

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
July 12, 2010**

Council will meet beginning at 5:30 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. Consider the approval of a Participation Agreement between the City and South Texas Electric Cooperative regarding the design, construction, and operation of a Competitive Renewable Energy Zone transmission project; receive and consider advice and counsel from the Office of the City Attorney regarding same.**

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. Recommendation to Change Group Health Administrator

Council is requested to consider changing Third Party Claims Administrators and Preferred Provider Networks from CIGNA to Blue Cross Blue Shield as a result of proposals submitted in response to Request for Proposal 139-10 for employee and retiree group medical insurance.

b. Firewheel Golf Management Agreement

The current Firewheel Professional Golf Services and Concessions Services contracts are no longer financially sustainable for the Contractor. Council is requested to terminate the current contracts, purchase the Contractor's assets, and enter into a new temporary Management Services Agreement with the Contractor. This item is scheduled for formal consideration at the July 13, 2010 Regular Meeting.

c. Alley Right-of-Way Abandonment

Council is requested to consider authorizing the abandonment of a 15-foot wide alley right-of-way and retain a 15-foot wide utility easement in its place. Saturn Road Church of Christ owns all the lots adjacent to the section of alley to be abandoned. If Council concurs, this item will be scheduled for formal consideration at the July 20, 2010 Regular Meeting.

d. DART Agreement for Improvements Related to the Relocation of DGNO Facilities from Downtown

The City has been working with Dallas Area Rapid Transit (DART) and the Dallas Garland and Northeastern (DGNO) railroad to relocate the DGNO freight facilities from downtown to an area adjacent to the Newman Power Plant. In order to relocate the rail facilities, certain improvements are needed within and adjacent to the DART/DGNO rail right lane. Under a proposed agreement, the City will pay DART \$584,385.76 for designing and constructing additional freight rail track and constructing an extension of the Rainbow Estates sound

wall. This item is scheduled for formal consideration at the July 13, 2010 Regular Meeting.

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

a. Appointments to the DART Board of Directors **Council**

The term of office for the City of Garland's representatives on the Dallas Area Rapid Transit Board of Directors, Mr. Mark Enoch and Mr. Tracey Whitaker, expired on July 1, 2010. Both representatives will continue to serve until new appointments or reappointments are made by the City Council. Information was posted on the City's website requesting that individuals interested in representing Garland on the DART Board submit a letter of interest and resume to the City Manager's Office by Friday, July 2, 2010, at 5:00 p.m. Mr. Enoch and Mr. Whitaker were the only individuals to respond. Both representatives have expressed a desire to be reappointed to the DART Board of Directors.

b. Appointment to the TMPA Board of Directors **Council**

The Texas Municipal Power Agency (TMPA) notified the City that Mr. Jamie Ratliff's term as a member of their Board will expire on July 18, 2010. Mr. Ratliff has indicated his desire to be reappointed.

(6:45) 3. Discuss Appointments to Boards and Commissions **Council**

*Paul F. Hoffman – Plan Commission (Jeffus)
Steven James Burke – Youth Council (Edwards)
Nate Zachary – Youth Council (Jeffus)
Austin Johnson – Youth Council (Jeffus)
Nayelli Lopez – Youth Council (Willis)
Robyn Bashaw – Youth Council (Willis)
Mindy Le – Youth Council (Chick)*

4. 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.

5. 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.

(7:00) 6. Adjourn **Council**

(Estimated time to consider)