

# **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Work Session Room, City Hall  
200 North Fifth Street, Garland, Texas  
January 17, 2012**

## **Executive Session 4:30 p.m.**

- 1. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee [Sec. 551.074, TEX. GOV'T CODE].**
  - a. Consider the reassignment of the managing director of electric utility to a consulting basis.**
  - b. Consider the renewal of employment agreements with the City Manager, City Attorney, and Internal Auditor, and the appointment of a City Secretary.**

## **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]

**(5:00) 1. Written Briefing:**

**a. Budget Amendment Young**

*Council is requested to consider authorizing the amendment of the 2011-12 Adopted Budget in order to appropriate available funds for the following:*

- *Projects approved in last year's budget, but not completed by fiscal yearend.*
- *Rollover of open purchase orders from the 2010-11 fiscal year.*
- *Grant and other funds recently awarded to the City.*
- *Expenditures not anticipated in the 2011-12 Adopted Budget.*

Item	Key Person
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**2. Verbal Briefings:**

**a. DART Update DART**

*At the request of Council Members Laura Perkins Cox and John Willis, DART will brief Council on their proposed bus and rail service modifications scheduled for July 30 and December 3, 2012 (in conjunction with the dates for the opening of the Orange Line Phase 1 and Orange Line Phase II, and Blue Line extension opening).*

**b. Redistricting for Dallas County Cantrell**

*At the request of Mayor Ronald Jones, County Commissioner Mike Cantrell will update Council on the 2011 redistricting for Dallas County. As a result of the redistricting, Commissioner Cantrell now represents the cities of Addison, Carrollton, Coppell, Farmers Branch, Garland, Highland Park, Rowlett, Richardson, Sachse, University Park, as well as portions of Dallas and the Valley Ranch area.*

**3. Regular Items:**

**a. Solid Waste Collection Route Optimization Program                      Banks**

*Environmental Waste Services is proposing to implement a Solid Waste Collection Route Optimization program to improve operating efficiencies by balancing routes in the residential, recycling, and brush/bulky goods service areas along with collection enhancements to the commercial automated container program.*

**b. Preview of the 2012 Proposed CIP    Young**

*Staff will provide an overview of the 2012 Proposed Capital Improvement Program (CIP) that will be formally presented by the City Manager at the January 17, 2012 Regular Meeting.*

**4. Discuss Appointments to Boards and Commissions                      Council**

**5. 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.*

**6. 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.*

**(6:45) 7. Adjourn    Council**

**(Estimated time to consider)**

# **AGENDA**

## **REGULAR MEETING OF THE CITY COUNCIL**

**City of Garland**

**Council Chambers, City Hall**

**200 North Fifth Street, Garland, Texas**

**January 17, 2012**

**7:00 p.m.**

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. **BRaille 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 January 3, 2012 Regular Meeting.
  
2. Consider approval of the following bids:

- a. Construction Manager at Risk Bid No. 1972-11  
Wallace and Lavon Pump Station Rehabilitations

Harrison, Walker and Harper, LP	\$6,853,239.00
Contingency	<u>400,000.00</u>
TOTAL	<u>\$7,253,239.00</u>

*This request is for construction manager at risk for the Wallace and Lavon Pump Station rehabilitations.*

- b. Water Meters for Warehouse Inventory Bid No. 2668-12

Badger Meter, Inc.	\$378,827.00
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*This request is for water meters for commercial and residential water distribution. The meters are standard warehouse inventory items to support Water Department operations.*

**c. Underground Cable Replacement – 5 Loops      Bid No. 2671-12**

<b>The Fishel Company</b>	<b>\$425,816.14</b>
<b>Contingency</b>	<b><u>50,000.00</u></b>
<b>TOTAL</b>	<b><u>\$475,816.14</u></b>

*This request is for all labor, equipment, and tools necessary to remove and replace existing underground cable in the ongoing Electric Distribution Maintenance Program.*

**d. Underground Line Locating Services      Bid No. 2681-12**

<b>USIC Locating Services, Inc.</b>	<b>\$200,000.00</b>
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*This request is for all labor and equipment necessary to provide distribution underground line locates.*

- 3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.**

**Zoning File No. 11-34, Audio Zone**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Automobile Repair, Minor on property zoned Shopping Center District on a 2.89-acre tract of land located at 1750 Northwest Highway, Suite 250B.*

- 4. Consider by minute action authorizing the City Manager to execute a contract with RJN Group in an estimated amount of \$414,155.**

*Staff has negotiated a contract with RJN Group in an estimated amount of \$414,155 for the design of Section I of the West Pressure Plane Improvements 24" Pipeline. The limits of Section I are from the Wallace Pump Station (just west of Wallace Drive and Dairy Road) to the intersection of Fifth Street and Ridgedale Drive evaluating three possible routes previously determined in an initial alignment study.*

5. **Consider by minute action authorizing the City Manager to execute a contract with R-Delta Engineers, Inc. in an estimated amount of \$308,400.**

*Staff has negotiated a contract with R-Delta Engineers, Inc. in an estimated amount of \$308,400 for the design of Section II of the West Pressure Plane Improvements 24" Pipeline. The limits of Section II are from the intersection of Fifth Street and Ridgedale Drive to the intersection of Kingsley Road and Old Orchard Road.*

6. **Consider by minute action authorizing the City Manager to execute a contract with Freese and Nichols, Inc. in an estimated amount of \$279,360.**

*Staff has negotiated a contract with Freese and Nichols, Inc. in an estimated amount of \$279,360 for the design of Section III of the West Pressure Plane Improvements 24" Pipeline. The limits of Section III are from the intersection of Kingsley Road and Old Orchard Road to the intersection of Leon Road and McCree Road.*

7. **Consider a resolution authorizing the City Manager to execute Change Order No. 1 with Regenco.**

*At the January 3, 2012 Work Session, Council considered authorizing Change Order No. 1 in the amount of \$663,435 with Regenco for a declared emergency on unforeseen damage to the ROP Unit #2 Generator Field.*

8. **Consider a resolution appointing Elaine Simpson as the interim City Secretary.**

*The current City Secretary has announced her pending resignation from the City of Garland. At the January 3, 2012 Executive Session, Council considered the appointment of Elaine Simpson as the interim City Secretary until such time as Council appoints a City Secretary.*



9. **Consider by minute action authorizing the City Manager to execute a consulting agreement with Ray Schwertner.**

*At the January 3, 2012 Executive Session, Council discussed the reassignment of Ray Schwertner, Managing Director of Electric Utility, to a consulting basis. A consulting agreement has been prepared by the City Attorney.*

### **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.**

10. **Presentation of the 2012 Proposed Capital Improvement Program.**

*The City Manager will formally present the 2012 Proposed Capital Improvement Program for Council's review and deliberation.*

11. **Hold a public hearing on the following zoning case:**

**Consider the application of Onyx Builders, requesting approval of 1) a change of zoning from Planned Development (PD) District 05-55 for Single Family, Attached Uses (Townhouses) to a Planned Development (PD) District for Single Family Uses, 2) a Detail Plan for 63 single family residences, and 3) a waiver of Section 31.27 of the City of Garland Code of Ordinances regarding the requirement of alleys. The property is located north of the intersection of Roan Road and Rowlett Road. (File 11-31)**

*The proposal is for approval of 1) a change of zoning from a Planned Development for Single Family Attached Uses to a Planned Development for Single Family, 2) a Detail Plan for 63 single family residences, and 3) a waiver*

*regarding the requirement of alleys. At the October 24, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request.*

**12. 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.*

- *Linda Rutherford – Community Multicultural Commission (Mayor)*
- *Eula Axe – Senior Citizens Advisory Committee (Willis)*

**13. 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.*

**14. 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 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at [www.garlandtx.gov](http://www.garlandtx.gov). Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.*