

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
December 12, 2012**

The Irving City Council met in work session December 12, 2012 at approximately 1:08 p.m. The following members were present/absent:

Attendee Name	Organization	Title	Status	Arrived
Beth Van Duyne	Irving City Council	Mayor	Present	
Mike Gallaway	Irving City Council	Councilman	Present	
Roy Santoscoy	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	
Joe Putnam	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Brad LaMorgese	Irving City Council	Councilman	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

DISCUSSION TOPIC

1 Review of Regular Agenda

Mayor Van Duyne stated that due to the number of guests in attendance, the Work Session Item No. 2- Legislative Program will be presented first and then Items No. 24-29 will be discussed.

Solid Waste Services staff was presented an On-the-Spot Award for helping a resident who fell while taking out the trash.

The following items will be tabled at the request of the requestors: Items 11, 66, 67, 71, and 74.

6 Resolution -- Authorizing Reimbursement Payment in an Amount Not to Exceed \$240,382 to PPF AMLI 777 Lake Carolyn Parkway, LLC for Public Open Space Improvements Within Tax Increment Reinvestment Zone No. One

7 Resolution -- Authorizing Reimbursement Payment in an Amount Not to Exceed \$386,717 to Texas InTown Homes, LLC for Parks and Open Space Improvements Within the Tax Reinvestment Zone No. One

Max Duplant, Chief Financial Officer, described the proposed TIF No. 1 reimbursement for public improvements done by AMLI and InTown Homes. Mayor Van Duyne requested that the stated amount be brought before council regarding TIF projects now and in the future before the agreements are brought to council for action.

9 Resolution -- Approving an Economic Incentive Agreement Between the City of Irving, Texas and J&S Audio Visual Communications, Inc.

Max Duplant, Chief Financial Officer, described the proposed incentive

agreement.

- 11 Resolution -- Approving an Agreement with MuniServices for Sales Tax Recovery and Analysis

Bret Starr, Budget Administrator, noted that staff is requesting this item be postponed to the January 10, 2013 council meeting.

- 24 Resolution -- Authorizing the Mayor to Execute a Memorandum of Understanding with Hines Las Colinas Royal Ln, LLC and Dallas County Utility and Reclamation District for Development of Public Infrastructure for the Bridges of Las Colinas Project and Instructing Staff to Negotiate and Prepare Documents for City Council Consideration of a Public Improvement District and Tax Increment Reinvestment Zone

- 25 Resolution -- Authorizing the Mayor to Execute a Memorandum of Understanding with Hines Las Colinas Ranchview Land, LLC for Development of Public Infrastructure for the Ranchview Project and Instructing Staff to Negotiate and Prepare Documents for City Council Consideration of a Public Improvement District and Tax Increment Reinvestment Zone

- 26 Resolution -- Authorizing City Staff to Publish Notice of a Public Hearing for the Creation of Reinvestment Zone Number Three Near the Intersection of State Highway 114 and Longhorn Drive, City of Irving, Texas for Tax Increment Financing Purposes Pursuant to Chapter 311 of the Texas Tax Code and Its Benefits to the City and the Properties to be Included in the Zone

- 27 Resolution -- Authorizing City Staff to Publish Notice of a Public Hearing for the Creation of Reinvestment Zone Number Four Near the Intersection of Interstate Highway 635 and Valley Ranch Parkway East, City of Irving, Texas for Tax Increment Financing Purposes Pursuant to Chapter 311 of the Texas Tax Code and Its Benefits to the City and the Properties to be Included in the Zone

- 28 Resolution -- Accepting a Petition for and Calling for a Public Hearing on the Creation of the Bridges of Las Colinas Public Improvement District Within the City of Irving Pursuant to Chapter 372 Texas Local Government Code and Authorizing the Mailing and Publication of Notice of the Public Hearing

- 29 Resolution -- Accepting a Petition for and Calling for a Public Hearing on the Creation of the Ranchview Public Improvement District Within the City of Irving Pursuant to Chapter 372 Texas Local Government Code and Authorizing the Mailing and Publication of Notice of the Public Hearing

Jonathon Bazan, Business & Civic Affairs Director, presented the proposed Public Improvement Districts (PID) and Tax Increment Reinvestment Zones (TIF) and the steps the City must take to put these in place as related to Items

24-29.

