

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL**  
**MEETING MINUTES**  
**February 18, 2009**

The Irving City Council met in work session February 18, 2009. The following members were present/absent:

<b>Attendee Name</b>	<b>Organization</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Herbert Gears	Irving City Council	Mayor	Present	
Beth Van Duyne	Irving City Council	Councilwoman	Absent	
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	Present	
Thomas Spink	Irving City Council	Councilman	Present	

Mayor Herbert Gears called the meeting to order at 12:00 PM.

**DISCUSSION TOPIC**

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

- 1 Review of Regular Agenda
- 5 Resolution -- Authorizing the Mayor to Enter into an Agreement with Dallas County Elections Department to Administer the Regular Municipal Election to be Held on Saturday, May 9, 2009, for the Purpose of Electing City Council Places Four, Six, and Eight, and Calling a Subsequent Run-Off Election, If Necessary

Mayor Herbert Gears asked the cost of the election.

City Secretary Janice Carroll clarified the estimate for the May election is around \$18,000 but a "stand alone" election or one held during the federal election can be up to \$60,000.

- 9 Resolution -- Nominating Frito-Lay, Inc. to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Mayor Gears requested a presentation on this item.

Chamber of Commerce Director of Economic Development Don Williams described the Frito Lay plant and the proposed facility improvements. He stated that if accepted by the State of Texas, this will allow the state sales tax to be rebated back to the company on equipment purchases. He introduced the representatives from Frito Lay, Russell Barton, Director of Real Estate, Monica Jackson and Gene Harms from the Irving plant, and Adam Blatz with Ryan & Company. Mr. Williams emphasized that the City must nominate them but there is no cost to the City to do so.

Councilman Patrick and Councilman Philipp commended the company as a good corporate citizen.

**10** Resolution -- Approving an Amendment to the Revenue Sharing Agreement between the Cities of Irving, Dallas, and Fort Worth, and the Dallas/Fort Worth International Airport Board

**11** Resolution -- Approving a Chapter 380 Economic Incentive Agreement with FlightSafety, International on Eligible Personal Property

Councilman Joe Philipp requested a presentation on this agreement to assure that the public understood this item.

City Attorney Charles Anderson stated that items 10 and 11 are companion items and gave an overview of the terms of the agreement and noted that specific changes to the agreement will be discussed in Executive Session.

Councilman Philipp stated that the initial agreement with the cities of Dallas and Fort Worth was to assure new development on an equal basis. The changes to be considered by the Council will enhance this six-year-old agreement.

**13** Resolution -- Approving Change Order No. 1 to Austin Bridge and Road, L.P., for the Las Colinas Boulevard Extension, Phase 2 from Lake Carolyn Boulevard to Colwell Boulevard Project

Mayor Gears questioned the design of the extension and the separation from Spur 348.

Public Works Director Jim Cline described the design, noting roadway construction will be complete prior to the Convention Center completion and that staff is working closely with DART to keep continuity with the Orange Line Light Rail plans. He noted that Northwest Highway will go over Spur 348.

Councilman Rick Stopfer noted a single family residential development has begun in the same area, and this will open the area up for easy access.

Councilwoman Rose Cannaday stated that daily aerial views of the construction process of the Convention Center are available on the ICVB website.

**14** Resolution -- Approving a Joint Use Agreement and a Right of Entry and Construction Agreement Between the City of Irving and the Dallas County Community College District (DCCCD) to Provide Joint Use of North Lake College Property for Public Mass Transit Facilities, Including the DART Light Rail Orange Line

Mayor Gears requested a presentation and asked if this has been worked out to North Lake College's satisfaction.

Public Works Director Jim Cline described the agreement and the proposed site plan, noting that the City will be rebuilding the road from MacArthur onto the Northlake Campus along with other cost sharing services not to exceed \$400,000.

Councilman Stopfer noted Northlake's concern with the land required for the bus turn around area in addition to the rail line and described the additional parcel being purchased by Northlake for future expansion.

**15** Resolution -- Approving the Acquisition by Dallas Area Rapid Transit (DART) of Specific Properties Within the City of Irving for the Construction of the DART Light Rail Transit (LRT) Orange Line

- 16** Resolution -- Authorizing Eminent Domain Proceedings for the Acquisition of Property Located at 750 Hidden Ridge Drive for the Dallas Area Rapid Transit (DART) Light Rail Transit (LRT) Orange Line Project

Councilman Philipp requested a presentation on items 15 and 16.

Real Estate Services Assistant Director Doug Janeway described the parcels planned for purchase by DART. He noted that there are numerous parcels, and it is a statutory requirement to acquire the City's permission if eminent domain is involved.

- 26** Ordinance -- Amending Chapter 7 Section 7-15 "Advertising Structure-Sports Facilities" Relating to Digital Display

Councilman Sam Smith requested a presentation on this item.

Real Estate & Development Director Brenda McDonald described the amendments to Chapter 7 of the City code for only the "theme towers". The management company will bring the permit before Council to approve the design of the display.

Councilman Smith asked if the Chamber of Commerce will be administering the leasing.

Director McDonald said that the Chamber will contract with a sign management company.

- 29** Ordinance -- Zoning Case #ZC08-0070 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.34 Acres Located at 709 Bowman Street - JKLM, Applicant - Charles Mach, Owner

Senior Planner Kenneth Bloom presented the case, noting that they are requesting a carport.

Councilman Philipp requested clarification on the setback requirements.

Urban Development Manager Steven Reed stated that staff's recommendation for denial is based on the requirement that no carport be in the front yard setback.

Mayor Gears requested a map of the surrounding properties in support of the zoning request.

- 30** Ordinance -- Zoning Case #ZC08-0078 - Granting S-P-2 (Generalized Site Plan) for R-10 (Single Family) District Uses - Approximately 0.57 Acres Located at 3226 St. Lo Drive - Jason and Angela Farley, Owner/Applicant

Senior Planner Kenneth Bloom described the item, noting the site plan changes made after the Planning & Zoning Commission hearing.

The Council discussed the details of the zoning request and the possible variance options.

Manager Reed stated that Council will receive an aerial of the surrounding properties in relation to the proposed accessory structure at the regular meeting tomorrow.

- 2** Irving Flood Control District No. 3 - Update Briefing

Irving Flood Control District Section III President Kim Andres gave an overview of the board's progress since their appointment in July of 2008. She introduced the district's

new management team, Dallas County Utility Reclamation District and legal counsel, John Boyle and Matthew Boyle. She described the completed and future projects within the district.

The Council thanked the board for their professionalism and dedication.

Councilman Joe Philipp requested that City staff look at a three-year assessment on the MDU funds and fees for the next budget cycle. He asked Ms. Andres if the board had conducted a capital assessment review.

Ms. Andres confirmed that a review of the capital projects is on the agenda for the board.

Councilman Philipp asked if the board had a risk assessment and a contingency plan and questioned the district's emergency notification system.

DCURD Manager Jacky Knox stated that many issues are being addressed, preparing a manual and repairing the automated system. He also noted that the district works closely with City staff to test and practice the emergency notification plan while working with the Valley Ranch Association for a mass communication plan.

John Boyle, Boyle & Lowry L.L.P., thanked the City staff for their help during the transitional period.

### 3 West Irving Aquatic Center - Schematic Design Approval

Community Services Director Paul Gooch described the schematic design noting that with Council's approval staff will move forward with construction beginning this summer and opening Memorial Day weekend in 2010.

The Council agreed to move forward with the proposed design.

### 4 Fire House No. 4 - Schematic Design Approval

Javier Lucio, RPGA Design Group Inc., described the proposed fire house design and floor plan.

Fire Chief Mario Molina stated that this design will be an extension of the beautification of MacArthur Boulevard.

Councilman Lewis Patrick questioned the future use of the current station.

Chief Molina confirmed that some memorabilia will be moved to the new station.

City Manager Tommy Gonzalez noted that staff is looking at possible future uses for the property, but it will not be used for fire services due to the traffic issues on MacArthur Boulevard.

The Council agreed to move forward with this project as designed.

## EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 2:15 PM.

- 5 Legal Advice - Benavidez v. City of Irving  
Texas Open Meetings Act § 551.071
- 6 Legal Advice - Amendment to the Revenue Sharing Agreement between the Cities of Irving, Dallas, and Fort Worth, and the Dallas/Fort Worth International Airport Board  
Texas Open Meetings Act § 551.071

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 3:02 PM.

The meeting was adjourned at 3:03 PM

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary