

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

February 3, 2009

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. **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**
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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 20, 2009 Regular Meeting.**
- 2. Consider by minute action approval of a Memorandum of Agreement with The Town of Luzhu, Taiwan, Republic of China.**

At the January 20, 2009 Work Session, Council considered entering into a Memorandum of Agreement based on a proposed Sister City relationship between the City of Garland and The Town of Luzhu, Taiwan, Republic of China, promoting further friendship and goodwill.

- 3. Consider a resolution authorizing the City Manager to execute an Engineering Services Agreement with Perkins Engineering Consultants, Inc.**

In the 2001 Wastewater Strategic Business Plan, it was recommended that improvements be made to the existing facilities at the Rowlett Creek Wastewater Treatment Plant. One of the areas designated for rehabilitation was the Aeration System. In a preliminary design report completed in November 2008, Perkins Engineering Consultants, Inc. detailed the improvements that were necessary in the plant's aeration system. In order to accomplish these improvements, staff requests that Council authorize a contract with the engineering firm of Perkins Engineering Consultants, Inc. in the amount of \$367,900 to perform a detailed design.

- 4. Consider by minute action authorizing the City Manager to execute an Engineering Services Agreement with Clois W. Versyp, PLLC in the amount of \$260,000.**

An Engineering Agreement with Clois W. Versyp, PLLC will provide the design, demolition plan, associated erosion control plan, specification

documents and drawings for the reconstruction of the 138kV Miller Road Substation at the corner of Centerville Road and Miller Road on the current site of the Miller Road Substation.

- 5. Consider by minute action approval of an employment agreement with William E. Dollar.**

Council is requested to approve an employment agreement with William E. Dollar to continue his employment in the position of City Manager.

- 6. Consider by minute action approval of an employment agreement with Brad Neighbor.**

Council is requested to approve an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.

- 7. Consider by minute action approval of an employment agreement with Craig Hametner.**

Council is requested to approve an employment agreement with Craig Hametner to continue his employment in the position of City Auditor.

- 8. Consider by minute action approval of an employment agreement with Mary Kayser.**

Council is requested to approve an employment agreement with Mary Kayser to continue her employment in the position of City Secretary.

- 9. Consider by minute action the reappointment of Robert J. Beasley and Sonja H. Galbraith as Municipal Judges.**

Council is requested to reappoint Robert J. Beasley and Sonja H. Galbraith as Municipal Judges.

- 10. Consider an ordinance authorizing an amendment to the 2008-09 Program of Service (Budget Amendment No. 1), providing for supplemental appropriation of funds in the General Fund, the Environmental Waste Services Fund, the Community Development Block Grant Fund, the Housing Assistance Fund, the Information**

Technology Fund, the Information Technology Project Fund, the Public Safety Grant Fund, and various funds associated with purchase order encumbrances.

At the January 20, 2009 Work Session, Council considered an amendment of the 2008-09 Adopted Budget. Council directed staff to prepare an ordinance amending the budget for projects approved in last year's budget but uncompleted by the fiscal year-end, the rollover of open purchase orders from the 2007-08 fiscal year, the receipt of additional grants and other awards, and transfers between funds.

- 11. Consider an ordinance amending various sections of Chapter 50, "Utility Fees," of the Code of Ordinances of the City of Garland, relating to fees for various services provided by the City.**

At the February 2, 2009 Work Session, Council was scheduled to consider a proposal to decrease residential solid waste collection rates by \$0.76 a month and commercial rates by 6% due to declines in fuel costs.

- 12. Consider a resolution authorizing the Mayor to execute an interlocal boundary and ETJ contract.**

At the January 20, 2009 Work Session, Council was briefed on a proposal to allocate Garland's Extra Territorial Jurisdiction (ETJ) to the Cities of Lavon, Nevada, Rockwall, and Wylie and the disannexation of portions of Garland's 100' city limit strip which extends to Lake Lavon.

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.

- 13. Hold a public hearing and consider an ordinance establishing appropriations for the 2009 Capital Improvement Program.**

On January 6, 2009, Council was presented with the Proposed Capital Improvement Program (CIP) for 2009. The following day, copies of the Proposed CIP were made available for public inspection at City Libraries, the City Secretary's Office, and on the City's website. A public hearing on the Proposed CIP was held on January 20, 2009. Council also held several Special Budget Work Sessions to review the proposed program. An ordinance reflecting the 2009 CIP for the City of Garland, as proposed by the City Manager and as amended by Council, will be prepared based on direction received at the February 2, 2009 Work Session.

- 14. Hold public hearings on the following zoning cases:**

- a. Consider the application of Golden Clinic Services LLC, requesting approval of a Specific Use Permit for a Medical Clinic on property zoned Industrial-1 (I-1) District. The property is located at 2301 Forest Lane. (File 09-03)**

The proposal is for approval of a Specific Use Permit for a Medical Clinic. At the January 12, 2009 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a period of 20 years.

- b. Consider the application of Tahasalih Kawa Yousef, requesting approval of 1) a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Industrial-1 (I-1) District. The property is located at 3080 South Jupiter Road. (File 09-04)**

The proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps. At the January 12, 2009 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a period of 20 years.

- c. Consider the application of Francisco Rojas, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Industrial-1 (I-1) District. The property is located at 2800 West Kingsley Road, Suite 100. (File 09-05)**

The proposal is for approval of a Specific Use Permit for a Reception Facility. At the January 12, 2009 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a period of 5 years.

15. 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.

16. 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.