David Pettit with Benner Bennett Pettit, Inc., representing the city, described two planned single family developments and the requested Planned Improvement District and Tax Increment Reinvestment Zone for each development.

Councilman Putnam noted his concern with the legality of using Certificate of Obligations but requiring the property owners to pay the assessment liens.

Julie Partain, representative of Bracewell & Guiliani LLP, described the funding mechanisms in place to pay the PID assessment.

Council and staff discussed the proposed districts and the City's risks to sell the infrastructure bonds. It was noted that the PID assessment costs would not exceed comparable HOA fees. The Bridges development is scheduled to be completed by 2017 and the Ranchview development is scheduled to be completed by 2014.

- 30 Resolution -- Approving an Engagement Letter with Bracewell & Giuliani LLP for Legal Services Related to the Bridges of Las Colinas and Ranchview Public Improvement Districts Formation

Jonathon Bazan, Business & Civic Affairs Director, confirmed that Bracewell & Giuliani LLP will be the outside legal counsel for the PID and TIF creation.

Council recessed at approximately 3:10 p.m.
Council reconvened at approximately 3:23 p.m.

- 31 Resolution -- Adopting the City of Irving's Legislative Program for the 2013 83rd Session of the Texas Legislature

Jonathon Bazan, Business & Civic Affairs Director, presented the complete Legislative program during Item No. 2 on the work session.

Councilman Putnam asked that if any issue comes up that is not part of the TML legislative agenda that staff bring that issue back to Council before lobbyist speak on behalf of the City.

- 32 Resolution -- Relating to Economic Development Incentive to Secure Professional Sports Venue

It was noted that this item has been removed from consideration.

- 34 Resolution -- Approving a Land Bank Property Management Program

Doug Janeway, Chief Development Officer, described the proposed property

management program for city-owned land.

- 35 Resolution -- Approving and Accepting a "Release of Lease" Terminating the Remaining Term of a 99-Year Lease with the Texas National Guard Armory Board

Doug Janeway, Chief Development Officer, noted that this is the final legal step to take possession of this property, and stated that staff is reviewing possible uses for the property.

- 40 Resolution -- Approving the Payment to Dean International, Inc., for Invoices Related to Transportation and Water Public Policy Services for October, November, and December 2012 (Requested by Council Members Cannaday, Gallaway, and Webb)

Tommy Gonzalez, City Manager, described the process of paying invoices received from Dean International for September, November and December.

Council and staff discussed the difference in the invoiced amount and the amount authorized during the budgeting process for Dean International services.

- 41 Resolution -- Approving a Fee Agreement with Dean International, Inc., for Transportation Public Policy Services (Requested by Council Members Cannaday, Gallaway, and Webb)

Council and staff discussed the new budgeted amount.

Ramiro Lopez, Public Works Director, confirmed that the RFP for the Transportation Summit/ Convention will be going out and will start FY 2013-14.

- 42 Resolution -- Approving a Fee Agreement with Dean International, Inc., for Water Public Policy Services (Requested by Council Members Cannaday, Gallaway, and Webb)

Ramiro Lopez, Public Works Director, confirmed that the RFP process is underway and will bring the results back to the Transportation & Naturalization Committee and then Council first meeting in February 2013.

