

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
May 23, 2012**

The Irving City Council met in work session May 23, 2012 at approximately 1:20 p.m. The following members were present/absent:

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

DISCUSSION TOPIC

Council agreed to take items on the agenda out of order to assist guest who are here to speak. The first item discussed was item #3 on the work session followed by the regular agenda.

1 Review of Regular Agenda

- 1 Public Hearing -- Public Input on the 2012-13 City of Irving Fiscal Year Budget
Bret Star, Budget Administrator, gave an overview of the budget process.

CONSENT AGENDA

- 7 Resolution -- Approving a Legal Services Agreement with Figari & Davenport
Charles Anderson, City Attorney, described the legal services that Figari & Davenport will perform as related to the Entertainment Center.
- 8 Resolution -- Awarding a Contract to Herzog Contracting Corp., for the Upgrade of the Railroad Crossing at Pioneer Drive
Casey Tate, Capital Improvement Program Director, described the upgrades for ADA compliance.
- 18 Resolution -- Approving and Accepting the Bid of Lone Star Auctioneers, Inc., for an Annual Contract to Provide Auctioneer Services
Darlene Humphries, Senior Purchasing Agent, confirmed that the auctioneers are paid on a commission basis.
- 21 Ordinance -- Amending Chapter 38 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Revising a Uniform Guideline for All Boards, Commissions, and Committees Appointed by the City Council and by Adding Article II. Advisory Committee on Disabilities, Article III. Animal Services Advisory Committee, Article IV. Board of Health, Article V. Library Board, Article VI. Museum Advisory Board, Article VII. Parks and Recreation Board, and Article

VIII. Youth Council; and Repealing Various Chapters, Articles, and Sections Within the Code Pertaining to Said Boards and Committees

Council and staff discussed the proposed ordinance changes.

Kuruvilla Oommen, Deputy City Attorney, noted that staff has received comments from one board member regarding the Library Board and those comments have been provided to Council.

ZONING CASES AND COMPANION ITEMS

- 22 Ordinance -- Zoning Case #ZC12-0014 - Granting C-N (Neighborhood Commercial) Uses - Approximately 0.16 Acres Located at 4023 West Airport Freeway - Jia He Inc., Applicant/Owner

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

- 23 Ordinance -- Zoning Case #ZC12-0022 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sales) -Approximately 1.50 Acres Located at 4300 West Airport Freeway - Greenberg Farrow, Applicant - Drury Southwest, Inc., 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

- 25 Resolution -- Appointments to Boards, Commissions, and Committees, to Fill Unexpired Terms to the Board of Health and Building and Standards Commission

Councilman Farris stated that several council members interviewed applicants and they have a recommendation to fill the alternate positions on Building & Standards and the position on the Board of Health.

Council recessed at approximately 2:34 p.m.
Council reconvened at approximately 2:45 p.m.

2 KidsArts Scholarships

Richard Huff, Executive Director of the Arts Center, described the summer arts programs and the scholarship opportunities available.

3 Litter Team Update

Tommy Gonzalez, City Manager, recognized the Litter Team for their exceptional efforts in keeping the city clean.

Danny Crosby, Section Chief, gave an overview of the results of the Litter Team.

4 A Discussion on the Allegations Made by the Mayor in the Campaign Mailer Sent by Tom Spink and in the Dallas Morning News that Council Members Have Made Back Room Deals with the Developer of the Entertainment Center and Have Been Involved in High Dollar Payoffs from Special Interest Groups The Purpose of the Discussion is to Determine After Hearing from the Mayor and Council, Whether to Move Toward an Official Inquiry of the Mayors Allegations. (Requested by Council members Webb, Cannaday and Gallaway)

Councilman Gallaway indicated he wanted to know what specifically was meant by the allegations of “back room deals and high dollar payoffs”. Councilman Webb echoed this comment. Councilwoman Cannaday also asked that this be looked into. All three asked Mayor Van Duyne to divulge where her comments came from and what was intended by them.

Councilman Patrick noted his concern with being accused of unethical or illegal behavior or “back room” meetings.

Mayor Van Duyne described interviews and press conferences by current and former council members where they provided information regarding the Entertainment Center project that had not been presented to staff or the Council as a whole. She stated that she would support an investigation if that was the will of the Council.

Councilman Gallaway asked Mayor Van Duyne’s definition of a “back room deal”.

Councilman Webb also asked Mayor Van Duyne to define a “back room deal”. He stated that his definition would include a secret meeting where someone is giving money for favorable action.

Councilman Santoscoy noted that council members, including the Mayor, have met with Entertainment Center representatives without staff but does not consider these meetings as secretive.

Councilman Santoscoy said if it is the will of the council he would be favorable for an inquiry. Councilman LaMorgese is not in favor of an inquiry. Councilwoman Cannaday said she would yield to Councilman Webb’s preference. Councilman Patrick is amenable to an inquiry. Councilman Farris and Councilman Spink are not in favor of an inquiry. Councilman Gallaway doesn’t like the insinuation of “high dollar payoff” and would like that defined before moving forward with an inquiry.

Councilman Webb asked Charles Anderson, City Attorney, what a back room deal would mean. It means “a payment in exchange for a vote” according to the City Attorney.

Council ended discussion without asking for an inquiry and Councilman Webb asked that it be noted he has never taken money in exchange for a vote.

5 Entertainment Venue Update

(Requested by Council members Webb, Cannaday and Patrick)

Paul Gooch, Community Services Director, provided an update on the Entertainment Center funding process. It was noted that investment grade bond rating is required for issuing bonds for this process.

Council and staff discussed the timeline and the stipulations outlined in the contract. It was noted that the city team is the main contact for negotiations for the project.

Bobby Page, representative with TDI, approached the podium and introduced himself. He indicated he has reached out to staff and hopes to meet with the City Manager soon.

Council adjourned at approximately 4:00 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary