

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
December 18, 2012**

Council will meet beginning at 5:00p.m.

Executive Session

- 1. Deliberate the appointment, employment, evaluation, reassignment duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee. Section 551.074, Texas Government Code.**
 - a. Annual Review of the City Auditor**
 - b. Annual Review of the Municipal Judges**

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, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; TEX. GOV'T CODE; Sec. 552.133, TEX. GOV'T CODE]

(5:30) 1. Written Briefings:

a. Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Impaired Driving Mobilization (IDM) Grant

Council is requested to consider authorizing the acceptance of a TxDOT – Selective Traffic Enforcement Program Impaired Mobilization Grant to be used for increased holiday DWI enforcement. Grant enforcement will take place in four waves: 1.) Christmas/New Year's - December 21, 2012 to January 1, 2013; 2.) Spring Break – March 8 - 17, 2013; 3.) Independence Day – June 28 to July 2013; and 4.) Labor Day – August 16 to September 2, 2013. This item is scheduled for formal consideration at the December 18, 2012 Regular Meeting.

b. Resolution to the 83rd Legislature Supporting the Texas Recreation and Parks Account Local Grant Program

Funding for the Texas Recreation & Park Account and the Large County and Municipality Recreation and Parks Account local grant programs was suspended by the Texas Legislature for state budget years 2012 – 2013. Cities across Texas are requesting the 83rd Legislature of Texas seek passage of legislation to restore this funding for matching grants to acquire and develop local parks. At their December 5, 2012 meeting, the Garland Park and Recreation Board recommended this item be presented to Council. If Council concurs, this item will be scheduled for formal consideration at the January 8, 2013 Regular Meeting.

c. Assistance for Nonprofit Special Event

The Garland NAACP has requested that Council consider waiving expenditures for City services required for their events celebrating Martin Luther King, Jr. on Saturday, January 19, and Sunday, January 20, 2013. City Council Policy OPNS-29 – Special Event Policies and Guidelines states that requests from nonprofit organizations for donated City services in excess of \$5,000 be brought to the Council for consideration. If Council concurs, funding assistance in the amount of \$6,900 will be provided.

**d. Conversion of the Texas Municipal Power Agency (TMPA)
Exempt Paper Program to Fixed Rate Debt**

Council is requested to consider a resolution among and between the Cities of Garland, Bryan, Denton, and Greenville regarding the conversion of a portion of the Texas Municipal Power Agency Tax Exempt Commercial Paper Program to a fixed rate debt. If Council concurs, this item will be scheduled for formal consideration at the January 8, 2013 Regular Meeting.

Item	Key Person
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(5:40) 2. Verbal Briefings:

**a. Briefing on Garland NAACP Events
Celebrating Martin Luther King, Jr.** **Daniels**

Council will be briefed on the Garland NAACP events to be held on Saturday, January 19, and Sunday, January 20, celebrating Martin Luther King, Jr.

b. Transportation and Commerce Committee Report **Willis**

Mayor Pro Tem John Willis, Chair of the Transportation and Commerce Committee, will provide a report on the following items that have been considered by the Committee.

- *Update on TEX-21 activities relating to transportation and infrastructure issues.*
- *Briefing on discussion at Washington, D.C. conference with Federal Highway Commissioner relating to local transportation infrastructure.*
- *Update on Citywide Roadway/Signal Projects*
 - o *Pleasant Valley Road*
 - o *Pleasant Valley Bridge*
 - o *Miller Road Bridge*
 - o *Fifth Street – Cedar to Miller*
 - o *Dairy Road – Celeste to Broadway*
 - o *Northwest Highway*
 - o *Bike Route Project*
 - o *Rectangle Rapid Flashing Beacon Program*

c. Audit Committee Report

R. Williams

Council Member Rick Williams, Chair of the Audit Committee, will provide a report on the following items that have been considered by the Committee.

- *IT Risk: Change Management Audit*
- *Tax-Exempt Properties Audit*
- *Accounts Payable – Vendor Master File Audit*
- *Firewheel Mixed Beverage Permit Compliance Audit*
- *Audit's Peer Review Report*

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.

(6:40) 5. Adjourn

Council

(Estimated time to consider)



Meeting: Work Session

Date: December 18, 2012

Policy Report

TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) IMPAIRED DRIVING MOBILIZATION (IDM) GRANT

ISSUE:

Council is requested to consider accepting a Texas Department of Transportation (TXDOT) – Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization (IDM) Grant.

OPTIONS:

1. Accept TxDOT STEP grant funding. If the City Council concurs, the City Manager will execute the contracts.
2. Do not accept TxDOT STEP grant funding.

RECOMMENDATION:

Accept TxDOT grant funding for the Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization (IDM) Grant for increased holiday DWI enforcement for FY 2012 – 2013. This item is scheduled for formal consideration at the December 18, 2012 Regular Meeting.

COUNCIL GOAL

Safe, family-friendly neighborhoods – By accepting the STEP grant, the City Council will augment the ability of the Garland Police Department to provide a greater level of traffic safety for the citizens of the City of Garland via additional DWI enforcement.

BACKGROUND:

The Garland Police Department has partnered with The Texas Department of Transportation (TxDOT) for many years by participating in STEP enforcement grants. The purpose of this grant is to save lives and reduce motor vehicle accidents and related injuries by aggressively enforcing the laws of the State of Texas associated with Driving While Intoxicated (DWI). Enforcement of these efforts will be focused throughout the City of Garland.

CONSIDERATION:

If accepted, the \$39,865.29 grant will provide salary reimbursement for officers conducting DWI enforcement. The City of Garland is required to provide matching funds in the amount of \$15,697.28 bringing the grant total to \$55,562.57. The matching funds requirement is met through the assigned officers' fringe benefits, travel and vehicle expenses, and indirect costs. Grant enforcement will take place in four waves: Christmas/New Year's Wave – December 21, 2012 to January 1, 2013; Spring Break Wave – March 8, 2013 to March 17, 2013; Independence Day Wave – June 28, 2013 to July 7, 2013; and Labor Day Wave – August 16, 2013 to September 2, 2013.

ATTACHMENT:

None

Submitted By:

Mitchel L. Bates
Chief of Police

Date: December 4, 2012

Approved By:

William E. Dollar
City Manager

Date: December 4, 2012



Policy Report

CONSIDER RESOLUTION TO THE 83RD LEGISLATURE SUPPORTING THE TEXAS RECREATION & PARKS ACCOUNT LOCAL GRANT PROGRAM

ISSUE

Funding for the Texas Recreation & Park Account (TRPA) and the Large County and Municipality Recreation and Parks Account (Urban Account) local grant programs was suspended by the Texas Legislature for state budget years 2012-2013. Cities across Texas are requesting the 83rd Legislature of Texas seek passage of legislation to restore this funding for matching grants to acquire and develop local parks.

OPTIONS

The available options are: 1) approve the attached supporting resolution, 2) return the issue to the Board for further review, or 3) take no action at this time.

RECOMMENDATION

The Garland Park and Recreation Board at their December 5 meeting recommended for City Council consideration approval of the attached resolution to the 83rd Texas Legislature supporting the Texas Recreation & Parks Account local grant fund program. If Council concurs, this item will be scheduled for formal consideration at the January 8, 2013 Regular Meeting.

COUNCIL GOAL

Sustainable Quality Development and Redevelopment

BACKGROUND

The Texas Recreation & Parks Account Program (TRPA), which replaced the Texas Local Park Fund Program, was created in 1993 by the Texas Legislature to provide financial assistance to local governments in the acquisition of land and development of both outdoor and indoor recreation facilities. The revenue for the program comes solely from a portion of the sales tax on designated sporting goods in Texas. Grants from this account are a 50/50 match between the state and the local sponsor.

CONSIDER RESOLUTION TO THE 83RD LEGISLATURE SUPPORTING THE TEXAS
RECREATION & PARKS ACCOUNT LOCAL GRANT PROGRAM

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Since 1979 Texas Parks and Wildlife Department local park grant programs have invested more than \$390 million grant dollars (matching funds) in 1,630 local projects throughout the state. This investment has provided for the acquisition and development of local park and recreation sites, and provided resources to supplement local park and conservation programs that introduce children and families to the outdoors. Many of these grants have been made from the TRPA, reinvesting sales taxes paid by Texas citizens for close to home recreation opportunities, including parks in Garland.

CONSIDERATION

Texas local park fund grant program matching funds have assisted in the acquisition and/or development of a range of projects in Garland's park system including, Windsurf Bay Park, Coomer Park, Ablon Park, Duck Creek Trail, Spring Creek Greenbelt.

This effort to restore funding to the Texas local parks fund program is supported by the Texas Municipal League, the Texas Municipal Parks, Recreation & Tourism Association (an affiliate of the Texas Municipal League), and by the Texas Recreation & Park Society.

ATTACHMENT

Draft Resolution

Submitted By:

Jim Stone, Managing Director
Parks, Recreation & Cultural Services

Date: December 5, 2012

Approved By:

William E. Dollar
City Manager

Date: December 5, 2012

RESOLUTION NO.

A RESOLUTION OF THE CITY OF GARLAND, TEXAS REQUESTING THE MEMBERS OF THE 83rd LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS ACCOUNT AND THE LARGE COUNTY & MUNICIPALITY RECREATION & PARKS ACCOUNT LOCAL PARK GRANT PROGRAMS, AND THE TEXAS STATE PARK SYSTEM

WHEREAS, the Texas Parks & Wildlife Department ("TPWD") administers the Texas Recreation & Parks Account Local Park Grant Program ("TRPA") and the Large County and Municipality Recreation and Parks Account (Urban Account) and manages 94 State parks and historical sites in Texas; and

WHEREAS, TPWD has a separate account in their general revenue fund referred to as the TRPA and Urban Account for the purpose of providing matching grants to political subdivisions for parks and recreation projects, and for outreach grants to introduce new populations to outdoor experiences; and

WHEREAS, the matching grants provided by the TPWD are utilized for the planning, acquisition, and development of local park, recreation and open space areas to be owned and maintained by political subdivisions; and

WHEREAS, funds granted to political subdivisions under the TRPA and Urban Account guidelines have funded 1,629 projects of the 3,470 submitted over 30 years delivering over \$800 million to the local Texas economy; and

WHEREAS, political subdivisions throughout the State of Texas depend on grants from TPWD through the TRPA to stimulate the acquisition and development of parks and recreational areas for the benefit and enjoyment of their citizenry; and

WHEREAS, the TRPA, Urban Account, and State parks are funded from sales tax on sporting goods and that the development of new parks stimulates the purchase of sporting goods; and

WHEREAS, the maintenance and improvements of State park and historic sites and the addition of new parks is a priority to Texans due to the State's expanding population and extensive tourism industry; and

WHEREAS, the development of parks encourages and promotes public health, economic development, job creation, education; corporate relocations, an improved quality of life, and juvenile crime prevention; and

WHEREAS, funds are needed for major repairs at state parks and for the acquisition and development of parks and facilities; and

WHEREAS, it is the desire of this City Council that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 83rd Texas Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That members of the 83rd Legislature of Texas seek passage of legislation maximizing the use of revenue from the sporting goods sales tax to increase funding for parks and recreation programs for both Local and State parks and that all TRPA and Urban Account funded park projects be subject to the established TPWD competitive scoring system.

Section 2

That members of the 83rd Legislature of Texas restore funding to the TRPA and Urban accounts in the amount of at least \$15.5 million per year.

Section 3

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the ____ day of _____ 2013.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



Policy Report

CONSIDER ASSISTANCE REQUEST FOR NONPROFIT SPECIAL EVENT 24TH ANNUAL MARTIN LUTHER KING JR PARADE

ISSUE

The Garland NAACP has requested the City Council to consider waiving expenditures for city services required for their events celebrating Martin Luther King Jr. Day on Saturday, January 19 and Sunday, January 20, 2013. The City Council Policy on Special Event Policies and Guidelines (OPNS-29) states that requests from nonprofit organizations for donated City services in excess of \$5,000 be brought to the City Council for consideration.

OPTIONS

The City Council may: 1) approve the proposed recommendation for special event assistance to the Garland NAACP, 2) deny or revise the proposed funding level.

RECOMMENDATION

Staff recommends the City Council approve funding assistance (waiving fees and charges for City services) in the amount of \$6,900 for the Annual Martin Luther King, Jr. Parade & March and the MLK Youth Extravaganza.

BACKGROUND

This annual parade event spotlights the unity among Garland's diverse communities. The parade will begin at 10 a.m. on Saturday, January 19 at the intersection of Dairy Road and Garden Drive. It will travel north on Dairy Road to Highway 66, then along First Street, Avenue B, Fifth Street, and Austin Street, ending at the Granville Arts Center for a commemorative program that is free and open to the public.

The MLK Youth Extravaganza (showcasing dance, step routines and military style drills) takes place at the Granville Arts Center the following Sunday afternoon and is also free and open to the public.

By assisting various nonprofit organizations through the donation of City services for the nonprofits' special events, the City promotes and celebrates the diversity and vitality of

CONSIDER ASSISTANCE REQUEST FOR NONPROFIT SPECIAL EVENT

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the community. From parades and festivals to various multicultural events, the City of Garland is showcased through the efforts of these nonprofit organizations.

CONSIDERATION

The City fees to be waived include the following: rental fees for the Brownlee Auditorium at the Granville Arts Center, and fees for police services, barricades, etc. associated with street closure and traffic control for the parade. The proposed assistance amount of \$6,900 is available within the amount budgeted amount relating to City services for special events held by nonprofit organizations throughout the year..

ATTACHMENT

None

Submitted By:

Jim Stone, Managing Director
Parks, Recreation & Cultural Services

Date: December 4, 2012

Approved By:

William E. Dollar
City Manager

Date: December 5, 2012



Policy Report

CONVERSION OF A PORTION OF THE TMPA TAX EXEMPT COMMERCIAL PAPER PROGRAM TO FIXED RATE DEBT

ISSUE

The Texas Municipal Power Agency (TMPA) has issued and has outstanding commercial paper notes styled as the "Texas Municipal Power Agency Commercial Paper Notes, Series 2005" under a commercial paper program (the "2005 CP Program") for which liquidity is provided through a bank credit facility (the "2005 Bank Facility") that will terminate not later than April 26, 2013 (the "Scheduled Termination Date"). The TMPA has determined to replace the generation portion of the 2005 CP Program with fixed rate debt to lessen TMPA's exposure to interest rate risk and provide capacity for additional transmission investments. The fixed rate debt shall be junior subordinate lien revenue refunding bonds that will mature not later than September 1, 2018. To accomplish this, the TMPA has determined it must amend the 2005 CP Program or replace the 2005 CP Program with a new commercial paper program ("Series 2013 Commercial Paper Notes") on or prior to the Scheduled Termination Date. The amended 2005 CP Program or the Series 2013 Commercial Paper Notes will have a principal capacity not to exceed \$100,000,000 and a maturity date no later than September 1, 2018.

A condition to refunding the commercial paper notes to fixed rate debt is by the approval by each Member City; therefore, Garland Power & Light is seeking Council approval to authorize the Mayor, or his representative, to approve the TMPA proposal to convert a portion of the TMPA Tax Exempt Commercial Paper Program to a fixed rate debt.

OPTIONS

- (1) Approve authorizing the Mayor, or his representative to execute the resolution among and between the City of Bryan, Texas, the City of Denton, Texas, the City of Garland, Texas, and the City of Greenville, Texas regarding the conversion of a portion of the TMPA Tax Exempt Commercial Paper Program to a fixed rate debt. If Council concurs, this item will be scheduled for formal consideration at the January 8, 2013 Regular Session.
- (2) Take no action.

RECOMMENDATION

Staff recommends that Council consider approval of option number one authorizing the Mayor, or his representative to approve the resolution between and among the Member Cities to allow the conversion of a portion of the TMPA Tax Exempt Commercial Paper Program to a fixed rate debt.

COUNCIL GOAL

The proposal resolution provides for a financially stable government with tax base that supports community needs.

CONSIDERATION

The approval by the TMPA Board to refund notes issued under the 2005 CP Program, that on or after the date of issuance of the fixed rate bonds, the principal capacity of the CP Program shall be reduced from the current principal capacity of \$255,000,000 to a principal capacity not to exceed \$100,000,000 and maturing no later than September 1, 2018.

The bond counsels for each Member City have reviewed the resolution and have been given an opportunity to comment on the resolution. Their comments were integrated into the resolution.

Submitted By:

Jeff Janke,
GP&L Managing Director

Date: December 12, 2012

Approved By:

William E. Dollar
City Manager

Date: December 12, 2012



City Council Item Summary Sheet

☒ Work Session

Date: December 18 2012

☐ Agenda Item

Martin Luther King, Jr. Events

Summary of Request/Problem

Council will be briefed on the Garland NAACP events to be held on Saturday, January 19, and Sunday, January 20, celebrating Martin Luther King, Jr. Day.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☒ **Work Session**

Date: December 18, 2012

☐ **Agenda Item**

Transportation and Commerce Committee Report

Summary of Request/Problem

Mayor Pro Tem John Willis, Chair of the Transportation and Commerce Committee, will provide a report on the following items that have been considered by the Committee:

- Update of TEX-21 activities relating to transportation and infrastructure issues.
- Briefing on discussion at Washington, D.C. conference with Federal Highway Commissioner relating to local transportation infrastructure.
- Update of Citywide Roadway/Signal Projects
 - o Pleasant Valley Road
 - o Pleasant Valley Bridge
 - o Miller Road Bridge
 - o Fifth Street – Cedar to Miller
 - o Dairy Road – Celeste to Broadway
 - o Northwest Highway
 - o Bike Route Project
 - o Rectangle Rapid Flashing Beacon Program

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☒ Work Session

Date: December 18, 2012

☐ Agenda Item

Audit Committee Report

Summary of Request/Problem

Council Member Rick Williams, Chair of the Audit Committee, will provide a report on the following items that have been considered by the Committee:

- IT Risk: Change Management Audit
- Tax-Exempt Properties Audit
- Accounts Payable – Vendor Master File Audit
- Firewheel Mixed Beverage Permit Compliance Audit
- Audit's Peer Review Report

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager