

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
November 19, 2008**

The Irving City Council met in work session November 19, 2008. The following members were present/absent:

Attendee Name	Organization	Title	Status	Arrived
Herbert Gears	Irving City Council	Mayor	Present	
Beth Van Duyne	Irving City Council	Councilwoman	Present	
Allan Meagher	Irving City Council	Councilman	Present	
Lewis Patrick	Irving City Council	Councilman	Present	
Rick Stopfer	Irving City Council	Councilman	Present	
Sam Smith	Irving City Council	Councilman	Present	
Joe Philipp	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Absent	
Thomas Spink	Irving City Council	Councilman	Present	

Mayor Herbert Gears called the meeting to order at 1:30 PM.

DISCUSSION TOPIC

1 Review of Regular Agenda

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

2 City Manager's Report - Strategic Plan Update

Contracts and Fuel Administration Director Ramiro Lopez updated the Council on the Animal Services organizational improvements.

6 Resolution -- Authorizing the Mayor to Accept Funding From the Office of the Governor, Criminal Justice Division, for a Gang Initiative Grant

Councilman Smith noted that there were only thirteen cities that were selected by Governor Perry to receive this grant.

Police Chief Larry Boyd described the "Transnational Gangs" grant program and noted that the City of Irving has a handle on gang activity, but this will enhance the department's ability to address the problem.

11 Resolution -- Approving an Interlocal Agreement Between the City of Irving and the Irving Flood Control District Section III for the Operations and Maintenance Related to District Waterways

Councilwoman Beth Van Duyne requested a presentation on this item.

Public Works Director Jim Cline clarified the terms of the interlocal agreement and identified the maintenance projects in the district.

City Manager Tommy Gonzalez noted that these interlocal agreements allow the flood control districts to maintain a lower tax rate.

12 Resolution -- Approving an Escrow Agreement Between the City of Irving and the Cottonwood Valley Home Owners' Association for the Reconstruction of Street and Drainage Improvements Within Cottonwood Valley

Councilman Lewis Patrick requested a presentation on this item.

City Engineer Mike Walter reviewed the terms of the partnership agreement with Cottonwood Valley Home Owners' Association.

Public Works Director Jim Cline confirmed the City's proactive approach in coordinating public works projects with street improvement timelines.

- 18** Resolution -- Approving a Frequency Reconfiguration Agreement Between the City of Irving and Nextel of Texas Inc., a Wholly Owned Indirect Subsidiary of Sprint Nextel Corporation in Accordance with the Federal Communications Commission August 6, 2004, 800 MHz Frequency Reconfiguration Order

Councilwoman Beth Van Duyne asked if staff was still considering city-wide WiFi.

Information Technology Director Hong Sae stated that WiFi is not planned due to competitive commercial entities, i.e. Verizon and Sprint.

- 20** Resolution -- Authorizing the Mayor to Execute an Agreement for Economic Development Incentives Between the City of Irving and Bank of the West to Provide for Facade and Landscape Enhancement Incentives

Real Estate & Development Director Brenda McDonald clarified the terms of the agreement and assured the Council that the City will recoup the money from the bank if the building is sold within five years.

- 21** Resolution -- Authorizing Mayor to Execute an Agreement with LG Colinas Limited Partnership to Fund Reclamation of Land and Construction of a Lake Wall and Promenade Adjacent to Lake Carolyn

Real Estate & Development Director Brenda McDonald described the terms of the agreement to begin the lake reclamation and lake wall and promenade which must be completed prior to development.

Councilwoman Van Duyne questioned the economic incentives for the project.

Director McDonald clarified that the available funding is from General Obligation Bonds, TIF reimbursement, and public financing. She also confirmed that if the Gables development does not move forward the City would still have public access to the promenade and would receive reimbursement of some of the funds.

- 22** Resolution -- Authorizing the Mayor to Execute a Clarification of a Nonbinding Letter of Intent Between Las Colinas Group, LP, and the City of Irving for the Development, Lease, and Operation of an Entertainment Venue on the City of Irving Convention Center Site

Councilman Philipp requested a presentation on the item.

Real Estate & Development Director Brenda McDonald described the Letter of Intent by the Las Colinas Group which confirms the intention to move forward with the pre-development work for the Entertainment Venue before the bond sale.

Councilman Philipp asked when the Council would receive the final Letter of Intent.

Director McDonald stated that it would be included in the master development agreement along with a final budget.

Councilman Philipp discussed the timeline of the Entertainment Venue design negotiations and use of the available Brimer funds.

The Council and staff discussed the estimated costs for the venue and proposed financing strategies based on the market and the timing of the sale.

Mayor Gears clarified that this project will be funded through additional tax placed on hotel rooms and parking costs and not from tax payers.

Councilwoman Van Duyne noted her concern with moving forward with pre-development of the Entertainment Venue in the current economic market.

Councilman Stopfer noted that the City must begin using the tax as authorized by a City election prior to April 2009 to maintain this taxing strategy.

Staff clarified that this is a very small percentage of the funds on hand.

Councilman Sam Smith noted that the Convention & Visitors Bureau department had market studies done which confirmed the need for an entertainment venue to draw potential clients to the convention center.

Councilman Philipp noted that this fills the need to determine if the entertainment venue is financially probable and does not obligate the City to the project.

- 25** Resolution -- Authorizing Application, Acceptance If Granted, and Agreement with the Texas Department of Housing and Community Affairs for Neighborhood Stabilization Program Funding

Housing and Human Services Manager Vicki Ebner described the grant agreement and advised that it will be discussed in length in the Housing Finance Corporation meeting.

- 33** Ordinance -- An Ordinance Amending Chapter 33 Entitled "Refuse, Garbage and Weeds" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Providing for the Definition of "Commercial Container"; and Providing for the Location and Screening of Commercial Containers and Related Provisions

Planning & Inspections Director Gary Miller reviewed the ordinance changes regarding the proposed dumpster screening regulations.

Councilman Smith asked why the school district needed a three-year phasing process to come into compliance.

Director Miller stated that the school district requested the longer time frame due to the large number of campuses and budget constraints.

Councilman Lewis Patrick questioned the wooden screening prohibition.

Real Estate & Development Director Brenda McDonald clarified that wooden screenings are not as durable and would cause additional code enforcement issues.

The Council agreed to move forward with the ordinance.

- 34** Resolution -- Reimbursing the City of Irving for Capital Expenditures for Streets, Parks, Library, Facilities, Landfill, Fire Services, and Gateway Public Improvements in Advance of the 2009 General Obligation Bond Sale

- 35** Resolution -- Giving of Notice of Intention to Issue City of Irving, Texas Combination Tax and Revenue Certificates of Obligation, Series 2009

Mayor asked what the anticipated interest rate would be for the certificates of obligation.

First Southwest representative Chris Jannings noted that the current interest rate would be 5.65%.

- 36** Ordinance -- Zoning Case ZC08-0024 - Granting S-P-1 (Detailed Site Plan) for C-OU-2 (Commercial Outdoor) Uses - Approximately 0.585 Acres Located at 1600 and 1616 East Irving Boulevard - Armando Betancourt, Applicant/Owner

Senior Planner Kenneth Bloom presented this item and noted that a $\frac{3}{4}$ vote of the entire Council is required.

- 2** Cottonwood Creek Park and Miracle Field Presentation

Construction & Building Services Director Casey Tate described the Miracle Field and ADA playground. He noted that the groundbreaking will be in January 2009 and construction will be complete in September 2009. He also showed a video illustrating the importance of the Miracle Field and the physically challenged softball league for our youth with special needs.

Councilman Sam Smith suggested Corporate Communications get information about the field to the metroplex and pursue regional coverage.

- 3** DART- Orange Line Update

DART President/CEO Gary Thomas presented an update on the Green Line and Orange Line rail projects. He noted that bids have been awarded for the purchase of rail and the rail cars for the Orange Line and the design-build proposal will go before the DART board on December 9, 2008 for approval

Councilman Rick Stopfer questioned the embedded tracks and underground utilities included in the bid process.

Mr. Thomas confirmed that those specifications were included as bid alternates and those estimates were very competitive, and he will continue to work with staff on these issues.

Public Works Director Jim Cline described the key issues that staff is still working on and noted that right-of-way acquisition will be discussed in Executive Session.

- 4** MacArthur Pump Station Update

Water Utilities Director Todd Reck updated the Council on the MacArthur Pump Station. His presentation included the history of the station and the proposed site plan which includes a park facing MacArthur Boulevard. He noted that financing is in place and construction is scheduled to begin January 2009.

- 5** Irving Housing Finance Corporation Meeting

The Council recessed into a Housing Finance Corporation meeting at 4:40 PM.

Mayor Gears reconvened the Council Work Session at 4:58 PM.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 4:59 PM.

- 6 Legal Advice - Agreement for Genghis Khan Exhibit
- 7 Legal Advice - North Lake
- 8 Legal Advice - Convention Center Financing
- 9 Legal Advice - Entertainment Venue Letter of Intent

Mayor Pro Tem Stopfer announced that the Council will now reconvene in Open Session. The time was 5:55 PM.

Mayor Pro Tem Stopfer announced that this meeting will reconvene on November 20, 2008, at 6:00 PM. The meeting was recessed at 5:56 PM.

On November 20, 2008, the Council reconvened the meeting at approximately 6:45 PM. Councilwoman Cannaday was not in attendance.

EXECUTIVE SESSION

City Secretary Janice Carroll read the Council into Executive Session at 6:46 PM.

- 3 DART- Orange Line Update

Mayor Gears announced that the Council will now reconvene into open session. The time was 7:00 PM.

The Work Session was adjourned at 7:01 PM.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary