

**IRVING CITY COUNCIL
SPECIALSESSION
JULY 3, 2008**

The Irving City Council met in special session in the First Floor Council Conference Room of the City Hall Complex on July 3, 2008 at 8:30 P.M. The following members were present:

Mayor Herbert A. Gears

Councilmembers

Thomas D. Spink
Beth Van Duyne
Allan E. Meagher
Lewis Patrick
Rose Cannaday
Rick Stopfer
Sam Smith
Joe Philipp

Mayor Gears convened the meeting at 8:30 P.M.

1. Real estate acquisition from TXU for property located north of Interstate Highway six thirty five and west of MacArthur Boulevard.

City Attorney Charles Anderson presented a report on the "North Lake" property and the possible disposition of the lake and power plant. He presented a brief review stating the owners of this property, Luminant, have sold approximately 518 acres to, Crow-Billingsley, a land development corporation. Currently Coppell is in litigation over potential eminent domain in this area.

Currently Luminant has received a second offer from Crow-Billingsley for 1099 acres which includes 357 acres of land and 742 acres now part of a lake. He noted the existing power plant has now been put back on line to be used as a "peaker" and will remain in service up to five years. Also 112 acres of land beneath the power lines and existing substation will be retained by Luminant after plant closure.

Mr. Anderson then reviewed the terms of the sale as presented by Luminant. He also clarified that Crow-Billingsley can close within sixty days and reviewed their terms of sale. He also clarified that the City of Coppell is very interested in purchasing the existing land and is willing to work with the City of Irving as a joint partner. He further outlined some options for response by the City and a possible timeline if the Council considers purchasing this land.

City Manager Tommy Gonzalez stated that staff is seeking direction from the Council regarding an offer of purchase in some form and the financing of same.

Councilman Philipp asked if staff knew the amount offered by Crow-Billingsley.

Mr. Anderson responded that they would not reveal any terms of the offer.

Councilman Philipp asked if TCEQ, the state environmental agency, had been contacted regarding any environmental problems on this land.

Mr. Anderson responded that a report has been requested.

The Council was also interested on the number of acres that could be reclaimed from the lake even with the plant operational.

Mr. Anderson noted that the lake, depending upon elevation, covers from a high of 742 acres to 103 acres.

Councilman Philipp asked if there has been a hydrology study done on this property.

Mr. Anderson advise that staff will request it, but there may not be one.

Mayor Gears asked staff to report back on the probability of this land being used in conjunction with the City's water reuse plan.

Mayor Gears also reported to the Council that he met with representatives of the Crow-Billingsley Company and he was assured that it is their intent to purchase this land, but they are also planning this to be a forty year project.

The Council discussed their concerns regarding traffic flow. It was clarified that legally you cannot deny access from this land to City streets.

Councilwoman VanDuyne asked if roads can be developed on the land that Luminant is retaining.

During Council discussion of the purchase of this property, it was noted that the City of Dallas will probably never annex the land in favor of Irving or Coppell, but as owners of the land deed restrictions could be put in place for some control over development.

Councilman Smith requested a list of reasons to buy this land and also a list of reasons not to purchase the land.

Mayor Gears stated that the primary reason to purchase this land is to support Coppell.

Councilwoman VanDuyne added that this is a huge density issue that will immediately impact the Valley Ranch area as well as the Coppell school system. She expressed her disappointed that the City had not looked at this issue earlier in the year.

There being no further general questions, the Mayor stated that the Council will now meet in closed session to discuss the acquisition of this land.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 9:15 p.m. to discuss the acquisition of land.

City Attorney Anderson announced that the Council will now reconvene in Open Session. The time was 9:55 p.m.

The meeting adjourned at 9:56 p.m.

Herbert A. Gears
Mayor

ATTEST:

Janice Carroll
City Secretary