

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

January 6, 2009

7:00 p.m.

5:30 p.m. - COUNCIL EXECUTIVE SESSION

Council Executive Session to discuss Council briefings, personnel, land, and legal matters to be continued, if necessary from the Work Session.

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the north side of City Hall and the building may be accessed by a sloped ramp from the parking area to the door facing Fifth Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2403 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRILLE IS NOT AVAILABLE.**

CITY COUNCIL GOALS 2020

(Adopted by Resolution No. 9402 on December 20, 2005)

- **Sustainable quality development and redevelopment**
- **Financially stable government with tax base that supports community needs**
- **Defends rightful powers of municipalities**
- **Fully informed and engaged citizenry**
- **Consistent delivery of reliable City services**
- **Safe, family-friendly neighborhoods**
- **Embrace diversity**

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has been briefed on these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the December 9, 2008 Regular Meeting.

2. Consider approval of the following bids:

- a. Installation of Duct Line from Ben Davis Substation to Section 28 of the NTTA Bid No. 32-09

ADB Utility Construction	\$109,784.00
Contingency Fund	<u>10,000.00</u>
TOTAL	<u>\$119,784.00</u>

This request is to provide all labor and material necessary to install the duct line from the Ben Davis Substation to Section 28 of the North Texas Tollway Authority Eastern Extension Improvements Project.

- b. Hot and Cold Lay Asphalt Bid No. 37-09

APAC	\$250,760.00
------	--------------

This request is to provide hot and cold lay asphalt to the Street Department on an annual basis.

- c. Hyland Software Maintenance Renewal Bid No. 110-09

Databank IMX	\$103,212.00
--------------	--------------

This request is for the purchase of an annual service agreement for software maintenance for the document imaging system from 12/01/08 to 11/30/09. The software is used by various City departments.

d. Police Ammunition

Bid No. 557-08

Bailey's House of Guns, Inc.	\$57,276.21
GT Distributors, Inc.	26,085.89
Precision Delta Corp.	<u>19,635.00</u>
TOTAL	<u>\$102,997.10</u>

This request is for the purchase of ammunition for the Police Department.

e. Construction of the Utility Services Building

Bid No. 54-09

Hill & Wilkinson, Ltd.	\$16,611,700.00
-----------------------------------	------------------------

This request is for a guaranteed maximum price construction manager at risk contract for the remodel of the Utility Services building located at 217 N. Fifth Street and the construction of the new Remote Payment Facility located at the northeast corner of State Street and Glenbrook Drive.

- 3. Consider by minute action authorizing the City Manager to execute an engineering services agreement to Weaver Boos Consultants, LLC-Southwest in the amount of \$135,910.**

Approval of an engineering services agreement to Weaver Boos Consultants, LLC-Southwest will provide Phase 1 engineering services necessary to provide construction phase management services throughout the duration of the Hinton and Castle Drive Landfills Gas Collection and Control System.

- 4. Consider a resolution authorizing the City Manager to make application for a grant from the Office of the Governor, Criminal Justice Division, to operate a Victim Assistance Advocate Program.**

At the January 5, 2009 Work Session, Council was scheduled to consider a request for renewal of the Police Department's "Victims of Crime Act" Grant funding for the continuance of a Victim Assistance Advocate program within the Police Department.

- 5. Consider an ordinance amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland.**

In order to implement traffic control measures to improve traffic flow in and around the GISD Parsons Pre-K school, stopping, standing, and parking will need to be prohibited at all times along Richoak Drive from the easternmost intersection with Richview Drive to Windy Drive. This item was scheduled for Council consideration at the January 5, 2009 Work Session.

- 6. Consider a resolution approving the acquisition by Dallas Area Rapid Transit (DART) by fee simple purchase, easement purchase or the exercise of the right of eminent domain, of specific properties within the City of Garland as herein described for the construction of certain traffic improvements.**

At the January 5, 2009 Work Session, Council was scheduled to consider a request by DART for the City to authorize DART to acquire two parcels of land through eminent domain for the Blue Line Rail extension from Garland to Rowlett.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium. The City Attorney will swear in everyone who intends to present comments or testimony during the meeting.

- 7. Presentation of the Proposed 2009 Capital Improvement Program.**

The City Manager will formally present the Proposed 2009 Capital Improvement Program.

- 8. Hold a public hearing regarding the amendment to the Comprehensive Zoning Ordinance 4647.**

Council is requested to consider amending the Comprehensive Zoning Ordinance No. 4647 to define and limit the location of alternative financial establishments.

9. Hold public hearings on the following zoning cases:

- a. Consider the application of Chicken Express, requesting approval of 1) a Specific Use Permit for Restaurant with Drive Through on property zoned Shopping Center (SC) District and 2) a variance to Section 24 of the Comprehensive Zoning Ordinance regarding building setbacks. The property is located at the northern corner of William A. Taylor Avenue and Broadway Boulevard. (File 08-53)**

The proposal is for approval of a Specific Use Permit for a restaurant with drive through. At the December 10, 2008 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request for a period of 20 years.

- b. Consider the application of The Dimension Group, requesting approval of 1) a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District. The property is located at 6418 North Jupiter Road. (File 08-54)**

The proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps. At the December 10, 2008 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request for a period of 25 years.

- c. Consider the application of Baldwin Associates, requesting approval of a change of zoning from Single Family-7 (SF7/G/3) District to General Business (GB) District. The property is located north of 5610 Broadway Boulevard. (File 08-55)**

The proposal is for a change of zoning from Single Family-7 District to General Business District to allow for four additional parking spaces to be added to the Bank of America. At the December 10, 2008 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request.

10. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

11. Citizen comments.

Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.

12. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Verizon FIOS TV 44. Meetings are rebroadcast at 9:00 am and 7:00 pm on Wednesday-Sunday and at 7:30 pm on Thursday. Copies are available for purchase through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3.00 each. DVD's of the meetings can also be checked out through the Nicholson Memorial Library System.