

**IRVING CITY COUNCIL AGENDA
SPECIAL MEETING
FRIDAY, MARCH 2, 2012
4:00 PM**

COUNCIL CHAMBER - CIVIC CENTER COMPLEX - 825 West Irving Boulevard, Irving, TX 75060

This meeting can be adjourned and reconvened, if necessary, within 24 hours on the following day in the First Floor City Council Conference Room.

ADDENDUM

(added 2/28/12 at 3:55 p.m.)

INDIVIDUAL CONSIDERATION

1. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for the construction of the Entertainment Center by the City of Irving with the City having the direct contractual relationship with the General Contractor, the Construction Manager and City administering all construction funds.
2. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for termination if LCG has not provided its Loan Commitment by March 22, 2012.
3. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for deposit of amount of Partnership contribution equal to construction and furnishing of the restaurants into the Venue Project Fund at Closing.
4. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for apportionment of Total Project Cost such that LCG pays at least 32% of Total Project Costs.
5. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for deleting Sec. 2.4(h) relative to reimbursement for general and administrative expenses.
6. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for deleting reference in Sec. 2.2 to any use of the 7% hotel occupancy taxes for pledging to support Entertainment Center bonds.

ANY ITEM ON THIS POSTED AGENDA COULD BE DISCUSSED IN EXECUTIVE SESSION AS LONG AS IT IS WITHIN ONE OF THE PERMITTED CATEGORIES UNDER SECTIONS 551.071 THROUGH 551.076 AND SECTION 551.087 OF THE TEXAS GOVERNMENT CODE.

This facility is wheel chair accessible and handicap-parking spaces are available. Requests for interpretation services of assistive hearing devices must be made 48 hours prior to the meeting. Contact the City Secretary's Office at (972) 721-2493 or (TDD) 1-800-RELAY TX (1-800-735-2989) for assistance.

7. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for deleting the ability of the Partnership to pledge reimbursed Brimer revenues under Sec. 2.12.
8. Resolution authorizing negotiation of amendment to Entertainment Center Development Agreement between City of Irving and Las Colinas Group LLC providing for City access to any and all sub-contractor agreements, consulting agreements, personal service agreements and other, similar types of agreements, plus evidence of any payments or other information to allow for an audit of the expenditures.
9. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for initial term of 20 years with one 20 year renewal term.
10. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Fixed Rent to be paid in cash and increased to \$2,000,000 escalating 2% compounded annually.
11. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Additional Rent to be increased annually by 2% to be paid in cash into an account designated by the City.
12. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Parking taxes to continue at Urban Towers or other adjacent locations through any renewals or extensions for so long as authorized by law.
13. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Security Deposit to increase at a rate of 2% annually during the life of the agreement.
14. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Fees, promotions and give aways to be increased 2% per year compounding annually.
15. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Deletion of any credit for payment of ad valorem taxes by the Partnership.

16. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Insurance to be provided at no cost to the City and that changes in insurance coverage be approved by the City Council.
17. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Right of Assignment only with City approval and only to entity with a net worth above \$150,000,000.
18. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Deletion of Residential Development Rights.
19. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for An escalation of the \$150,000 credit by 2% per year compounded annually, with any unused credit being payable to the City in cash at the close of each year.
20. Resolution authorizing negotiation of amendment to Entertainment Center Lease Agreement between City of Irving and Las Colinas Group LLC providing for Closure of any restaurant which does not meet 60-40 ratio of food to beverage as required by City ordinance or as may be amended by the City in the future.

ORIGINAL AGENDA ITEM

(posted 2/24/12 before 5 p.m.)

21. Resolution - Approving Fees Related to Public Ratings on the Entertainment Venue Project in an Amount Not to Exceed \$200,000.00

EXECUTIVE SESSION

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the Kiosk at the City Hall of the City of Irving, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Tuesday, February 28, 2012 at 4:00 p.m., and remained so posted at least 72 hours before said meeting convened.


Shanae Jennings, Acting City Secretary

Date Notice Removed