

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
October 6, 2008**

Council will meet beginning at 4:30 p.m.

Executive Session

- 1. 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. Consultation with the City's attorneys regarding the following litigation:
- 08-002233-CV-361, in the District Court of Brazos County;
- D-1-GN-08-003426, in the District Court of Travis County;
- 28,169, in the District Court of Grimes County.**
- 2. 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. Discuss Commercial Renewal Energy Zones (CREZ) Transmission Projects**
 - b. GP&L's Resource Plan Update**
- 3. Deliberate Regarding Real Property: A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. Section 551.072, Texas Government Code.**
 - a. Parker Drive**
 - b. 3713 South Glenbrook Drive**

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.

(6:30) 1. Written Briefings:

a. Annual Contract for Northeast Texas Library System (NETLS)

The City of Garland contracts annually with the Texas State Library and Archives Commission to operate the Northeast Texas Library System (NETLS) through the Nicholson Memorial Library System. The program is fully funded by the State of Texas and the City incurs no financial liability for operation of the system should funds not be appropriated by the State. The City will receive \$672,106 for operation of the NETLS service program through the Nicholson Memorial Library System during the State Fiscal Year 2009 (September 1, 2008 through August 31, 2009), including a projected \$33,744 in indirect costs as City revenues. If Council concurs, this item will be scheduled for formal consideration at the October 21, 2008 Regular Meeting.

b. Technical Assistance Negotiated Grant (TANG) for Northeast Texas Library System (NETLS)

Council is requested to consider authorizing the acceptance of the Technical Assistance Negotiated Grant (TANG) and authorizing the City Manager to enter into a contract with the Texas State Library and Archives Commission to implement the grant on behalf of NETLS member libraries. In State Fiscal Year 2009, the City will receive \$33,074 for administration of the TANG for the NETLS member libraries. This amount includes \$1,575 indirect costs as City revenues. If Council concurs, this item will be scheduled for formal consideration at the October 21, 2008 Regular Meeting.

c. Easement Abandonment – 3705 University Drive

Council is requested to consider abandoning existing drainage easements in exchange for the granting of other easements to construct the University Drive Channel project. If Council concurs, this item will be scheduled for formal consideration at the October 21, 2008 Regular Meeting.

d. Major Industrial and Customer Cities Rate Adjustments

Council is requested to consider approval of 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 50.34 of the Code of Ordinances. If Council concurs, this item will be scheduled for formal consideration at the October 21, 2008 Regular Meeting.

Item	Key Person
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(7:00) 2. Verbal Briefings:

a. Housing Standards Board Status Report

Briley

At the request of Council Members Larry Jeffus and Preston Edwards, the Chair of the Housing Standards Board (HSB), David Perry, will brief Council on the 2007-08 activities of the HSB.

b. Resolution Regarding the Use and Appropriation of State Transportation Revenues

Mayor/Athas

At the request of Mayor Ronald Jones and Council Member Douglas Athas, Council is requested to consider a resolution that supports: 1) the discontinuation of the diversion of state transportation user revenues to non-transportation uses, and 2) the appropriation of all revenue from highway user fees and taxes to fund transportation projects. This item is scheduled for formal consideration at the October 7, 2008 Regular Meeting.

c. Appropriate Zoning of the Northwest Quadrant of Century Park and Beltline Road

Lathen/Williams

At the request of Council Members Darren Lathen and Rick Williams, Council is requested to discuss the appropriate zoning of the northwest quadrant of Century Park and Beltline Road.

d. Revisions to Council Policies Regarding the Discovery, Investigation, and Handling of

Audit Committee

Allegations of Fraud, Abuse, and Waste

At the request of the Audit Committee, Council is requested to consider revisions to Council Policies regarding the discovery, investigation, and handling of allegations of fraud, abuse, and waste.

(8:15) 3. Regular Items:

a. Regulation of Wind Energy Systems

**Development
Services Committee**

Council is requested to consider a recommendation by the Development Services Committee for a proposed amendment to the Comprehensive Zoning Ordinance regarding residential wind energy systems.

b. Evaluation of Appropriate Zoning

**Development
Services Committee**

The site formerly occupied by Wal-Mart, and the adjacent properties within the triangle bound by South Garland Avenue, Kingsley and Shiloh Roads, have significant redevelopment potential but are, at the same time, vulnerable to occupation with inappropriate uses. The Development Services Committee has recommended that an evaluation of the properties' zoning designation be undertaken to ensure that their future use is compatible with existing and desired land use patterns and that the redevelopment potential of this area is not comprised.

c. Amendments to Article V, Chapter 26, "Police – Miscellaneous Provisions and Offenses" Regarding Home Solicitations

**Community Services
Committee**

At their September 15, 2008 meeting, the Community Services Committee discussed possible modifications to certain sections of the Code of Ordinances regarding Home Solicitations. The City Attorney's Office has drafted a proposed ordinance amending Article V, Chapter 26, of the Code of Ordinances regarding Home Solicitations. This item is scheduled for formal consideration at the October 7, 2008 Regular Meeting.

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| (9:30) 4. | Discuss Committee Reports/Assignments | Council |
| 5. | Discuss Appointments to Boards and Commissions | Council |
| 6. | Discuss Consent Agenda | Council |
| 7. | Discuss Future Agenda Items | Council |
| (10:00)8. | Adjourn | Council |

(Estimated time to consider)