

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
July 20, 2011**

The Irving City Council met in work session July 20, 2011 at approximately 1:00 p.m. The following members were present/absent:

<b>Attendee Name</b>	<b>Organization</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Beth Van Duyne	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	Absent	
Roy Santoscoy	Irving City Council	Councilman	Absent	
Mike Gallaway	Irving City Council	Councilman	Absent	
Dennis Webb	Irving City Council	Councilman	Present	

**DISCUSSION TOPIC**

**1 Review of Regular Agenda**

6 Resolution -- Approving an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Carrollton-Farmers Branch Independent School District (C-FBISD) to Maintain the School Resource Officer Program at C-FBISD Campuses Located in the City of Irving

7 Resolution -- Approving an Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Irving Independent School District (IISD) to Maintain the School Resource Officer Program at IISD Campuses

Larry Boyd, Police Chief, described the interlocal agreements between the City of Irving and the Carrollton-Farmers Branch Independent School District and Irving Independent School District to provide School Resource Officers at each school.

8 Resolution -- Approving an Engagement Agreement for Legal Services with Andy Taylor & Associates, P.C., in Connection with Proposed State House of Representatives Redistricting Plans

Charles Anderson, City Attorney, described the engagement agreement with Andy Taylor & Associates related to State redistricting plans. This is a companion item to item 9. Andy Taylor spoke about election law and his experience as it relates to election law. Redistricting lawsuits move at lightning speed with only a few short weeks to prepare.

9 Resolution -- Authorizing Intervention by the City of Irving in the Texas House of Representatives redistricting lawsuit

Charles Anderson, City Attorney, stated that this is a companion item to item No.

8 and authorizes staff to move forward in intervening in the State redistricting.

- 11 Resolution -- Approving the Submission of the 2011 Action Plan and Associated Social Service Agency Allocations to the United States Department of Housing and Urban Development (HUD)

Chris Hooper, Housing & Human Services Director, gave an overview of the 2011 Action Plan which details the programs and initiatives for the Housing & Human Services department for the upcoming fiscal year.

- 12 Resolution -- Approving the Receipt of Additional Funds and Extension of a Contract with Texas Department of Housing and Community Affairs

Chris Hooper, Housing & Human Services Director, described the contract extension with the Texas Department of Housing and Community Affairs due to receiving additional funds for homelessness prevention.

- 13 Resolution -- Adopting a Schedule for Development Application Fees, Effective as of October 1, 2011

Steve Reed, Planning Manager, described the proposed changes to the development application fees.

- 14 Ordinance -- Amending Article II "Building Codes" of Chapter 8 of the Development Standards and Construction Codes of the City of Irving, Texas, By Amending Appendix L "Fee Schedule" of the 2006 International Building Code

Gary Miller, Planning & Inspections Director, described the changes to the inspections fee schedule of 4% due to inflation.

### INDIVIDUAL CONSIDERATION

- 15 Ordinance -- Public Hearing and Ordinance Re-Adopting Section 13-16 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Relating to Childcare Regulations for City Operated Youth Programs

Chris Michalski, Parks & Libraries Director, described the state-required re-adopting of childcare regulations.

### ZONING CASES AND COMPANION ITEMS

- 16 Ordinance -- Zoning Case #ZC11-0026 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.99 Acres Located at 1318 Etain Road - Denby Myers, Applicant - Florence Randall and Jose Rodriguez, Owners

Ken Bloom, Chief Planner, presented the applicant's request. Staff recommends approval of this item.

- 17 Ordinance -- Zoning Case #ZC11-0027 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sales) Uses - Approximately 3,891 Square Feet at 7750 North MacArthur Boulevard, Suite 160 - Star Ventures of Las Colinas, L.P., Applicant - Inland Western Irving Limited Partnership, Owner

Ken Bloom, Chief Planner, presented the applicant's request. Staff recommends approval of this item.

## **2 Cost Savings Update**

Bret Starr, Budget Administrator, presented an update on city-wide cost savings initiatives. He described Lean Six Sigma projects that have resulted in a cost savings of over \$38 million but noted that due to decreases in revenues, staff will continuously review processes for improvement and hold vacant positions.

## **3 Current Financial Status of Entertainment Venue**

Paul Gooch, Community Services Director, and Chris Janning, Senior Vice President of First Southwest Company, presented a report on the current financial status of the Entertainment Venue project. The presentation included the current project funding plan, revenue sources, the construction budget, and analysis provided by First Southwest.

Mayor Van Duyne asked James Smith, from Smith, Jackson, Boyer, Bovard, to give an overview of his findings from the audit of the entertainment venue spending performed at the end of 2010. She asked the auditor several questions about expenses, which Mr. Smith answered.

City Council and staff discussed "allowable" expenses as defined by state law related to bond funds and Brimer Hotel Occupancy Tax funds and how expenses had been allocated before and after the audit.

Staff confirmed that no additional expenses will be reimbursed to the Las Colinas Group unless authorized by the City Council as the design phase of the project is now complete.

Council recessed at approximately 4:00 p.m.

Council reconvened at approximately 4:20 p.m.

Mayor Van Duyne asked representatives from a fraud and forensic recovery firm to describe the options available to further investigate the expenses reimbursed to the Las Colinas Group.

Peter McLaughlin, CEO and Managing Principal, Ryan Fraud and Forensic Recovery Services, Ryan LLC, discussed the differences between audits, forensic investigation and agreed upon procedures.

Bryan Finley, Director in Fraud and Forensics at Ryan LLC, described the Smith, Jackson, Boyer, Bovard report as an “agreed upon procedures” report to classify the transactions and defined those parameters. He clarified that this report was not an audit or a forensic investigation.

Mr. McLaughlin defined a forensic investigation versus a forensic recovery, noting the value of these options should Council wish to pursue further examination of expenditures.

Mayor Van Duynes suggested moving forward with a recovery investigation through the RFP process.

Councilman Philipp suggested meeting next week with full council to discuss the options.

Councilman Farris asked for more information from the staff about review of the \$4.2 million uncapitalized expenditures and questioned if it would be appropriate to invite Las Colinas Group representatives to the discussion.

Councilman Stopfer stated that he would prefer to get more information before a forensic audit is needed.

Council requested staff bring a line-item description of the \$4.2 million of “operating costs” as determined by the CPA review for next week’s Council discussion.

Council decided to meet next week to determine the scope of services for an RFP for a forensic review and recovery so that all Council members may be present to discuss the options with staff.

## EXECUTIVE SESSION

Council convened into executive session pursuant to Section 551.071 of the Texas Local Government Code at approximately 5:00 p.m.

- 4 Legal Advice - City of Dallas v. Heather Stewart  
Texas Open Meetings Act § 551.071
- 5 Legal Advice - Ex Parte City of Irving and Entertainment Venue  
Texas Open Meetings Act § 551.071
- 6 Legal Advice - Proposed State House of Representatives Redistricting Plans  
Texas Open Meetings Act § 551.071

Council adjourned at approximately 6:45 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
Acting City Secretary