

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
August 31, 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. EMS NODAL Market Upgrade**

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.

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

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. Amend Tax Roll

Council annually amends the tax roll to reflect uncollected ad valorem taxes, as required by generally accepted accounting principles. Although the tax roll is reduced by this action, collection efforts continue unless the costs of those efforts exceed potential revenues. This item is scheduled for formal consideration at the September 1, 2009 Regular Meeting.

b. Purchase of Land for Addition to Roland E. Coomer Park

The Park and Recreation Board requested staff to examine the potential acquisition of 1.23 acres for sale adjacent to Coomer Park. As directed by the Park and Recreation Board and authorized by the Council, a bid of \$160,000 was placed on the property by the City and approved by the lender. If Council concurs, this item will be scheduled for formal consideration at the September 15, 2009 Regular Meeting.

c. Limited Authorization for DART to Initiate Eminent Domain

DART is requesting that the City of Garland authorize DART to acquire a parcel of land through eminent domain needed to construct the extension of the Blue Line Light Rail to Rowlett. DART has been unable to obtain a clear title to this property because certain liens still exist. An agreement has been reached with the property owner, but the eminent domain action is needed to clear the title. If Council concurs, this item will be scheduled for formal consideration at the September 15, 2009 Regular Meeting.

d. Participation in State Street KCS Crossing Gates

The Texas Department of Transportation has programmed the installation of railroad crossing gates at the State Street crossing of the Kansas City Southern (KCS) Railway. Because the cost of these gates exceeds the standard TxDOT funding level, the state has asked the City to participate in the cost. In addition to improving the safety of this crossing, these gates are needed in order to implement a quiet zone along the entire KCS corridor in Garland. If Council

concur, this item will be scheduled for formal consideration at the September 15, 2009 Regular Meeting.

e. Train Monitoring System – KCS Railroad Along South Garland Avenue

In order to implement a train monitoring system on the KCS Railroad along South Garland Avenue, agreements with the Texas Department of Transportation (to fund the project) and the Texas Transportation Institute (to design and install the system) are needed. If Council concurs, this item will be scheduled for formal consideration at the September 15, 2009 Regular Meeting.

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

a. Expansion of the Animal Services Advisory Committee **Mayor**

At the request of Mayor Ronald E. Jones, Council is requested to discuss expanding the Animal Services Advisory Committee. The Animal Services Advisory Committee is a four-person committee authorized by Section 22.23 of the Code of Ordinances to provide advice to the Council and Managing Director of Health in regards to the Animal Shelter operation complying with Texas Department of State Health Services' rules.

b. Audit Committee Report **Williams**

Council Member Rick Williams, Chair of the Audit Committee, will make a report to Council on the following items:

- GP&L IT Security Audit*
- Cash Count Audit*
- Selection of External Auditing Firm*

c. Administrative Services Committee Report **Lathen**

Council Member Darren Lathen, Chair of the Administrative Services Committee (ASC) will make a report to Council on the following items considered by the ASC:

- *Permits for Carnivals*
- *Paperless Council Agendas*

d. Council Agenda and Council Committee Processes **Mayor**

At the request of Mayor Ronald Jones, Council is requested to discuss the Council agenda and Council Committee processes.

e. Appointment to the Utility Advisory Board **Council**

The terms for Position 5 and Position 7 on the Utility Advisory Board (UAB) expire on August 31, 2009. At the August 17, 2009 Work Session, Council discussed the process for appointing or reappointing members to the UAB. Information was posted on the City's website regarding the qualifications of Position 5 and Position 7. Qualified applicants were requested to submit an application to the City Secretary's Office by 5:00 p.m. on Monday, August 31, 2009. Council will be updated on the applications received.

f. Council Meeting Schedule for National Night Out **Council**

This year Texas will celebrate National Night Out on Tuesday, October 6, 2009. The first regular Council meeting in October is also scheduled on October 6, 2009. Council is requested to consider rescheduling their meeting to Monday, October 5, 2009. This would allow the Mayor and Council Members to participate in local National Night Out activities in the community. If Council concurs, this item will be scheduled for formal consideration at the September 15, 2009 Regular Meeting.

g. Establishment of a Charter Review Committee **Mayor**

At the request of Mayor Ronald Jones, Council is requested to discuss the establishment of a Charter Review Committee.

(8:00) 3. Regular Items:

a. Discussion of 2009-2010 Proposed Budget (Contingency Only) Bradford

This item is posted in the event that Council wishes to continue discussions, deliberations, or staff presentations related to the 2009-2010 Proposed Budget.

(9:00) 4. Discuss Appointments to Boards and Commissions Council

- *Board of Adjustment – John Kenneth Kaiwi*
- *Building and Fire Code Board – Christopher Ott*
- *Citizens Environmental and Neighborhood Advisory Committee – Fran Grove Brown, Scott Trepinski*
- *Community Multicultural Commission – Jennifer Najera Hague, Sunbola S. Ashimi*
- *Housing Standards Board – Wayne Wilmany*
- *Senior Citizens Advisory Commission – Jack D. Patterson*

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.

(9:30) 7. Adjourn Council

(Estimated time to consider)