

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
September 2, 2009**

The Irving City Council met in work session September 2, 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	Late	
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	Late	
Joe Philipp	Irving City Council	Councilman	Absent	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

Mayor Herbert Gears called the meeting to order at 11:15 AM.

DISCUSSION TOPIC

Introduction of City Council Cycle Participants

Executive Assistant Linda Murray introduced the Council Cycle Participants, Community Outreach Manager Susan Rose and Senior Accountant Marianne Lauda.

1 Recognition of City Process Improvement Program and Results by State Senator Chris Harris

Strategic Innovations Director Lynda Johnson introduced BJ Fontaine, Project Manager, Texas Manufacturing Assistant Center.

Mr. Fontaine described the Lean Six Sigma program the City has been utilizing for process review. He also introduced Joan Holland, Director of Senate District Nine, representing Senator Chris Harris who was unable to attend.

Ms. Holland presented the City of Irving with a commemorative plaque from the Texas Manufacturing Assistant Center.

2 Review of Regular Agenda

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

15 Resolution -- Approving a Sales Contract for the Acquisition of a Single-Family Residence Located at 2515 West Fifth Street - Kimberly Short, Property Owner

Real Estate & Development Assistant Director Doug Janeway described the terms of the sales contract.

Councilman Lewis Patrick asked who will maintain the property when the City has custody of the home.

Community Services Director Paul Gooch noted that the agreement allows the current tenant to remain at the property for one year and the Museum Board is reviewing the best way to utilize the property.

Mayor Gears reviewed the events that made "The Paine House" historically significant as a part of the tragic time of this country's history when President John F. Kennedy was assassinated in Dallas, Texas. He said that Marina Oswald lived there and Lee Harvey Oswald was in Irving the night before JFK was assassinated.

- 16** Resolution -- Approving "Agreement for Purchase and Sale of Real Estate" for the Acquisition of DART Orange Line Parcels IRV2-37A, Verizon Realty Corp. Owner
- 17** Resolution -- Approving "Agreement for Purchase and Sale of Real Estate" for the Acquisition of DART Orange Line Parcels IRV2-37B, IRV2-37B-2, IRV2-37B-3, and IRV2-37D, Verizon Realty Corp. Owner
- 18** Resolution -- Approving "Agreement for Purchase and Sale of Real Estate" for the Acquisition of DART Orange Line Parcels IRV2-37E, Verizon Realty Corp./Verizon North Inc., Owner
- 19** Resolution -- Authorizing Dallas Area Rapid Transit (DART) Authority to Acquire Parcels IRV2-37A, IRV2-37B, IRV2-37B-2, IRV2-37B-3, IRV2-37D, and IRV2-37E by Eminent Domain Within the City of Irving

Mayor Gears requested a presentation on companion items 16-19.

Real Estate & Development Director Brenda McDonald described the contracts and confirmed that DART will assign and finalize the purchases, not the City.

- 37** Ordinance -- First Reading - Amending Chapter 52 Entitled "Water And Sewer Rates" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing For New Monthly Water And Sewer Rates; Providing For A New Maximum Monthly Service Charge; Providing An Effective Date; And Providing A Severability Clause.
- 38** Ordinance -- First Reading - Amending Chapter 33 Entitled " Refuse, Garbage and Weeds" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for Charges for Plastic Refuse Bags Sold by the City and for Monthly Charges for Refuse Pickup Service for Residences, Apartments, and Churches
- 40** Ordinance -- Public Hearing and First Reading - Amending Subsection (d) of Section 41-57 of Chapter 41 Entitled "Water and Sewer Systems" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Setting a New Schedule of Drainage Fees; Providing an Effective Date; and Providing a Severability Clause

Mayor Gears stated that he has asked staff to pull items 37, 38, and 40 from the Council's agenda, and they will not be considered at this time.

Councilwoman Beth Van Duyne asked how not increasing these rates will affect the proposed budget that is to be voted on in two weeks. She requested a revised budget prior to voting on the budget.