- 57 Ordinance -- Amending Chapter 8 of the Irving Land Development Code Including Adoption of 2009 Edition of the International Building Code and Regional and Local Amendments

- 58 Ordinance -- Amending Chapter 8 of the Irving Land Development Code Including Adoption of 2009 Edition of the International Residential Code and Regional and Local Amendments

- 59 Ordinance -- Amending Chapter 8 of the Irving Land Development Code

Including Adoption of 2009 Edition of the International Mechanical Code and Regional and Local Amendments

- 60 Ordinance -- Amending Chapter 8 of the Irving Land Development Code Including Adoption of 2009 Edition of the International Plumbing Code and Regional and Local Amendments
- 61 Ordinance -- Amending Chapter 8 of the Irving Land Development Code Including Adoption of 2009 Edition of the International Energy Conservation Code and Regional and Local Amendments
- 62 Ordinance -- Amending Chapter 8 of the Irving Land Development Code Including Adoption of 2009 Edition of the International Fuel Gas Code and Regional and Local Amendments
- 63 Ordinance -- Amending Chapter 8 of the Irving Land Development Code Including Adoption of 2011 National Electrical Code and Regional and Local Amendments
- 64 Ordinance -- Amending Chapter 17 of the Irving Land Development Code Including the Adoption of the 2009 International Fire Code and Regional and Local Amendments

Gary Miller, Inspections Director, noted that adopting the updated international codes as related to items 57- 64 will be used for new construction. It has been reviewed by the Construction Board of Appeals and the Planning & Development Committee.

INDIVIDUAL CONSIDERATION

- 65 Resolution -- Adopting an Ethics Code and Policy for the City of Irving

Charles Anderson, City Attorney, noted that the proposed Ethics Code have been updated based on Council's discussion at the October 17 Work Session meeting and the Ethics Committee's discussion in November.

Council and staff discussed the major issues addressed in the policy, including campaign contributions, definitions of lobbying and discretionary agreements.

ZONING CASES AND COMPANION ITEMS

- 66 Ordinance -- Zoning Case #ZC12-0059 - Granting S-P-2 (Generalized Site Plan for R-7.5 (Single Family) and Charter School Uses - Approximately 9.53 Acres Located at 1401 S. MacArthur Blvd. - Uplift Education, Applicant/Owner

Ken Bloom, Chief Planner, noted that the applicant has requested postponement of this item to the January 10, 2013 council meeting.

- 67 Ordinance -- Zoning Case #ZC12-0071 - Granting S-P-2 (Generalized Site Plan) for ML-20 (Light Industrial) Uses - Approximately 4.860 Acres Located at 200 Creative Way - Carlos Fernandez, Applicant - Xochitl, Inc., Owner

Ken Bloom, Chief Planner, noted that the case must be postponed to the January 10, 2013 council meeting.

- 68 Ordinance -- Zoning Case #ZC12-0050 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 4,320 Square Feet Located at 1735 North Story Road, Suite 172 - the Wonderful World of Cooking Cafe, Applicant - Califco, LLC, Owner

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

- 69 Ordinance -- Zoning Case #ZC12-0056 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) - Approximately 0.99 Acres Located at 1000 West John Carpenter Freeway - Fuzzy's Tacos, Applicant - Taco Venture VII, LLC, Owner (Postponed at the November 8, 2012 City Council Meeting)

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

- 70 Ordinance -- Approving Transit Oriented Development Detail Plan ZC12-0061 - Approximately 4.41 Acres Located South of North O'Connor Road, Between Riverside Drive and Lake Carolyn Parkway - Catalyst Urban Development, LLC, Applicant - First United Bank and Trust, Owner

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

- 71 Ordinance -- Zoning Case #ZC12-0062 - Granting S-P-2 (Generalized Site Plan) for C-C (Community Commercial) Uses and Outside Storage of Motor Vehicles, Boats, RVs and Trailers Allowed on Tract 1, and Sales and Display of New or Used Cars or Trucks and Outside Storage of Motor Vehicles, Boats, RVs and Trailers on Tract 2 - Approximately 2.65 Acres Located at 2300 Imperial Drive, and More Completely and Fully Described in Exhibit a Attached Hereto - JDJR Engineers, Applicant - Herring Investments, LLC, Owner

Ken Bloom, Chief Planner, noted that the applicant has requested postponement of this item to the January 10, 2013 council meeting.

- 72 Ordinance -- Zoning Case #ZC12-0063 - Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) Uses - Approximately 7,795 Square Feet Located at 1311 West Irving Boulevard - Greg Coghlan, Applicant - Greg Coghlan Investments, LLC, Owner

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

- 73 Ordinance -- Zoning Case #ZC12-0064 - Granting S-P-1 (Detailed Site Plan) for Automobile Rental with Used Automobile Sales as a Permitted Accessory Use to Allow Used Auto Sales in Conjunction with Automobile Rental Operations - Approximately 1.45 Acres Located at 1700 East Airport Freeway - the Hertz Corporation, Applicant - Susan Schneider, Owner - (Postponed at the November 8, 2012 City Council Meeting)

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

- 74 Ordinance -- Zoning Case #ZC12-0065 - Granting S-P-1 (Detailed Site Plan) for P-O (Professional Office) and Animal Hospital Uses - Approximately 0.768 Acres Located at 3014 North O'Connor Road - J. Lee Architect, Applicant - 810 JJK Enterprises, Inc., Owner

Ken Bloom, Chief Planner, noted that the applicant has requested postponement of this item to the January 10, 2013 council meeting.

- 75 Ordinance -- Zoning Case #ZC12-0068 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses - Approximately 4.87 Acres Located at 1910 North Britain Road - S.L.P.S., Applicant - Feizy Properties, LTD., Owner

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

- 76 Ordinance -- Comprehensive Plan Amendment and Zoning Case #ZC12-0069 - Amending the Comprehensive Plan Recommended Land Use from Retail to Low-Density Residential Uses and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 26.9 Acres Located on the Southeast and Southwest Corners of Valley Ranch Parkway and Ranchview Drive - Hines

Las Colinas Ranchview, LP, Applicant

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

- 77 Ordinance -- Zoning Case #ZC12-0070 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 13,036 Square Feet Located at 4920 and 4936 Dominion Boulevard, and at 5017 Province Place - Centurion Acquisitions, L. P., Applicant/Owner

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

Council and the developer's representative discussed the size of the development and the median costs of the homes.

- 78 Ordinance -- Zoning Case #ZC12-0072 - Granting S-P-2 (Generalized Site Plan) for R-10 (Single Family) Uses - Approximately 26.12 Acres to the North and East of the Intersection of Waters Edge Drive and Fountainview Drive - Hines Las Colinas Land, L.P., Applicant/Owner

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

APPOINTMENTS AND REPORTS

- 79 Mayor's Report

The Mayor polled the council to inquire whether or not they minded attending to zoning items after item 30 on the agenda tomorrow evening. The council consensus was that it was a good idea to not make the developers wait and agreed to move zoning items under item 30.

Council recessed at approximately 6:10 p.m.

Council reconvened at approximately 6:25 p.m.

2 Legislative Update

Jonathon Bazan, Business & Civic Affairs Director, presented the Legislative Program for the 2013 State Legislative Session. The main issues the city will take up or monitor include; defense, economic development, public safety, transportation, water, right-of-way, responsible and efficient government and quality of life.

Ross Ramsey, representative of the Texas Tribune and Texas Weekly, described the political changes in the State House and State Senate and how these changes may affect this legislative session.

Snapper Carr and Brandon Aghamalian with Focused Advocacy, described the most important issues that will be addressed by the state, including budget and education.

Monty Wynn with TML, described some of the issues that will affect cities, including state fees, legal notices, and statewide pension plans.

Staff and representatives discussed issues specific to Irving, such as, economic development and water conservation.

EXECUTIVE SESSION

Council convened into executive session pursuant to Section 551.074 and Section 551.087 of the Texas Local Government Code at approximately 6:25 p.m.

- 3 Personnel - City Attorney
Texas Open Meetings Act § 551.074
- 4 Economic Development Negotiations - Review of Convention Center Hotel
Development Proposals
Texas Open Meetings Act § 551.087
- 5 Economic Development Negotiations - Securing Professional Sporting Events
Texas Open Meetings Act § 551.087

Council reconvened from executive session at approximately 6:45 p.m.

Council adjourned the work session at 6:50 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary