

**IRVING CITY COUNCIL
WORK SESSION
March 8, 2006**

The Irving City Council met in work session in the First Floor Council Conference Room of the City Hall Complex on March 8, 2006. The following members were present:

Mayor Herbert A. Gears

Councilmembers

James Dickens
Beth Van Duyne
Allan E. Meagher
Lewis Patrick
Lowell Cannaday
Rick Stopfer
Sam Smith
Joe Philipp

Mayor Gears convened the meeting at 12:00 P.M.

1 DISCUSSION: Review of Regular Agenda

The Council reviewed the items posted for action at the Regular Council meeting to be held at 7:00 P.M. on March 9, 2006. The following Council directions were noted.

Acting City Manager Cash introduced the new Purchasing Manager, Luis Inguanzo

2 Resolution – Authorizing Staff To Negotiate A Contract With Terracon Engineering To Establish A Municipal Setting District For The Heritage Senior Center Site, In Accordance With The Texas Commission On Environmental Quality Guidelines For Municipal Setting Districts

Acting City Manager Cash asked Director of Parks and Recreation Paul Gooch to give a presentation

Director of Parks and Recreation Paul Gooch stated that as a part of the development of the Heritage Senior Center, existing groundwater contamination was cleaned up and the site was enrolled in the Voluntary Cleanup Program with the TCEQ. As part of the mitigation efforts, Terracon has been under contract to monitor the levels of contaminants in groundwater on a quarterly basis, as mandated by the TCEQ. The most recent readings have noted that contamination levels in some of the wells are rising, and it appears to be from an external pollution source. TCEQ

requirements will prolong closure of this clean up effort for years and increase costs.

Staff recommends a Municipal Setting District be designated for the Heritage Senior Center and surrounding area. The MSD Designation will require notification of surrounding water well owners, capping and plugging of existing water wells within the MSD boundary and passing an ordinance restricting the drilling and use of groundwater within the MSD area will eliminate the need for further groundwater monitoring as mandated by the TCEQ, as well as additional contamination mitigation.

Mr Gooch clarified that the TCEQ does not investigate in these matters unless it is an emergency situation.

6 Resolution – Approving Addendum To Legal Services Agreement With Vinson & Elkins LLP Reflecting Revised Billing Rates

Councilman Cannaday asked if the billing rates were specified in the original legal services agreements?

Deputy City Attorney Charles Anderson responded that they were and this agreement was entered into two years ago

The Mayor and Council requested that the current rates stay in place for the current “Valley Ranch case” and then be increased for subsequent cases.

7 Resolution – Approving And Ratifying Rate Settlement Agreement Between Steering Committee Of Cities Served By TXU And TXU Electric Delivery

Acting City Manager Cash called on Senior Assistant Attorney Cathy Cunningham.

Senior Assistant City Attorney Cathy Cunningham gave a presentation on this item and stated that the city of Irving is a member of a 109 member city coalition known as the Steering Committee of Cities Served by TXU. Negotiations have resulted in a settlement agreement between TXU and the Committee, and each city member of the Committee will have to ratify the agreement. Under the agreement the City of Irving will receive will receive \$693,288.03 in 2006; and the second year would be another \$693,288.03 and \$300,995.03 in the third year.

Ms. Cunningham reviewed the terms of the agreement and stated that all sixteen cities must agree before this will be paid.

Mayor Gears asked that a list of the cities be provided to Council

15 Resolution – Authorizing Staff To Negotiate A Contract With Mesa Design Group For Landscape Architecture And Environmental Graphic Design Services For The Valley View Municipal Complex For Water Utilities

Councilman Stopfer asked for a briefing on this item.

Acting City Manager Cash stated that MESA Design installed this and the landscaping is unique. If the cost to maintain this landscaping is excessive, the contract will not come back to Council for approval.

17 Resolution – Purchases Funded In The 2005-2006 Budget

Mayor Gears asked if there were any contested bids?

Acting City Manager Cash stated that there were no contested bids.

20 Resolution – Reconsidering The Appointment Of Loren Byers To The City Of Irving Zoning Board Of Adjustments And Appeals

Mayor Gears stated that Loren Byers may be running for City Council and that means that he will not be able to serve on the Zoning Board of Adjustments. The Council agreed to postpone this until after the filing deadline.

21 Resolution – Reappointment Of Gilbert Perales, Assistant City Manager, To The Tarrant County 911 Board Of Managers – Term Expire April 2008

Mayor Gears stated that Assistant City Manager Gilbert Perales would be reappointed to this board and will serve as Secretary during his next term.

23 City Manager's Report

- Texas Water Utilities Association has awarded the Water Utilities Department the 2005 Pretreatment And Environmental Program of the Year Award;
- Water System was recognized as a "Superior System," by the State of Texas - the City is pleased to have achieved this rating;
- The Library Department will be sending out a survey on March 20, 2006, to 12,500 randomly selected households in the city the survey is to ask citizens what do you want to see from your Library in the future,
- The Irving Arts Center is looking for Irving residents ages 18 through 69 who have never attended an event at the Irving Art Center or have not attended an event in the last five years, they are wanting to know what residents want from the Irving Arts Center
- National League of Cities Conference will be held in Washington, D.C , March 11-16, 2006;
- Bond Task Force Committee Meeting will be held on March 21, 2006, from 7:00-8:30 p m.
- Command Vehicle is parked here at City Hall, this was purchased with Homeland Security money;
- On the next agenda there will be an item that will authorize the installation of the diesel generators downstairs and the new units will be mounted in the parking lot;
- Irving Police Department Town Hall Meeting was held on March 6, 2006, a handout was provided, the meeting went well;

- Management will be monitoring the City's water needs during these drought conditions;
- Acting Manager Cash will be diving in one of the tanks the last of April.
- Councilman Dickens asked for an update on the security plan.

24 Mayor's Report

- Mayor Gears stated that Ben Carpenter and his wife, Betty, passed away last week. The memorial service was held on Tuesday, March 7, 2006, and many from Irving attended.

2 **DISCUSSION:** Annual Racial Profiling Report

Chief of Police Larry Boyd presented the annual Racial Profiling report to the Mayor and Council and stated that there was no evidence of any racial profiling occurring within the City of Irving.

Councilman Philipp asked if the Dallas County Constable activity was included in this report?

Chief Boyd stated it was not included.

The Council requested a copy of the annual report for Dallas County Precinct 4 Constable's Office.

3 **DISCUSSION:** Irving-Las Colinas Marketing Center

Acting City Manager Cash introduced this item.

President of the Greater Irving-Las Colinas Chamber of Commerce Chris Wallace introduced Leann Weymouth, Executive Director of the Las Colinas Marketing Alliance, and he also introduced Mark Chow with Onomy Labs in California. Mr. Wallace gave an update on the plans for the future marketing center and showed a brief seven minute video to illustrate equipment requested. Mr. Wallace advised that the approximate cost for the electronic wall and table will be \$200,000.

After discussion, the Council requested that a complete report on the potential uses be brought back to a future work session.

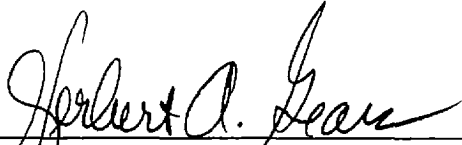
EXECUTIVE SESSION

Mayor Gears read the Council into Executive Session at 1:45 p.m

4 DISCUSSION: Status On City Manager Search

Mayor Gears announced that the Council will now reconvene in Open Session.
The time was 3 35 p.m

The meeting adjourned at 3:36 p.m.


Herbert A. Gears, Mayor

ATTEST.


Janice Carroll, TRMC
City Secretary

