

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
May 12, 2010**

The Irving City Council met in work session May 12, 2010. 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	Absent	
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 11:20 a.m.

DISCUSSION TOPIC

1 Introduction of City Council Cycle Participants

Linda Murray, Executive Assistant, introduced the following City Council Cycle participants:

Crispin Lawson, Management Analyst
Carrie Morris, Assistant City Attorney

2 Mayor's Recognition

Mayor Gears recognized Fire Chief Mario Molina for Emergency Medical Services Week.

Chief Molina announced that he appreciates the support and also stated that on May 22, 10 a.m. - 1 p.m. a celebration of EMS week will be held at Fire Station No. 10, located at 415 Cimarron Trail, in Valley Ranch.

3 Review of Regular Agenda

City Manager Tommy Gonzalez updated Council on the Stadium and the rubble that is being cleaned up at the site.

He showed the following videos:

Texas Stadium Debris Removal and Redevelopment
MADD Walk 2010, Irving Police Department

Mr. Gonzalez also recognized Max Duplant, Chief Finance Officer, who announced awards that were presented to the City of Irving and the staff in Financial Services. They received the Government Finance Officers Association (GFOA) Certificate of Achievement Award. This is a nationally recognized award that has been received for 25 years straight. The Comptroller's Office recognized the City of Irving for

transparency by awarding the City the Gold Award. Ms. Duplant noted that Irving was one of the first cities to receive this award and recognized Regina Givens for her work in ensuring that Finance was doing their part to qualify for these awards.

10 Resolution -- Approving a Chapter 380 Economic Development Program Agreement with Heritage District, LLC, to Facilitate Acquisition and Demolition of the Lakes at Hilltop for the Heritage Crossing Project

Mayor Gears discussed how many aspects of this project have been discussed for some time now. He does feel the Council can do a better job of educating the community in regard to the developments that are to occur with the 380 Agreement and he does believe it is a breakdown in communication that would be worthy of attending to. The Mayor does believe more discussion is needed on this item, but he also believes the beneficial decisions which have been made should be recognized, such as tearing down substandard structures which have reduced crime. Additionally, he described the development funding credit options, noting that no extra money is being expended on redevelopment other than the developer fees right now but that the Council may decide to invest directly in South Irving if they feel different use of property is needed. He would also like to consider moving forward with the assistance of a citizens group of stakeholders in order to weigh how the development of this area will move forward.

Brenda McDonald, Director of Real Estate and Development, generally discussed the Chapter 380 Program Agreement for the Heritage District. She indicated that if in two weeks the property hasn't closed then the payoff amount will increase by approximately \$600,000.00. Currently, the payoff is due May 22. Demolition invoices will be paid on a monthly basis as they are billed.

Mark McDougal spoke regarding the need to pay the bank by May 22; if it is not paid by that date then the cost of the property will go up by approximately \$600,000.00 because that is what the note indicates.

Councilman Philip asked why the owner requirement and promissory note were different conditions for repayment. He indicated it is his preference that they are made identical.

Councilwoman Cannaday indicated she would like to see a long term plan begin to be put together for this property. Overall she does believe this property should be bought and developed but that a plan should be put into place and people should be educated along the way on the process.

Councilman Smith would like Council to go back to where they began when they actually began this process. He does not want to lose sight of where the Council is and that is to take the Heritage area from stagnation to redevelopment. Mr. Smith's goal would be to address the rumors that exist out within the community and make sure the community knows the efforts are to better the area.

- 12 Resolution -- Approving Change Order No. 5 to the Construction Management at Risk (CMAR) Contract Between Austin Commercial, L.P., And the City of Irving, Texas for the Irving Convention Center

Maura Gast, Director of Irving Visitors and Conventions Bureau noted that none of the changes impact the final product budget. Some change order items are additions and some are reductions. Ms. Gast generally reviewed the changes.

- 22 Ordinance -- First Reading --Granting a Franchise to Bluebonnet Waste Control for Solid Waste Collection Services Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Councilman Philipp asked if the 5% franchise fee is competitive and how the City reviews and audits the franchises.

Brenda Haney confirmed that 5% is competitive and has been benchmarked with similar cities. She noted that the agreement includes quarterly reports and payments to the City from the haulers.

Max Duplant stated that the billing division does verify that payments are received consistently but if the Council is interested in auditing the franchises for accuracy, this would be done through the internal audit process.

Councilman Philipp requested staff review the audit process and bring back a recommendation to the Council regarding franchise management.

- 35 Ordinance -- Zoning Case #ZC09-0061 - Granting S-P-2 (Generalized Site Plan) for P-O (Professional Office) District and Restaurant Uses - Approximately 2.9 Acres Located at 204 East Airport Freeway - Healthspace JVI, LLC, Applicant - Argonaut Holdings, Inc., Owner

Brenda McDonald indicated that this item was already approved at the April 15 meeting, now all that remains is to approve the Ordinance.

4 Council Committee Updates

Councilman Philipp provided an update to Council regarding what the Committee meetings will be addressing in June, July and August for a number of the Committees.

Audit and Finance met and received an update on the upcoming budget, CAFR reports and Arts Programs. June 9, July 7 and August 4 will be the next meetings and items such as the preliminary budget, TIF district #2 plan, McDougal Development update, employee benefits, transportation summit funding, public safety strategic funding and public financing as it pertains to Waterstreet will be discussed. This is not a comprehensive list but it is an example of items to be discussed in this Council Committee.

The Communication Committee will discuss an interactive TV website, an emergency

call out system, Texas Stadium implosion media recap, general media updates (spectrum, ICTN, etc.) and marketing and communication plans.

Community Services Committee will discuss housing and human services quarterly updates, two homes on Sunnybrook, KIB Grant Project, partnership with the YMCA, and Library location and architect selection.

Planning and Development Committee will discuss the 183 overlay, flood districts and MDU funds, commercial building standards review, sign ordinance review for SH 183, Heritage Crossing Development update and DART updates.

Public Works Committee will discuss Delaware Creek Sanitary Interceptor, highest priority of water main replacements, Grauwylor/Story Road Improvements, water and sewer system needs, Interlocal Agreement with Grand Prairie for water/sewer service and Lake Chapman Booster Pump Station Project, landfill permit amendment, automated collections pilot program, region C water planning.

Council recessed at approximately 12:56 p.m.
Council reconvened at approximately 1:37 p.m.

EXECUTIVE SESSION

Council convened into executive session pursuant to Section 551.071 of the Texas Local Government Code at approximately 1:37 p.m.

- 5 Legal Advice - City of Hugo v. Nichols, et al.
Texas Open Meetings Act § 551.071

Council reconvened from executive session at approximately 2:03 p.m.

Council adjourned at 2:03 p.m.

Herbert A. Gears, Mayor

ATTEST:

Shanae Jennings, TRMC
Acting City Secretary