

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
June 24, 2009**

The Irving City Council met in work session June 24, 2009. 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	Present	
Thomas Spink	Irving City Council	Councilman	Present	

Mayor Herbert Gears called the meeting to order at 12:15 PM.

DISCUSSION TOPIC

1 Introduction of City Council Cycle Participants

Executive Assistant Linda Murray introduced the City Council cycle participants, Police Captain Jeff Spivey and Legal Secretary Linda Marlow.

2 Review of Regular Agenda

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

- 10** Resolution -- Approving Special Sign Case #S0906-0019 to Allow Digital Imaging on an Existing Monument Sign Located at 8400 Belt Line Road - Billy Hampton, Applicant Representing RaceTrac Petroleum, Incorporated

Planning & Inspections Director Gary Miller presented Council with pictures of the proposed sign improvements.

- 15** Resolution -- Approving a Sales Contract for the Acquisition of a Single-Family Residence Located at 2304 Brockbank Drive for the O'Connor Road Improvements from State Highway 183 to Rochelle Road Project - Aurora Lopez, Property Owner

- 16** Resolution -- Approving a Sales Contract for the Acquisition of a Single-Family Residence Located at 2305 Brockbank Drive for the O'Connor Road Improvements from State Highway 183 to Rochelle Road Project - Mark S. Frost and Carrie F. Perkins-Frost, Property Owners

Community Services Director Paul Gooch presented companion items 15 and 16 and described the O' Connor Road design.

- 21** Resolution -- Request for Approval to Apply for and Accept Neighborhood Stabilization Program (2) Funding in the Amount of \$5,000,000.00

Councilman Joe Philipp asked for an overview of the allocation of the funds and geographic boundaries for housing rehabilitation.

Housing & Human Services Executive Director Vivian Ballou reviewed the Neighborhood Stabilization grant terms that will be used to rehabilitate 35 units in the area between Shady Grove Road and Hunter Ferrill and west of MacArthur Boulevard to Story Road. It will also be used to purchase of undeveloped land and provide funding to the home buyer program.

Councilman Philipp questioned the funds received upon sale of property and at the end of the program in 2012.

Director Ballou noted that funds received will be applied back into the program but the city has not received guidelines from HUD for funds remaining at the end of the program. She reviewed the administrative needs for this program and noted that the city will be negotiating a discounted price for properties in this area to make them more affordable.

Councilwoman Beth Van Duyne noted her support of using the funds to rehabilitate existing properties and asked if these funds could be used for street and sidewalk improvements.

Director Ballou clarified that these grant funds may only be allocated to housing.

Councilwoman Rose Cannaday asked the number of foreclosures in the city.

Director Ballou stated that the city averages 400 foreclosures a year and described the competitive foreclosure bid process.

- 22** Resolution -- Approving the Agreement for the "Dreaming the Duke" Performance on February 19, 2010, at the Irving Arts Center

Mayor Gears requested a presentation on this item.

Arts Center Executive Director Richard Huff reviewed the *Harlem Renaissance* program to be presented through the city's partnership with the Irving Black Arts Council.

- 35** Ordinance -- Amending Chapter 27 Entitled "Solicitations And Handbills" of the Code of Civil and Criminal Ordinances of the City of Irving to Provide Specific Definitions and Application Procedures And To Prohibit Certain Solicitations and Handbill Distributions

Mayor Gears requested a presentation on this item.

Assistant Chief of Police Terry Zettle described the current issues regarding solicitation and the proposed ordinance enhancements.

Senior Assistant City Attorney Jennifer Richie clarified the handbill provisions, noting the changes will reduce litter and refuse from unwanted handbills.

Councilwoman Beth Van Duyne noted her concern with solicitors approaching occupied vehicles.

Councilman Lewis Patrick asked if there were any restrictions on carwashes.

Assistant Chief Zettle clarified that the proposed ordinance is not aimed at charitable organizations but there are other code issues regarding carwashes, such as traffic sight obstruction, zoning restrictions and water drainage issues.

Councilman Allan Meagher noted his concern about “free throw” newspapers littering the residential neighborhoods.

Assistant Chief Zettle stated that newspapers are not addressed in the ordinance but residences may call the publisher and request to be removed from the free throw list.

Councilwoman Van Duyne questioned the distribution of phone books.

Assistant Chief Zettle confirmed that phone books are not addressed in the ordinance.

Intergovernmental Services Director Ramiro Lopez noted that phone books are not easily recyclable and staff is working with the Green Committee to address this issue.

3 Animal Services Operations Review

Intergovernmental Services Director Ramiro Lopez presented the Animal Services Operations improvements applied through the Lean Six Sigma program. His presentation included a review of operational and outreach improvements, as well as a video illustrating the accomplishments.

Animal Services Manager Fred Sanderson introduced the Animal Services staff and described the Lean Six Sigma process.

Shelter Supervisor Laura Forsythe described the customer service improvements.

Animal Services Officer Ryan Steele presented the surveys taken in the field.

City Manager Tommy Gonzalez presented the Animal Services staff with On the Spot Awards for their accomplishments.

4 Review Schematic Design Plan for West Irving Library

Community Services Director Paul Gooch reviewed the West Irving Library schematic design plans. His presentation included an overview of the site plan, landscaping, and interior floor plan design; noting the building will be built to LEED Certified standards.

It was the consensus of the Council to move forward with this design.

5 Fire House No. 4 Presentation

Fire Chief Mario Molina gave an update on the Fire House No. 4 project, noting the design enhancements that have been incorporated from resident input. He noted alternative property sites including costs of property purchase, demolition of existing structures and construction costs. Chief Molina noted that an alternative site would have financial impacts and delay other fire house improvement projects. He clarified that more details regarding the specific alternate sites could be discussed in executive session.

Councilwoman Van Duyne asked if staff had met with the local neighborhood residents.

Chief Molina confirmed that the city has conducted multiple town hall meetings and a community input meeting. He stated that the concerns voiced at those meetings have

been addressed, such as, sirens and traffic.

Councilwoman Van Duyne suggested staff and Council members meet with the neighborhood and review the concerns and options.

The Council requested to be notified of the date and time of this meeting.

6 Update on Irving Symphony July 4th Program

Irving Symphony Orchestra President Tracy Boyd outlined the 4th of July event, which will include musical entertainment and performance artists before the fireworks show. He stated that they expect 12,000 to 15,000 participants; the site has adequate parking, and the event will include two simultaneous fireworks displays.

Community Services Director Paul Gooch noted that the city and Irving Symphony Orchestra will analyze the event and look at other sites for future events due to the increased urban development.

7 Executive Session Attendees

City Attorney Charles Anderson described the Texas Open Meetings Act restrictions regarding allowable discussion in executive session and the Attorney General's opinion regarding executive session attendees. He stated that if the Council wishes to allow media into executive session meetings, a confidentiality agreement would need to be signed and possible state legislation would be needed to amend the Texas Open Meetings Act.

Mayor Gears noted the value in continuing to work with media representatives regarding a confidentiality agreement and requested the City Attorney to draft an agreement to discuss with the media.

Councilman Joe Philipp asked if the city will request an Attorney General's opinion; noting that if the city wishes this proposition could be presented to the state during a special session if one is called.

Councilwoman Cannaday suggested the city proactively release information to the media versus limiting a reporter's rights through a confidentiality clause.

The City Council discussed the city's transparency in making information available to the public.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 4:19 PM.

- 8 Water Rights Acquisition - Oklahoma
Texas Open Meetings Act § 551.072
- 9 Legal Advice - Allen, et al v. City of Irving
Texas Open Meetings Act § 551.071
- 10 Legal Advice - Benavidez v. City of Irving
Texas Open Meetings Act § 551.071

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 5:00 PM.

The meeting was adjourned at 5:01 PM.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary