

# **AGENDA**

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

**City of Garland**

**Council Chambers, City Hall**

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

**February 8, 2011**

**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**
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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 18, 2011 Regular Meeting.
  
2. Consider approval of the following bids:

- a. Demolition and Reconstruction of Police Shooting Range Canopy Bid No. 2078-11

Hill & Wilkinson General Contractors	\$831,782.00
Contingency (if required)	<u>120,000.00</u>
TOTAL	<u>\$951,782.00</u>

*This request is for the controlled demolition and reconstruction of the handgun canopy following collapse of a section of the canopy. In addition, the canopy will be designed and reconstructed to minimize the time the shooting range is unavailable to the Police Department.*

- b. Removal and Reinstallation of Bullet Trap and Dust Collection Unit at Police Shooting Range Bid No. 2079-11

Action Target	\$128,400.00
Contingency (if required)	<u>19,000.00</u>
TOTAL	<u>\$147,400.00</u>

*This request is for the removal and reinstallation of bullet trap and dust collection unit prior to the start of the controlled demolition at the Police Shooting Range.*

- c. Continuity of Operations Plan Bid No. 2080-11

**Beck Disaster Recovery**

**\$119,928.00**

*This request is to provide a citywide Continuity of Operations Plan.*

- 3. Consider by minute action the appointment of Don Hart, Emergency Management Specialist, Office of Emergency Management, as the City of Garland Point of Contact for the National Incident Management System (NIMS).**

*At the January 31, 2011 Work Session, Council was scheduled to consider appointing Don Hart, Emergency Management Specialist, Office of Emergency Management, as the Point of Contact for the National Incident Management System implementation that would be responsible for coordinating efforts within the jurisdiction.*

- 4. Consider a resolution releasing restrictions on a certain parcel of real property conveyed to the City of Sachse; waiving payment or compensation owed by the City of Sachse to the City of Garland arising from the sale of real property to the North Texas Tollway Authority.**

*The North Texas Tollway Authority (NTTA) is acquiring a portion of a parcel of land owned by the City of Sachse for the President George Bush Turnpike eastern extension. The NTTA has requested that the City of Garland release restrictions placed on this parcel when Garland conveyed this property to Sachse in 1994. This item was scheduled for Council consideration at the January 31, 2011 Work Session.*

- 5. Consider a resolution authorizing the City Manager to execute an engineering services agreement with Freese and Nichols, Inc. in the amount of \$129,700.**

*As part of the Biosolids Improvement Plan that was developed in 2010 by CDM Engineers, it was recommended that there be a full rehabilitation of the four anaerobic digesters at the Rowlett Creek plant. Due to the magnitude of this project, it will be divided into a preliminary and a final design phase. Freese and Nichols, Inc. was selected to provide the engineering design services for this project due to their tremendous amount of experience in the wastewater field and particularly with anaerobic digesters.*

6. **Consider by minute action authorizing staff to early redeem the outstanding City of Garland, Texas, Tax Notes, Series 2010, in the aggregate principal amount of \$5,050,000 on March 1, 2011 and to take all required action, including providing appropriate notices to holders, to effect such redemption.**

*When Council approved the issuance of \$5,050,000 in tax notes on August 17, 2010, it was contemplated that the City would exercise a call provision to redeem the notes on March 1, 2011 prior to their scheduled maturity date on November 1, 2011. At the January 18, 2011 Work Session, Council considered authorizing staff to early redeem the notes as contemplated.*

7. **Consider a resolution suspending the February 14, 2011 effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Oncor Cities Steering Committee and other cities to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of rate case expenses; requiring notice of this resolution to the company and legal counsel for the Steering Committee.**

*Oncor Electric Delivery Company filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rate by \$353 million. The requested rates, if approved, would increase residential rates 14.6%, commercial rates 15.5% and streetlights 25.9%. Approximately 15% of Garland receives electric service from Oncor and would be affected by this rate increase. The City would be directly affected due to increased electric costs for streetlights and government facilities serviced by Oncor. The City must take action to suspend the Oncor Intent to Increase Rates before February 14, 2011 or the rates will become effective 35 days after the filing date. This item was considered by Council at the January 18, 2011 Work Session.*

8. **Consider by minute action authorizing the City Manager to approve a reimbursement for gas line relocation costs to Atmos Energy Company in the amount of \$157,831.71.**

*At the January 18, 2011 Work Session, Council considered authorizing a relocation agreement with Atmos Energy Company in the amount of \$157,831.71 for labor, material, variable costs, and franchise fees required to relocate approximately 100 linear feet of 6" gas line owned by Atmos Energy*

*Company along Jupiter Road between Lawler Road and High Plateau. The gas line is in conflict with five new proposed transmission towers on Jupiter Road.*

9. **Consider by minute action authorizing the City Manager to execute an engineering services contract with Graham Associates in an estimated amount of \$269,443.**

*The 2004 Bond Referendum included funding to design and construct Dairy Road between East Celeste Drive and Broadway Boulevard. The improvements are necessary to improve the paving, drainage, water and sanitary sewer services on this section of roadway. A contract has been negotiated with Graham Associates, Inc. for an estimated amount of \$269,443.*

10. **Consider a resolution authorizing the City Manager to execute a contract with a retail electric provider for electric power for the Duck Creek Wastewater Treatment Plant for a period of up to 48 months beyond July 2013.**

*The Duck Creek Wastewater Treatment Plant is located outside the city limits of Garland and outside the service area of GP&L. The plant is currently in a fixed price contract with Direct Energy that will end in July 2013. Due to the fluctuating commodity market that deregulated power operates within, staff proposes that a consultant be selected to secure competitive pricing from at least four major retail electric providers and make a recommendation for purchase to the City Manager. This item was considered by Council at the January 18, 2011 Work Session.*

11. **Consider an ordinance authorizing an amendment to the 2010-11 Operating Budget (Budget Amendment No. 1), providing for supplemental appropriation of funds in the General Fund, the Electric Utility Fund, the Information Technology Fund, the Infrastructure Repair**

**& Replacement Fund, the Wastewater Utility Fund, the Water Utility Fund, and various funds associated with purchase order encumbrances.**

*At the January 18, 2011 Work Session, Council considered amending the 2010-11 Adopted Budget for (1) projects approved in last year's Budget, but uncompleted by the fiscal year-end, (2) the rollover of open purchase orders from the 2009-10 fiscal year, (3) the receipt of additional grants and other awards, (4) expenditures not anticipated in the 2010-11 Adopted Budget.*

- 12. Consider an ordinance amending Chapter 26, "Police – Miscellaneous Provisions and Offenses" of the Code of Ordinances of the City of Garland, Texas.**

*At the January 18, 2011 Work Session, Council considered authorizing revisions to the current City of Garland Code of Ordinance, Article VII, Section 26, "Alarm Systems," to gain compliance with Health and Safety Code, Title 9, Chapter 781, "Personal Emergency Response Systems."*

### **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.**

- 13. Consider an ordinance establishing appropriations for the 2011 Capital Improvement Program.**

*On January 4, 2011, Council was presented with the Proposed Capital Improvement Program (CIP) for 2011. The following day, copies of the proposed CIP were made available for public inspection at the City libraries, the City Secretary's Office, and on the City's website. Council held a Special Budget Work Session on January 13, 2011 to review the proposed program. A public hearing on the Proposed CIP was also held on January 18, 2011.*

**14. 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.*

**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 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.*