

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
December 1, 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. Responder Outage Management Software**
- 2. 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. Cause No. D-1-GN-08-003426, *Ex Parte: Texas Municipal Power Agency*; In the 126th Judicial District Court, Travis County, Texas ("TMPA I")**
 - b. Cause No. D-1-GN-08-003693, *Ex Parte: Texas Municipal Power Agency*; In the 261st Judicial District Court, Travis County, Texas ("TMPA II")**
 - c. Cause No. 28,169; *Texas Municipal Power Agency v. City of Bryan*; In the 506th Judicial District Court, Grimes County, Texas**

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 Briefing:

a. Renewal of Commercial Paper Liquidity Agreement

The liquidity agreement with Bank of America that supports the commercial paper program will expire in December 2009. Council is requested to consider renewing the agreement for a three-year term. If Council concurs, this item will be scheduled for formal consideration at the December 8, 2009 Regular Meeting.

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

a. Utility Advisory Board Review of GP&L CIP **Dollar**

Council is requested to discuss the Utility Advisory Board's request to review the GP&L Capital Improvement Program.

b. Vote for Dallas Central Appraisal District Board of Director Position **Council**

The City of Garland is eligible to cast one vote for the election of Suburban Cities' Representative to the Dallas Central Appraisal Board of Directors. The vote must be done in an open meeting, reported by written resolution, and submitted to the chief appraiser by December 17, 2009. If Council chooses to cast a vote, this item will be scheduled for formal consideration at the December 8, 2009 Regular Meeting.

c. Vote for Collin Central Appraisal District Board of Director Position **Council**

The City of Garland is eligible to cast one vote from among the list of nominees for the Board of Director position for the Central Appraisal District for Collin County. The vote must be done in an open meeting, reported by written resolution, and submitted to the chief appraiser before December 15, 2009. If Council chooses to

cast a vote, this item will be scheduled for formal consideration at the December 8, 2009 Regular Meeting.

d. Administrative Services Committee Report **Lathen**

Council Member Darren Lathen, Chair of the Administrative Services Committee, will provide a report on the following items that have been considered by the Committee.

- *Pawning, sale, purchase of jewelry and the laws and regulations applicable thereto*
- *Review of payment methods and cost to provide service*

(6:30) 3. Discuss Appointments to Boards and Commissions **Council**

- *Noelia Garcia – Housing Standards Board (Willis)*

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.

(6:40) 6. Adjourn **Council**

(Estimated time to consider)