

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
December 7, 2011**

The Irving City Council met in work session December 7, 2011 at approximately 1:10 p.m. The following members were present/absent:

Attendee Name	Organization	Title	Status	Arrived
Beth Van Duynes	Irving City Council	Mayor	Present	
Lewis Patrick	Irving City Council	Councilman	Present	
Rick Stopfer	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Joe Philipp	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Roy Santoscoy	Irving City Council	Councilman	Present	
Mike Gallaway	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	

DISCUSSION TOPIC

1 Review of Regular Agenda

- 1 First Public Hearing -- Re-Enacting Chapter 56 Entitled "Curfew Hours for Minors" of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for a Curfew for Persons Under the Age of Seventeen in the City of Irving

Larry Boyd, Police Chief, described the process to continue the curfew ordinance for minors, noting that the second public hearing and adoption of the ordinance will be in January.

CONSENT AGENDA

- 9 Resolution -- Approving the 2011 Supplemental Benefit Plan Document
- 10 Resolution -- Approving the 457 Deferred Compensation Plan Amendment
- 11 Resolution -- Approving the 2011 Public Agency Retirement System (PARS) Section 457 FICA Alternative Retirement Plan Amendment

Ike Obi, Assistant HR Director, described the changes to the various benefit plans, many changes due to federal changes.

- 12 Resolution -- Authorizing the City Attorney's Office to File a Lawsuit to Require Zoning and Code Compliance on Property Located at 2109 Concord Drive, Irving, Texas

Jennifer Richie, Senior City Attorney, spoke about placing a lien on the owners property and filing suit if they do not clean it up.

- 20 Resolution -- Approving the Communication Systems Agreement and the Service Maintenance Agreement Between the City of Irving and Motorola

Solutions, Inc., for the Citywide Communication Infrastructure Project

Shane Burton, Assistant IT Director, described the communications systems agreement with Motorola Solutions, Inc., noting this 10-year agreement will replace and upgrade the city's communication system for voice and data infrastructure for all field employees.

- 23 Resolution -- Renewing the Agreement Between the City of Irving and The Bartlett Alliance, Inc., for Training

Council and staff discussed the "RFP waiver" process. This process is available at the city manager's discretion to waive sending services out for a proposal in favor of using a previous vendor.

- 29 Ordinance -- Amending the City of Irving, Texas, Emergency Water Management Plan (Drought Contingency Plan and the Water Conservation Plan) to Modify Drought Restrictions in Stages 1 through 5.

Donna Starling, Programs Manager, gave an overview of the proposed changes to the Emergency Water Management Plan. Staff is recommending Stage 3 water restrictions to be in effect January 1, 2012.

INDIVIDUAL CONSIDERATION

- 31 Resolution -- Determining the Estimated Net Bond Proceeds of the City of Irving for the Purpose of Constructing the Entertainment Center Project

Please refer to notes under Item 3 of the work session agenda.

Council recessed at approximately 5:20 p.m.
Council reconvened at approximately 5:30 p.m.

- 32 Resolution -- Approving a Fee Agreement with Premier Meeting and Event Management

David Dean of Dean International explained the responsibilities Premier Meeting and Event Management conducts during the Transportation Convention in Washington, D.C., and the Transportation Summit held in Irving.

ZONING CASES AND COMPANION ITEMS

- 33 Resolution -- Approving Preliminary/Final Plat #PL11-0037 Sullins Industrial Addition, Revised - Approximately 2.41 Acres Located at 1121 Winston Street - Peiser Surveying, LLC, Applicant; Roy Sullins, Owner

Ken Bloom, Chief Planner, presented the applicant's request, noting staff

recommends approval.

- 34 Ordinance -- Zoning Case #ZC11-0041 - Granting S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 0.65 Acres Located at 3321 West Pioneer Drive - 3MA Design, Applicant - 4M Management Inc., Owner

Ken Bloom, Chief Planner, presented the applicant's request, noting staff recommends approval per the recommendation of the Planning and Zoning Commission.

- 35 Ordinance -- Zoning Case #ZC11-0045 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) - Approximately 0.06 Acres Located at 10009 North MacArthur Boulevard - Wells Assets Management, Applicant - DHC Hawaii Holdings LLC, Owner

Ken Bloom, Chief Planner, presented the applicant's request, noting staff recommends approval per the recommendation of the Planning and Zoning Commission.

- 36 Ordinance -- Zoning Case #ZC11-0046 - Granting S-P-1 (Detailed Site Plan) for C-C (Community Commercial) Uses and Reduced Interior Parkway Area - Approximately 1.077 Acres Located at 1308 East Airport Freeway - Pink Consulting, Applicant - McDonalds USA LLC, Owner

Ken Bloom, Chief Planner, presented the applicant's request, noting staff recommends approval per the recommendation of the Planning and Zoning Commission.

- 37 Ordinance -- Amending Section 52-38 Parking and Loading Development Standards to Revise Paving and Striping Standards and Add Residential Parking Standards and Amending Section 52-35a Landscaping and Tree Preservation Subsection (c) Property Zoned for Residential Uses Accordingly - City of Irving, Applicant

Gary Miller, Planning & Inspections Director, presented the proposed changes to the development standards.

- 38 Ordinance -- Amending Section 52-75 Definitions of Comprehensive Zoning Ordinance No. 1144 and Amending Section 8-4 of Chapter 8 Building Standards Code of the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Amending the Definition of "Family" - City of Irving Applicant

Gary Miller, Planning & Inspections Director, presented the proposed changes to the definition of "family"; noting that requests for a variance would go through the site plan zoning request process.

Council discussed postponing this item so that staff can schedule more public input.

2 Discussion: Ethics, Trust, and Transparency

John W. Wesley, Vice President and Secretary, Kimberly-Clark Corporation, described the efforts Kimberly-Clark has implemented to maintain high ethics standards. Mr. Wesley spoke in regard to the following:

Who is Kimberly-Clark?

What are ethics to Kimberly-Clark?

Why does Kimberly-Clark care about ethics?

How the benefits of ethics have impacted their organization.

3 Entertainment Center Update

Paul Gooch, Community Services Director, described the process in determining the estimated net bond proceeds for the construction of the Entertainment Center. It was noted that staff is recommending the City's net bond proceeds to be \$105,290,000 based on advice of First Southwest Financial, the City's financial advisor, and the City Manager.

Staff has instructed First Southwest to test the market at \$170M, however, at this time staff cannot definitively come back and state whether or not the market is where it should be to sell bonds at \$170M.

Jason Hughes, First Southwest, noted that Standard and Poors will look at the following three things when evaluating bonds:

- 1) Project Revenue Streams
- 2) Structure of the Debt Obligations and Legal Documents
- 3) Impact to the City's General Obligation Credit Rating

It will take Standard and Poors approximately three weeks to evaluate these bonds. Due to the fact that it is the holidays First Southwest would recommend not planning to receive the rating back until the end of January. First Southwest believes the bonds will not be investment grade at \$170M.

The resolution put before the Council lists the bond proceeds to be evaluated based on \$105M; however, if the market comes back and says they can be sold higher they will be sold at \$170M. What the proceeds are sold at will all be dependent on what the market says is investment grade bonds.

Council discussed the various bond options, the recommendations from the financial advisor and total construction costs of the project.

It was noted that this resolution does not authorize selling the bonds but indicates the maximum pledge from the city as required by the development agreement with Las

Colinas Group LLC. Council will determine final bond proceeds once the bond rating information has been received.

EXECUTIVE SESSION

Council did not convene into Executive Session at this meeting.

Council adjourned the work session at approximately 6:25 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary