

# **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Work Session Room, City Hall  
200 North Fifth Street, Garland, Texas  
July 6, 2009**

**Council will meet beginning at 5:00 p.m.**

## **Executive Session**

- 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 551.086. "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.**
  - a. Fuel and Energy Price Risk Management Policy**
  
- 2. 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. City of Garland v. Hinton, No. CC-07-13437-A,  
Dallas County Court at Law No. 1**

**[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. Interlocal Agreement with the City of Sachse**

*Council is requested to consider approval of an Interlocal Agreement between the City of Garland and the City of Sachse for use of the 800 MHz radio system owned by the City of Garland. Approval of the agreement would allow Sachse to continue to utilize available capacity of the radio system to provide public safety communications for its Police, Fire, and Animal Control Departments. If Council concurs, this item will be scheduled for formal consideration at the July 21, 2009 Regular Meeting.*

**b. Interlocal Agreement with the City of Rowlett**

*Council is requested to consider approval of an Interlocal Agreement between the City of Garland and the City of Rowlett for use of the 800 MHz radio system owned by the City of Garland. Approval of the agreement would allow Rowlett to continue to utilize available capacity of the radio system to provide public safety communications for its Police, Fire, and Animal Control Departments. If Council concurs, this item will be scheduled for formal consideration at the July 21, 2009 Regular Meeting.*

**c. Interlocal Agreement with the GISD**

*Council is requested to consider approval of an Interlocal Agreement between the City of Garland and the Garland Independent School District (GISD) for use of the 800 MHz radio system owned by the City of Garland. Approval of the agreement would allow GISD to continue to utilize available capacity of the radio system to provide public safety communications for its Police and Security Officers as well as the Garland Police Department School Resource Officers to communicate with GISD staff. If Council concurs, this item will be scheduled for formal consideration at the July 21, 2009 Regular Meeting.*

**d. Change Order No. 2 - Information Technology Services and Office of Emergency Management Facility**

*Council is requested to consider authorizing Change Order No. 2 with Lee Lewis Construction, Inc. in the amount of \$132,990 for construction of the paving and parking for the Information Technology Services and Office of Emergency Management facility. Sufficient funds were appropriated in the Capital Improvement Program. If Council concurs, this item will be scheduled for formal consideration at the July 21, 2009 Regular Meeting.*

**e. Recovery and Reinvestment Act of 2009: Edward Byrne Memorial Justice Assistance Formula Grant**

*Council is requested to consider authorizing the Police Department to apply for the 2009 Recovery Act Justice Assistance Grant (JAG) Program for funding of a Tactical Observation Platform. The Tactical Observation Platform will be used in retail shopping areas where a large concentrated number of individuals and motor vehicles are located. It will be used as a visual deterrent as well as for evidence gathering through the use of an unmanned camera system and manned surveillance. This item is scheduled for formal consideration at the July 7, 2009 Regular Meeting.*

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

**a. Interviews for Appointment to the NTMWD Council**

*The North Texas Municipal Water District (NTMWD) has informed the City that Paul Hoffman's term as a NTMWD Board Member expired on May 31, 2009. Three individuals have expressed an interest in being considered to this appointment. Council will conduct individual interviews of the three candidates.*

**b. Process for Appointments to the UAB Council**

*Last year Council appointed Tony Torres to serve as the Position 5 member and Garry Pickens as the Position 7 member on the Utility Advisory Board (UAB) for a one-year term which will expire on*

*August 31, 2009. Mr. Torres and Mr. Pickens have indicated their desire to be reappointed. Chapter 10 of the Code of Ordinances relating to the functions and duties of the Utility Advisory Board states that the Position 5 member shall be or shall have been employed within a professional field such as accounting, finance, marketing, law, engineering, or commercial development. The Position 7 member shall be or shall have been employed within the energy industry such as electric generation, transmission, distribution or marketing. Council is requested to discuss the process for making the two appointments to the UAB that will expire on August 31, 2009.*

**c. Administrative Services Committee Update**

**Chick**

*As directed by Council, the Administrative Services Committee considered the following items and will provide Council with proposed recommendations:*

- *Proposed Changes to Chapter 22 of the Code of Ordinances (exclusive of child care ordinance)*
- *Speaker Card for Council Meetings*
- *Aged Nuisance Abatement Liens*

**(7:30) 3. Regular Items:**

**a. Neighborhood Vitality Matching Grant**

**Montgomery**

*Council is requested to review the Neighborhood Vitality Matching Grant applications. The Community Services Committee is recommending that Council consider approval of all applications submitted. If Council concurs, this item will be scheduled for formal consideration at the July 21, 2009 Regular Meeting.*

**b. Regulation of Temporary Special Purpose Signs**

**Montgomery**

*Council is requested to consider a recommendation from the Plan Commission to amend the Development Standards for SH 190, IH 30, and IH 635 regarding temporary special purpose signs. At their June 8, 2009 meeting, the Plan Commission (by a 5 to 3 vote) recommended that existing regulations regarding temporary special purpose signs set forth in Section 30.94 of the City of Garland Sign Ordinance be applied to the SH 190, IH 30, and IH 635 corridors. If*

*Council concurs, a public hearing will be scheduled at the August 4, 2009 Regular Meeting.*

**4. Discuss Appointments to Boards and Commissions Council**

- *Appointment to the NTMWD Board of Directors*
- *Garland Youth Council*

**5. 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.*

**6. 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.*

**(9:00-)7. Adjourn Council**

**(Estimated time to consider)**