

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
October 5, 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. Update on the Spencer RFP Process**
 - b. Landfill Gas to Energy Project**

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. Texas Department of Transportation Selective Traffic Enforcement Program Grant – Click It or Ticket

Council is requested to consider authorizing the City Manager to accept a State of Texas Department of Transportation Selective Traffic Enforcement Program Grant – “Click It or Ticket” in the amount of \$65,000 consisting of conducting intense vehicle occupant protection enforcement. The required enforcement period will be October 2009 – June 2010. This item is scheduled for formal consideration at the October 5, 2009 Regular Meeting.

b. Utility Services Building – Change Order No. 2

Council is requested to consider authorizing Change Order No. 2 to increase the general construction contract with Hill & Wilkinson, Inc. for the Utility Services Building located at 217 N. Fifth Street in the amount of \$214,435 (a 1% increase) for additional labor and materials necessary to house Marketing and QSE staff. If Council concurs, this item will be scheduled for formal consideration at the October 20, 2009 Regular Meeting.

c. Ground Lease to Clear Wireless

Council is requested to consider a request by Clear Wireless LLC for a 10' x 10' ground lease at the rear of the South Garland Branch Library site at 4845 Broadway Boulevard for wireless communication equipment to serve an antenna to be placed on an existing TXU electrical power pole located on the property. If Council concurs, this item will be scheduled for formal consideration at the October 20, 2009 Regular Meeting.

d. Major Industrial and Customer City Wastewater Rate Adjustments

Council is requested to consider authorizing wastewater rate adjustments for the major industrial and customer city rate classes. The methodology used for annually adjusting these rates is a routine process authorized in Section 50.35 of the Code of Ordinances. If Council concurs, this item will be scheduled for formal consideration at the October 20, 2009 Regular Meeting.

e. Grant Proposal to North Central Texas Council of Governments

Council is requested to consider authorizing Environmental Waste Services to submit a grant proposal in the amount of \$57,745 to the North Central Texas Council of Governments to acquire grant funds to implement a standardized single stream work place recycling program for all City of Garland facilities. If Council concurs, this item will be scheduled for formal consideration at the October 20, 2009 Regular Meeting.

f. School-Related Traffic Control and Parking Revisions

The Transportation Department periodically reviews school-related traffic control and parking regulations. A recent review reveals that changes are needed on Belt Line Road, Ninth Street, and Elliot Avenue. This item is scheduled for formal consideration at the October 5, 2009 Regular Meeting.

g. Annual Operating Contract for Northeast Texas Library System

The City of Garland contracts annually with the Texas State Library and Archives Commission to operate the Northeast Texas Library System (NETLS). Council is requested to consider authorizing the approval of the State Fiscal Year 2010 NETLS Operating Grant Contract. The City will receive \$644,327 for operation of the NETLS service program through the Nicholson Memorial Library System during State Fiscal Year 2010 (September 1, 2009 through August 31, 2010), including a projected \$32,255 in indirect costs as City revenues. If Council concurs, this item will be scheduled for formal consideration at the October 20, 2009 Regular Meeting.

h. Technical Assistance Negotiated Grant for Northeast Texas Library System

The City of Garland contracts with the Texas State Library and Archives Commission to administer the program for the Northeast Texas Library System through the Nicholson Memorial Library System. The program is fully funded by the State of Texas and the City incurs no liability for operation should funds not be appropriated

by the State. Council is requested to authorize the City Manager to accept a Technical Assistance Negotiated Grant in the amount of \$81,110 for administration of the program. The City will receive \$3,862 in indirect costs as City revenues. If Council concurs, this item will be scheduled for formal consideration at the October 20, 2009 Regular Meeting.

Item	Key Person
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(6:05) 2. Verbal Briefings:

a. 3-Day Paid Leave Update **Grammer**

At the September 1, 2009 Regular Meeting, Council approved the 2009-2010 Budget which includes an across the board 1.15% temporary reduction in pay for all employees. At that time, the City Manager removed consideration of the 3-day additional elective paid leave from the Council deliberation due to concerns raised about public safety. The City Manager requested that Fire Chief Dan Grammer make an assessment of whether adequate staffing levels could be sustained in the Fire Department with the implementation of the additional elective paid leave. Fire Chief Grammer will brief Council on the results of the assessment.

b. Temporary Public Amusements **Neighbor**

As directed by Council, the Administrative Services Committee considered an item relating to temporary public amusements, such as carnivals, circuses, and other traveling or itinerant commercial public amusements and relating to temporary commercial activities including Christmas tree lots and other seasonal activities. The City Attorney has prepared an ordinance amending Article VIII, "Temporary Public Amusements and Temporary Activities," of Chapter 30, "Building Inspections," of the Code of Ordinances for Council's review and consideration.

c. Community Services Committee Report **Cox**

Mayor Pro Tem Laura Perkins Cox, Chair of the Community Services Committee, will make a report to Council on the following items:

- Regulation of roadside businesses
- Fences along rights-of-way
- Vehicle signs for lawn service businesses

d. Nomination of Candidates to the DCAD and CCAD Board of Directors **Mayor**

At the September 14, 2009 Work Session, Council discussed the process for nominating candidates to the Dallas County Appraisal District and the Collin County Appraisal District Board of Directors. Information was posted on the City's website regarding the qualifications for these positions. Qualified applicants were asked to submit a letter of interest to the City Secretary's Office by 5:00 p.m. on Thursday, September 24, 2009. No responses were received.

e. Euthanasia Policy at the Animal Shelter **Mayor**

At the request of Mayor Ronald Jones, Council is requested to discuss the changes being made to the euthanasia policy at the City of Garland Animal Shelter.

(6:45) 3. Regular Item:

a. Creation of a Local Government Corporation **Neighbor**

Council is requested to consider authorizing the creation of a local government corporation to assist the City in the accomplishment of certain projects. The City Attorney will brief the Council on the potential creation of a nonprofit, limited local government corporation that may be assigned various public projects by the Council.

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

- Board of Adjustment – John Thomas McDonald
- Plan Commission – Thomas Craig Sheils
- Senior Citizens Advisory Committee – Joanne E. Stephens

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.

(6:50) 7. Adjourn

Council

(Estimated time to consider)