

# **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Work Session Room, City Hall  
200 North Fifth Street, Garland, Texas  
October 18, 2010**

**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.**

**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 a non-binding memorandum of understanding or similar agreement in furtherance of evaluating the City's participation in the 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.

**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. Portfolio Summary**

*The Portfolio Summary is reported to Council each quarter. The report is in compliance with the requirements of the Public Funds Investment Act. Management of the City's portfolios is conducted in accordance with City Council Policy FIN-06, Statement of Investment, and City Council Policy FIN-05, Statement of Investment Strategy.*

**b. Rate Mitigation Fund**

*As previously directed by Council, staff provides a report on the financial position of the GP&L Rate Mitigation Fund on a quarterly basis. As of September 30, 2010, the Fund had a book balance of \$82.4 million. This balance includes all Council-approved transfers and all interest earnings since inception of the Fund.*

**c. Resolution to Support City of Dallas Municipal Setting Designation Application**

*The Dallas City Council approved a Municipal Setting Designation (MSD) ordinance for a facility located at 11477 Pagemill Road on September 8, 2010. Because the City of Garland is located within one-half mile of the MSD site, the owner of the site must have a resolution of support from the Garland City Council to proceed with their application. If Council concurs, this item will be scheduled for formal consideration at the November 2, 2010 Regular Meeting.*

Item	Key Person
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**(6:10) 2. Verbal Briefings:**

**a. Financial Update**

**Kauffman**

*Staff will provide Council with a financial update.*

**b. TMPA Update**

**Parsons**

*Gary Parsons, General Manager of the Texas Municipal Power Agency, will update Council on the financial status and operations of the Gibbons Creek Power Plant.*

**c. Utility Advisory Board Ad Hoc Committee Report** **Jeffus**

*On September 22, 2010, the Mayor appointed a Utility Advisory Board Ad Hoc Committee to review the current and future functions of the Utility Advisory Board. Mayor Pro Tem Larry Jeffus, Chair of the Committee, will provide a report on the following items:*

- *No change to the UAB direction*
- *Provide additional detailed direction to the UAB*
- *Consider disbanding the UAB*

**d. Utility Advisory Board** **Hyatt**

*At the request of the Utility Advisory Board Chairman, Lowell Hyatt, Council will discuss the role and future direction of the Utility Advisory Board.*

**e. Garland Health Facilities Development Corporation and Garland Economic Development Authority Update** **Glenn**

*Council will be briefed on the Garland Health Facilities Development Corporation and Garland Economic Development Authority.*

**f. Interview Process for Appointment to the Garland Housing Finance Corporation** **Council**

*Council is requested to determine the process for interviewing candidates to fill a vacant position on the Garland Housing Finance Corporation Board of Directors.*

**3. 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.*

**4. 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) 5. Adjourn** **Council**

**(Estimated time to consider)**