

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
August 5, 2009**

The Irving City Council met in work session August 5, 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	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 11:10 AM.

DISCUSSION TOPIC

1 Introduction of City Council Cycle Participants

Executive Assistant Linda Murray introduced the City Council Cycle Participants, Administrative Assistant Maria Guzman and Service Desk Manager Anthony McCann.

2 Review of Regular Agenda

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

9 Resolution -- Approving Policy Concerning Disposition of Surplus Property - Texas Stadium

Councilwoman Beth Van Duyne requested a presentation on this item.

Real Estate Services Assistant Director Doug Janeway described the policy and the property available for auction.

Councilman Sam Smith asked if the Chamber of Commerce had a marketing plan for the property.

Mr. Janeway noted that the Chamber of Commerce will use the property allotted to them as promotional items in their continued agreement to promote the City of Irving.

Mayor Gears questioned the stadium demolition plans.

Mr. Janeway described the demolition timeline.

- 10** Resolution -- Approving a Professional Services Agreement with Gideon Toal Incorporated for Planning and Economic Development Services Related to the Creation of a Tax Increment Reinvestment Zone (TIRZ) for the Irving Boulevard Corridor

Councilman Rick Stopfer suggested staff visit with the small business owners on Irving Boulevard to address their concerns.

Real Estate & Development Director Brenda McDonald confirmed that staff has and will continue to meet with the property owners.

- 27** Resolution - Establishing a Fee for Emergency Medical Services

- 28** Ordinance -- Amending Chapter 5 Entitled "Ambulance Service" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, to Reduce the Base Fee for Residents and Establish a New Fee for Residents Age 65 or Older Transported by Emergency Ambulance

Budget Administrator Bret Starr presented items 27 and 28 as companion items. His presentation included a description of the proposed \$1.50 emergency medical services fee that would be included on all water bills to support the City's ambulance service. He clarified that the fee would be a cost recovery program due to the City's 45% collection rate on current ambulance billing. Mr. Starr also reviewed the proposed reduction of ambulance transport fees for residents and senior citizens.

The City Council discussed the proposed fees and public safety costs that this is intended to offset.

Councilwoman Van Duyne stated her opposition to the proposed fee, noting that public safety is a basic service provided by a government and should be funded by current taxes. She is in favor of a user fee but not this charge that all must pay.

Mayor Gears noted that 75% of the fees collected will come from commercial properties.

Councilman Joe Philipp requested Chief Mario Molina be prepared to present a report on the costs for increased services at the upcoming budget retreat.

- 29** Ordinance -- Amending Chapter 25 Entitled "Parks and Recreation" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing Fees for Use of Facilities and Fees for Use of Natatorium and Aquatic Centers

Budget Administrator Bret Starr presented this item, noting that increased services at the new aquatic centers require higher fees to recover costs.

The City Council did not support increasing fees for park services for residents but did agree that they be increased for non-residents.

Mayor Gears requested an updated ordinance be provided to the Council at the regular meeting.

Mayor Gears announced that the Work Session will be recessed and a Special Meeting will be held. The time was 2:15 PM.

Mayor Gears reconvened the Work Session at 2:21 PM.

3 Heritage Crossing Presentation

This item was discussed before the Review of the Regular Agenda.

Delbert McDougal, Heritage District LLC, presented an update on the development within the Heritage District. His presentation included the status of current and future developments, such as: Guaranty Bank, McDonalds, new townhomes and retail on Delaware Street and proposed retail and restaurants on Irving Boulevard. He noted that many projects are scheduled to begin in 2010 and two multi-family housing projects will begin in 2011 along the Delaware Creek. Mr. McDougal also discussed the credit line facilitating the project funding.

Councilman Stopfer asked if a Homeowners' Association will be established to maintain the District.

Mr. McDougal stated that the developer will control the area until most of the properties are sold and developed but if the Council requested this an association can be formed.

Councilwoman Rose Cannaday questioned the building design of the properties along the Delaware Creek, and asked if the architect is aware of the design elements which include green space.

Mr. McDougal stated that final design plans will come back to the Council in the future and the design will include use of balconies overlooking the creek and the green areas.

Councilman Joe Philipp addressed the funding underwritten by the City and asked how quickly the loan can be paid down in order to release additional funds.

Mr. McDougal estimated that 30% of the initial loan amount would be available by late 2010.

The City Council discussed at length the funding options for future development.

Councilman Philipp requested detailed information on what the requested five million dollar line of credit would specifically fund.

4 State Highway 183 Overlay

This item was not discussed at the Work Session.

5 Review Home Rule Charter Revisions

This item was discussed before the Review of the Regular Agenda.

City Attorney Charles Anderson explained that Article IX Section 7 of the Home Rule Charter places a limit of 15.75% of retiree benefit dollars that can be paid by the City. Due to this current limitation, the City has been studying options to reduce this cost in the event the "CAP" is not changed or removed through a Charter election.

Mr. Anderson introduced John Hennessey and Bob Russell with the Hay Group to review the City's health benefits provided to retirees. Mr. Hennessey presented the

recommended retiree medical strategy which includes fitness annuity accounts, establishing an additional benefit plan option for current employees placing retirees on a separate health plan.

Mayor Gears questioned the proposed retiree actuarial model and the assumption that retirees were not covering their cost to the current health plan.

Mr. Hennessey explained that the assumption is based upon a “blended premium” which includes actual experience. He also clarified that when a retiree became eligible for Medicare, they will be required to transfer to a supplemental insurance plan.

Councilman Tom Spink questioned the catastrophic loss plan.

Employee Services Administrator Ike Obi stated that the stop loss is any claims in excess of \$150,000 per year, noting that the agreement is scheduled for renewal next year and staff will review the current deductible.

The City Council and staff reviewed other proposed Charter amendments presented by City Attorney Charles Anderson.

The Council discussed the Charter CAP and possible options presented by the TMRS actuary at the Audit & Finance Committee held prior to this meeting. It was noted that TMRS cost of living adjustment (COLA) for retirees has been removed and the cost to reinstate this with the current “buy back” clause could cause the City to exceed the 15.75% Charter CAP.

Councilwoman Cannaday stated that the City introduced legislation at the state level to remove this “buy back” requirement, and it should pass in the next legislative session.

After lengthy discussion of the TMRS program and its options, the majority of the Council agreed that the removal of the 15.75% retiree benefit “CAP” should be placed on a Charter election ballot.

Mr. Anderson reviewed additional proposed Charter election options, including; administrative amendments regarding signing contracts, and the treasurer as well as Council pay, economic development bonds, and single-member districts.

The Council briefly discussed the Charter Committee’s recommendation to increase the Council’s pay. They agreed that the Mayor and Council salaries should be placed on the ballot at \$1,500 per month for the Mayor and \$1,000 per month for the Council.

They also evaluated the economic development bond Charter amendment; the majority of the Council supported this proposition.

Mayor Gears updated the Council on his negotiations to come to a compromise single member district plan on the Benavidez law suit. He confirmed that the City will continue to appeal and seek a stay. However, a settlement to a hybrid system would be the best option for the City.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 3:40 PM.

- 6 Legal Advice - Allen Et Al V. City of Irving
Texas Open Meetings Act § 551.071
- 7 Legal Advice - City of Hugo V. Nichols Et Al
Texas Open Meetings Act § 551.071
- 8 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 4:07 PM.

The meeting was adjourned at 4:08 PM.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary