

# **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Work Session Room, City Hall  
200 North Fifth Street, Garland, Texas  
May 2, 2011**

**Council will meet in executive session beginning at 5:00 p.m. and will meet in open work session beginning at 6:00 p.m.**

**The City Council will meet in executive session to:**

- 1. Consider Competitive Matters in the Electric Utility. The Texas Open Meetings Act does not require a public power utility governing body to conduct an open meeting to deliberate, vote or take final action on any competitive matter, as that term is defined in Subsection (b)(3). "Competitive matter" means a utility-related matter that the public power utility governing body in good faith determines by a vote under this section is related to the public power utility's competitive activity, including commercial information, and would, if disclosed, give advantage to competitors or prospective competitors. Section 551.086(b)(3), Texas Government Code.**

**Consult with Attorney: A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (a) pending or contemplated litigation; or (b) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. Section 551.071, Texas Government Code.**

- a. Discuss a proposal regarding the City's potential participation in a transmission project to be located in North Texas and consider authorizing the City Manager to execute an agreement to allow the City's participation in the project.**

**[Public comment will not be accepted during Work Session unless Council determines otherwise.]**

**DEFINITIONS:**

**Written Briefing:** Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

**Verbal Briefing:** These items do not require written background information or are an update on items previously discussed by the Council.

**Regular Item:** These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

**NOTICE:** The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, TEX. GOV'T CODE.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, TEX. GOV'T CODE.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, TEX. GOV'T CODE.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, TEX. GOV'T CODE.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, TEX. GOV'T CODE.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, TEX. GOV'T CODE.

(7) Discussions or deliberations regarding a utility-related matter that the City Council in good faith determines by a vote is related to the City's public power utility's competitive activity, including commercial information, that would, if disclosed, give advantage to competitors or prospective competitors. Sec. 551.806, TEX. GOV'T CODE.

**(6:00) 1. Written Briefings:**

**a. Disannexation of Property**

*Council is requested to consider disannexing a portion of the strip annexation to the Olinger Power Plant on Lake Lavon. The disannexation will result in a new termination point of the strip annexation at a location between Lake Lavon and Lake Ray Hubbard. The City's control and jurisdiction over the Olinger Power Plan and the nearby police shooting range will be preserved, as reflected by the terms of a previously approved "Interlocal Boundary and ETJ Contract" approved by Council in February 2009. This item will be scheduled for formal consideration at the May 17, 2011 Regular Meeting.*

Item	Key Person
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**(6:15) 2. Verbal Briefings:**

**a. Interviews of DART Board Candidates** **Council**

*At the April 18, 2011 Work Session, Council reviewed the resumes and letters of interest submitted by seven individuals interested in being appointed as Garland's representative to the Dallas Area Rapid Transit Board of Directors to complete the term of a previous board member until June 30, 2012. Council will interview each candidate.*

- *Michael Cheney*
- *Kris Hendricksen*
- *Chris Luna*
- *Katrina Pierson*
- *Lee Smith*
- *Tony Torres*
- *B. J. Williams*

**b. GP&L's Response During the** **Schwertner**

### **February 1, 2011 Weather Event**

*Council will be briefed on the actions taken and lessons learned during the unexpected statewide reduction in generating availability when power supply on the grid dropped to critical levels that resulted in ERCOT requiring utilities to institute rotating outages during the February 1, 2011 weather event.*

#### **c. Audit Committee Report**

**Williams**

*Council Member Rick Williams, Chair of the Audit Committee, will provide a report on the following items that have been considered by the Committee:*

- *Deloitte & Touche FY 2010 Audit*
- *Wire Transfer Follow-up Audit*
- *Chamber of Commerce Annual Audit Report*

#### **d. Renaming of Street**

**Willis/Cox**

*At the request of Council Members John Willis and Laura Perkins Cox, Council is requested to discuss renaming a portion of Marketplace Drive, east of Centerville Road, to Broadmoor Drive.*

### **(8:00) 3. Regular Items:**

#### **a. 6<sup>th</sup> Street Crossing and Land Transfer Agreement with DART**

**Wunderlich**

*Council is requested to consider authorizing an agreement with DART to construct the extension of 6<sup>th</sup> Street across the DART rail tracks to Walnut. Construction of the crossing requires the relocation of the DGNO freight operations, and the agreement includes provisions for transferring land between DART and the City to make this possible. This item is scheduled for formal consideration at the May 3, 2011 Regular Meeting.*

#### **b. Project Development Agreement with the Garland Foundation for Development**

**Wunderlich**

*In order to construct the 6<sup>th</sup> Street Extension across the DART right-of-way to Walnut using the Garland Foundation for Development, Council is requested to consider authorizing a Project Development Agreement with the Foundation which defines the project, allowable expenses, obligations and terms including the transfer of \$2,900,000 from the CIP to the Foundation. This item is scheduled for formal consideration at the May 3, 2011 Regular Meeting.*

**4. Consider the Consent Agenda** **Council**

*A member of the City Council may ask that an item on the consent agenda for the next regular meeting be pulled from the consent agenda and considered separate from the other consent agenda items. No substantive discussion of that item will take place at this time.*

**5. Announce Future Agenda Items** **Council**

*A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.*

**(8:30) 6. Adjourn** **Council**

**(Estimated time to consider)**