City Manager Tommy Gonzalez reviewed the agenda items, noting that he does not recommend pulling the items as it could affect future services. He confirmed that he would contact the Council by the end of the day with budget impact information.

- 41** Resolution -- Making Findings Related to the Need to Use City-Owned Land Located Along MacArthur Boulevard Between Weathered Street and Storyglen Street for the Construction of Fire House No. 4

Mayor Gears stated that item 41 will be pulled from the Council's agenda and will not be considered at this time. He requested staff to come back to Council with a design to save the tree that now must be removed to build Fire Station No. 4.

Councilman Patrick asked if this resolution would be necessary to move forward with the current design at this specific location.

City Attorney Charles Anderson confirmed that this resolution is a necessary step to designate this land to be used as a fire house site.

- 42** Ordinance -- Amending Chapter 8 Entitled "Irving Building Standards Code" of the City of Irving, Texas, Development Standards and Construction Codes by Adding Article XI to Provide a Mandatory Crime Reduction Program in Apartment Complexes

Mayor Gears requested a presentation on this item.

Assistant Police Chief Steve Ramsey presented the proposed ordinance. His presentation included an overview of the crime statistics at apartment complexes, noting that this program is one more tool to reduce crime. He also described the appeal process that is available to all apartment complexes identified for the program.

Councilman Sam Smith asked what data would be used to determine what properties should be on the program.

Chief Ramsey confirmed that data from a twelve month rolling period will be used.

Councilman Patrick requested clarification on what complexes will be included in this program.

Chief Boyd noted that the Police Department communicates with apartment complexes regularly and properties that fall beyond the crime threshold will be enrolled in the program, but all properties have the option to participate in the Crime Free Multi-Housing Program to take a proactive step to reduce crime.

- 45** Ordinance -- Amending Chapter 33A of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Regarding Minimum Setbacks - City of Irving, Applicant

Chief Planner Kenneth Bloom presented the ordinance amendment that will allow for more landscaping along major corridors

Councilman Patrick asked how the proposed setback requirements would affect existing businesses.

Director McDonald clarified that existing businesses would not be affected until major renovations are made to the existing building.

Mayor Gears asked if Irving Boulevard was one of the corridors impacted.

Urban Development Manager Steve Reed confirmed that Irving Boulevard is not included in the proposed ordinance. Separate standards will be brought back to the Council at a later date. He also noted that this does not affect a property's current zoning classification.

3 State Highway 183 Overlay

Manager Steve Reed presented the proposed SH 183 overlay. His presentation included land use issues and standards for new development and redevelopment. He noted that the process would include detailed mapping, and this will be adopted by ordinance. Mr. Reed said the cost for a consultant to do this is estimated at \$300,000 to \$400,000. A staff team can do this "in house" at a cost of \$25,000 to \$30,000 with completion by February 2010.

City Manager Gonzalez confirmed the recommendation to develop this plan in house with current staff.

Councilwoman Rose Cannaday noted her support for this plan as it will give the City opportunities to enhance the look of this thoroughfare.

Councilman Rick Stopfer asked if staff has contacted DFW Airport regarding their future retail plans at SH 183, noting the need to work together.

Director McDonald stated that staff has been in contact with the DFW Airport representatives and will continue to work with them as they look at retail development in the future.

Councilman Stopfer stated that representatives from two car dealerships said that they have not been included in group discussions.

Director McDonald said she is not aware of a formal group, but they will have an opportunity for input as this project progresses.

Councilman Stopfer noted that the State has no funds to place utility lines underground along SH 183.

Director McDonald responded that the individual businesses will be required to place these lines underground, but the distribution lines will be looked at in this study.

Council agreed to have staff develop the SH 183 Overlay project.

4 Status Report on Fire House No. 4

This item was not discussed in Work Session.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 1:17 PM.

8 Resolution -- Approving Settlement of a Lawsuit with Manuel A. Benavidez

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 2:35 PM.

The meeting was adjourned at 2:36 PM.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary