

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
January 12, 2011**

The Irving City Council met in work session January 12, 2011 at 11:11 a.m. The following members were present/absent:

Attendee Name	Organization	Title	Status	Arrived
Herbert Gears	Irving City Council	Mayor	Present	
Allan Meagher	Irving City Council	Councilman	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	

DISCUSSION TOPIC

1 Review of Regular Agenda

5 Resolution -- Designation of an Interim City Secretary

City Attorney Charles Anderson described the duties given to the Interim City Secretary.

Councilman Philipp asked for a more detailed resolution detailing the duties.

6 Resolution -- Approving an Interlocal Agreement Between the City of Irving and Dallas County Community College District-Brookhaven College School of Emergency Medical Services.

Chief Mario Molina described the program allowing students to ride with EMS personnel.

12 Resolution -- Authorizing Additional Environmental Study in Furtherance of Settlement of a Lawsuit with Shin Ho "Sam" Kim D/B/A Texas Lunch Box and Purchase of Property Located at 1923 Senter Road

Councilman Gallaway asked why a Phase II environmental study is needed.

Matthew Boyle, Boyle & Lowry legal counsel, described the need for an additional environmental study to confirm the underground storage tank removal- required by TCEQ.

16 Resolution -- Awarding a Contract to Mario Sinacola & Sons Excavating, Inc., for the Northgate Drive Paving Improvements Project from Tom Braniff Drive to Carl Road

Tommy Gonzalez, City Manager, noted that this project is important for the surrounding properties, including the University of Dallas.

Paul Gooch, Community Services Director, stated that with the new bidding program, the bid came in lower than expected in cost and days to complete.

- 19 Resolution -- Approving a Discretionary Services Agreement Between the City of Irving and Oncor Electric Delivery Company, LLC, for the Removal of Street Lighting Facilities on Irving Boulevard from Hwy 183 to Loop 12 as Part of the City's Solar Powered LED Street Lighting Project

Ramiro Lopez, Intergovernmental Services Director, noted that staff is requesting this item be postponed until the February 3 meeting. He stated that once the agreement with Oncor is approved the old poles should come down within 30 days.

- 20 Resolution -- Awarding an Engineering Services Agreement with RJN Group, Inc., for a Sanitary Sewer Evaluation Survey (SSES)

Todd Reck described the evaluation process required by the TCEQ and the area identified.

- 22 Resolution -- Approving the La Buena Vida Foundation Application for Community Development Block Grant Funds for Construction of a Residential Center for At-Risk Youth

Chris Hooper, Housing & Human Services Director, presented the proposed At-Risk Youth housing project, noting that once Council approves the funding, the bid and design of the housing will move forward. He clarified that the target age range is 18-23.

Additionally, Mr. Hooper clarified that the proposed program is for male youth only. He also confirmed that the lease agreement would include utilities but the City would be required to maintain the property.

The Council requested that the Lease Agreement come back to the Community Services Committee.

- 28 Ordinance -- Amending Section 35 - Subdivisions of Part IV City Of Irving Land Development Code to Require Utilities to be Installed Underground with New Development

Paul Gooch, Community Services Director, noted that Oncor has asked that this item be postponed to the February 3 meeting.

ZONING CASES AND COMPANION ITEMS

- 30 Ordinance -- Zoning Case #ZC10-0041 - Granting TOD (Transit Oriented Development) District - Approximately 16.34 Acres Located on the Northwest Corner of Spur 348 and Las Colinas Boulevard - Glenn Engineering, Applicant - Hines Las Colinas Land L.P., Owner

Ken Bloom, Chief Planner, presented the applicant's request for a two-phase TOD development. He noted staff recommends approval of the request.

Danny Opitz, representative of Hines Las Colinas, described retail issues in the area and marketing, noting that retailers have told the developers that retail would be best in the Urban Center, not this current location.

- 33 Ordinance -- Zoning Case #ZC10-0052 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 3.2 Acres Located at 515 South MacArthur Boulevard - Kroger Texas, LP, Applicant/Owner

Ken Bloom, Chief Planner, presented the applicant's request a variance to the beer and wine zoning restrictions. He noted staff recommends approval of the request. He confirmed that due to 34.7% of opposition within 200 feet of the property at this time, a $\frac{3}{4}$ approval of the Council is required to approve the case, but staff will provide Council an updated percentage of opposition at the Council meeting.

The Council discussed, at length, the requested variance and the positive and negative impact on the neighborhood.

Mayor Gears encouraged the applicant to attend the Council meeting and hear from the citizens and Council.

Council recessed at approximately 1:00 p.m.

Council reconvened at approximately 1:45 p.m.

2 Budget Cost Containment Strategies

Tommy Gonzalez, City Manager, presented different initiatives the City has implemented to contain budget costs. These initiatives include Lean Six Sigma, contract negotiations and holding vacancies, as well as consolidating departments and refunding bonds to reduce interest payments.

The Council and staff discussed the personnel process for reviewing vacant positions and retaining retiree knowledge.

Mr. Gonzalez confirmed that there is a Position Review Committee, noting that the City is not on a hiring freeze but on a slow down.

3 2010 Crime Reduction

Larry Boyd, Police Chief, described the reduction of the crime rate, in both, property and violent crimes, noting that the City has a new record low crime rate due to a reduction of 8.4%. He noted some initiatives that will continue to be a focus in the future; which include focusing on offenders, trend analysis and diversion programs.

Chief Boyd also presented a video on the media coverage on the crime reduction.

4 Smith, Jackson, Boyer, Bovard Review of Entertainment Venue Expenditures

Ramiro Lopez, Intergovernmental Services Director, introduced Mr. James Smith from Smith, Jackson, Boyer, Bovard who reviewed the Entertainment Venue Expenditures.

Mr. Smith detailed the company's findings, categorizing expenditures to "construction", "operating" and "disallowed" costs, noting 0.62% of total expenditures were determined "disallowed."

Mr. Smith confirmed that expenditures that came into question were reviewed by city staff, the Las Colinas Group, and former Real Estate & Development Director Brenda McDonald.

He also confirmed that a 98-99% accuracy rate is unusually high for a project of this size and unique nature.

Mr. Smith noted that during the review a question of if written limitation of expenses had been identified between the City and the Las Colinas Group but it was determined that nothing written had been provided. He stated that review of travel and food expenses was extensive based on contract detail and IRS rulings and found nothing unreasonable by IRS's definition.

Mr. Smith stated that the agreement was thorough, noting that definitions of "overhead" and "operating expenses" would have been helpful in hindsight. He confirmed that the company received complete cooperation from the Las Colinas Group and Beck Group to provide any documentation asked.

Mayor Gears described the history of the development of the entertainment venue, noting that the design and pre development phase is almost complete.

Councilman Philipp asked that for a Comprehensive Development Agreement discussion, an update on the financing plan and Council discussion on responsibilities assigned to the City Manager for the project be scheduled in February.

EXECUTIVE SESSION

Council convened into executive session pursuant to Section 551.071 of the Texas Local Government Code at approximately 3:35 p.m.

5 Legal Advice - Ex Parte City of Irving and Entertainment Venue
Texas Open Meetings Act § 551.071

Council reconvened from executive session at approximately 4:20 p.m.
Council adjourned at 4:20 p.m.

Herbert A. Gears, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary