

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
January 9, 2013**

The Irving City Council met in work session January 9, 2013 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	Late	1:20 PM
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**

1 City Operations Update

Larry Boyd, Police Chief, provided an update on the crime rate. He noted that the crime rate decreased for the 8th year in a row, with a reduction of 6.7% in 2012.

**CONSENT AGENDA**

7 Resolution -- Approving a Memorandum of Understanding Between the City of Irving and Dallas County for Prisoner Transport Assistance Services

Larry Boyd, Police Chief, described the County prisoner transport services.

11 Resolution -- Approving the City of Irving Investment Policy

Max Duplant, Chief Financial Officer, stated that there are no changes in the investment policy from 2012, noting that the return is nominal but the principal has been protected.

12 Resolution -- Authorizing Reimbursement Agreement in an Amount Not to Exceed \$6,500,000 with Gables Residential for Public Infrastructure Improvements Within the Tax Increment Reinvestment Zone No. One

Brad Duff, Assistant Director of Financial Services, described the proposed reimbursement agreement with Gables Residential and the improvements approved by the TIF No. 1 board.

17 Resolution -- Approving a Marketing and Economic Incentive Agreement Between the City of Irving, Texas and Kansas City Explorers, Inc.

Chris Wallace, Executive Director of the Irving Las Colinas Chamber of Commerce, described the incentive agreement with Kansas City Explorers and the events scheduled for 2013.

18 Resolution -- Approving Special Events Permit for the 2013 Playtri Festival Produced by Ali Zaher Enterprises Dba as Playtri Racing Which Includes Their Annual Playtri Triathlon and the International Triathlon Union Pan American Cup Triathlon, to be Held June 1-2, 2013 at the Irving Marriott Las Colinas Located at 223 West Las Colinas Blvd., Irving, Texas.

19 Resolution -- Approving Special Events Permit for the Annual NCR Sprint for Cancer 5K, 10K and Fun Run Sponsored by Urban Towers and Produced by Racing Systems Inc. to be Held April 20, 2013 at the Urban Towers Located at 222 West Las Colinas Blvd., Irving, Texas.

Maura Gast, Executive Director of the Irving Convention & Visitors Bureau, noted that the special event permits for items 18 and 19 require Council approval due to the size and length of the events. The proposed event details have been reviewed by various City departments.

22 Resolution -- Supporting the State Highway 114 Project and TxDOT's Request for Comprehensive Development Agreement Authority from the 83rd Texas State Legislature

Jonathon Bazan, Business & Civic Affairs Director, noted this resolution will be sent to the state for consideration by the legislature.

25 Resolution -- Approving and Accepting the Bid of the Lowest Responsive, Responsible Bidder for an Annual Contract for Ice Control Sand

Dan Vedral, Traffic & Transportation Director, stated that the lowest responsive bid came in under \$50,000 so this item is being withdrawn as Council action is not needed.

26 Resolution -- Approving and Accepting the Bid of the Lowest Responsive, Responsible Bidder for an Annual Contract for Concrete

Dan Vedral, Traffic & Transportation Director, confirmed that Cowtown Redi Mix, Inc., is the lowest responsive bidder for the concrete contract.

31 Ordinance -- Amending the Irving Policy Statement on Local Economic Development and Business Stimulation Incentives to Incorporate the Downtown Facade Enhancement Incentive Program

Kevin Kass, Redevelopment & TIF Administrator, described the proposed incentives available for businesses in the Heritage District.

Several council members conveyed concerns and non support for this item as it pertains to the legality of incentives to downtown façade enhancements.

32 Ordinance -- Amending the Irving Policy Statement on Local Economic Development and Business Stimulation Incentives to Incorporate the Neighborhood Housing Incentive Program

Kevin Kass, Redevelopment & TIF Administrator, described the proposed incentives available for neighborhood redevelopment.

INDIVIDUAL CONSIDERATION

- 34 Resolution -- Amending City Council Rules of Procedure
- Charles Anderson, City Attorney, described the proposed changes to the City Council Rules of Procedure discussed at the November 7, 2012 work session.
- Council and staff discussed the proposed rules on the agenda process, noting that Mayor and Council have a soft deadline of 4:30 p.m. on Thursday but that the City Secretary's Office will be able to run the agenda by 11:00 am on the Friday before the Council meeting.

ZONING CASES AND COMPANION ITEMS

- 35 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 - (Postponed at the December 13, 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.
- 36 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 - JDJR Engineers, Applicant - Herring Investments, LLC, Owner - (Postponed at the December 13, 2012 City Council Meeting)
- Ken Bloom, Chief Planner, presented the applicant's request, noting staff recommends denial. He also noted that the opposition represents 20.50% of the land within 200 feet; therefore a  $\frac{3}{4}$  vote is required to approve this request.
- 37 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 - (Postponed at the December 13, 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. He also noted that the opposition represents 32.98% of the property within 200 feet; therefore, a  $\frac{3}{4}$  vote is required for approval.
- 38 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- (Postponed at the December 13, 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.

Council recessed at approximately 3:18 pm.

Council reconvened at approximately 3:45 pm.

- 39 Ordinance -- Zoning Case #ZC12-0075 - Repealing Ordinance No. 2010-9193 that Granted PUD (Planned Unit Development) for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premise Consumption) Uses to Reinststate the Previous PUD (Planned Unit Development) for C-N (Neighborhood Commercial) Uses - Approximately 2,537 Square Feet Located at 8600 North MacArthur Boulevard., Suite 132 - CPS Commercial Builders LLC, Applicant - MacArthur Plaza, LP, Owner

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

- 40 Ordinance -- Amending Section 52-49 - Sale, Serving or Storage of Alcoholic Beverages to (1) Revise the Minimum Percentage of Food Sales Relative to Alcoholic Beverage Sales in a Restaurant Zoned S-P-1 (R-AB), (2) Revise the Minimum Requirements for an Application for S-P-1 (R-AB) Zoning, (3) Revise the Reporting Period for Food and Alcoholic Beverage Sales from Quarterly to Semi-Annually, (4) Provide that the City Council May Grant a Variance to the Distance Requirement Between an Establishment Selling Alcoholic Beverages and Churches, Schools, Public Hospitals and Residences, and (5) Require City Owned Facilities Whose Construction or Operation is Funded in Whole or in Part by Hotel Occupancy Tax Revenue to Comply with the Requirements of Section 52-49(a); - City of Irving, Applicant

Steven Reed, Assistant Director of Planning, described the proposed changes to the R-AB ordinance how the changes would affect staff administratively.

Council and staff discussed the recommendation and the comments made at the Planning & Zoning Commission meeting.

### APPOINTMENTS AND REPORTS

- 41 Resolution -- Appointments to Boards, Commissions, and Committees, to Fill Unexpired Terms to the Irving Convention & Visitors Bureau and Zoning Board of Adjustments

Councilman Farris confirmed that interviews were held in December for the vacant ICVB position and recommended the council's appointee.

- 42 Resolution -- Appointments to the Tax Increment Reinvestment Zone No. 1 Board to Fill Two-Year Terms Expiring January 2015

Councilman Farris stated that he will announce appointments to TIF at the meeting tomorrow evening and if there is any council discussion they are open for discussion.

43 Resolution -- Appointing a Board Chair to the Tax Increment Reinvestment Zone No. 1 Board with a Term Expiring January 2014

Councilman Farris stated that he will announce appointments to TIF at the meeting tomorrow evening and if there is any council discussion they are open for discussion.

## **2 2012 Resident Survey Results**

Aimee Kaslik, Performance Manager, presented the results of the 2012 Resident Survey. She noted that satisfaction rates have increased in the following categories: Aspects of Quality of Life, Community Characteristics, Safety and Quality of City Services.

## **3 2013 Mosquito Control Plan Update**

Walter Ritchie, Aquatics Supervisor, presented the mosquito control plan for the upcoming season.

## **4 Special Events Update**

This item was postponed.

## **5 Discussion - Irving Ethics Policy**

Mayor Van Duyne asked that the Council postpone this to the next meeting and the council was in agreement.

Council recessed at approximately 5:15 pm.

Council reconvened at approximately 7:40 pm.

**EXECUTIVE SESSION**

Council convened into executive session pursuant to Section 551.074 of the Texas Local Government Code at approximately 7:40 p.m.

**6** Personnel - City Secretary

Texas Open Meetings Act § 551.074

Council reconvened from executive session at approximately 8:00 p.m.

Council adjourned the work session at 8:00 p.m.

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Beth Van Duyne, Mayor

ATTEST:

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Shanae Jennings, TRMC  
City Secretary