for the Construction Manager at Risk.

Councilman Stopfer noted that being LEED certified would bring more visitors to the Convention Center and that this Convention Center will be the first to be LEED certified in Texas.

Councilman Smith asked what the reaction had been of the pre-sale customers.

Convention and Visitors Bureau Director Maura Gast stated that feedback has been positive as the customers are looking for a choice in the market with short term booking options.

**5** Resolution -- Approving A Consulting Agreement With EDAW, Inc. For The Irving Boulevard Enhancement Study

Managing Director Paul Gooch detailed the location and noted that the final plan design will come back to Council in August 2008.

**8** Resolution -- Approving A Purchase Contract For The Acquisition Of 6.69 Acres Of Land In The John Read Survey, Abstract No. 1182 -- ZEHRA, L.L.C., Property Owner

Real Estate Services Manager Doug Janeway described the terms of the contract.

Councilman Philipp noted that this will be purchased with non-bond "CIP" funds then reimbursed through Certificates of Obligation to be sold at a later date. This would not affect other projects that have been planned.

Councilman Lewis Patrick asked what municipal uses could be on the property.

Mr. Janeway stated that the property could be used as a staging area for future SH 183 road construction.

Councilman Stopfer noted that TxDOT will move forward to purchase the right-of-way.

Councilwoman Cannaday asked if TxDOT would rent the property to use during construction.

Mr. Janeway stated that the state will pay the City if they use the property.

**15** Ordinance -- Second Reading -- Granting A Franchise To ABC Cabs, Inc., dba Eagle Cab, To Operate A Taxicab Service In The City Of Irving, Texas

Councilman Allan Meagher asked how many taxi cab franchises were in the City of Irving.

Police Chief Larry Boyd stated that there were 15 cab companies and 400 taxis authorized to work in Irving. He also discussed the moratorium possibilities that other cities are currently looking at putting in place.

City Manager Gonzalez stated that information on this will be placed in their reading file in the near future.

- 18** Ordinance -- Zoning Case #5690 -- Granting S-P-2 (Generalized Site Plan) For C-W (Commercial Warehouse) Uses -- A 3.58 Acre Tract Located At 1635 East Irving Boulevard -- Sharon Barbosa-Crain, Applicant  
Senior Planner Kenneth Bloom presented the case and the department's concerns.

Councilman Patrick asked what the neighboring property's plans are.

Urban Development Manager Steven Reed noted that the current zoning on the neighboring property allows the owner to extend the current multi-family complex.

There was discussion of the preservation of the trees on this land.

Councilwoman Cannaday noted her concern with the possible hours of operation and the noise created by the buses.

Mayor Gears questioned the applicant's zoning request and the comprehensive plan and landscaping requirements.

- 22** Resolution -- Temporary Use Permit #G0710-0245 -- To Allow Temporary Parking On Unimproved Surface Located At 1600 North Loop 12 -- Gary Weatherspoon, Applicant

Planning and Inspections Director Gary Miller presented the case.

Councilman Philipp and Councilwoman Cannaday stated their opposition to this request.

Councilman Patrick questioned the effect on the business if the temporary permit was denied.

- 26** Resolution -- Appointment To Irving Flood Control District Section III To Fill Two Year Terms Expiring January 2010, And Unexpired Terms Expiring January 2009

Councilwoman Cannaday stated that this item is to be postponed until interviews of applicants can be conducted.

Councilman Stopfer requested that Councilwoman Cannaday lead the interviews.

Council requested information on surveys that had gone out from the Flood District Board and the results.

Councilwoman Beth Van Duyne noted her concern that little advertisement has been done and the citizens of this district have not been informed of these appointments.

Mayor Gears requested a mail out to the district property owners informing them of the board appointments and suggested working with the Valley Ranch Homeowner's Association to get them distributed.

Councilman Stopfer suggested including the responsibilities and duties of the board in the notice.

Councilwoman Cannaday stated that this item will come back to Council in February.

Councilman Stopfer noted that making a legislative change could require the Flood District to elect their board members.

City Manager Gonzalez stated that staff will look into this if the Council wishes, however he would not recommend relinquishing control over this board.

Councilman Philipp requested that the Flood District boards update the Council on a regular basis and agreed that advertising the positions on the website is needed.

Council agreed to schedule in the Flood Control Districts individually in the spring for briefings to the Council.

City Manager Gonzalez confirmed that advertisements will be on the website and ICTN.

**2 DISCUSSION: Goal No. 1 Report**

Managing Director Nancy Bartlett deferred this report to the regular Council meeting.

**3 DISCUSSION: Amending Chapter 8 "Buildings" Of The Local Ordinances To Improve Construction Codes And Minimum Maintenance Standards**

Deputy City Attorney Brenda McDonald described the changes to Chapter 8, which included the Building and Standards process and risk assessment provisions in accordance with state statutes. She also noted that the ordinance amendments will be on the agenda in February.

Councilman Philipp questioned the current rehearing process.

Planning and Inspections Director Gary Miller described the construction code changes which included residential and fire code amendments.

Councilman Philipp noted his concern with flatwork limitations and ways of getting around the ordinance.

Ms. McDonald suggested including a cumulative square footage in the ordinance wording.

Councilwoman Cannaday questioned any grandfathering provisioning when flatwork repairs are made.

Mr. Miller stated that staff will look into restricting exceptions and other limitations could be included in the new zoning ordinance.

Councilman Patrick questioned the water heater changes and the need to address multi-story houses.

Mr. Miller agreed that further restrictions will be added for homes above one story.

**4 DISCUSSION: Convention Center Complex Overview**

This was discussed during the review of the regular agenda Item 4.

**EXECUTIVE SESSION**

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 3:22 p.m.

**5 Legal Advice - Spanish Trace Apartments - SPT Apartments, LLC v. City Of Irving And City Of Irving Building And Standards Commission - Cause No. 07-10256, 116th District Court, Dallas County, Texas**

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 4:05 p.m.

The meeting adjourned at 4:06 p.m.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary