

# **AGENDA**

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

**City of Garland**

**Council Chambers, City Hall**

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

**February 16, 2010**

**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 February 1, 2010 Special Session and February 2, 2010 Regular Meeting.

2. Consider approval of the following bids:

- a. Raising and/or Undersealing of Concrete Pavement      Bid No. 87-10

Uretek USA, Inc.      \$200,100.00

*This request is to provide labor and material for raising and/or undersealing of concrete street and alley pavement using high density polyurethane foam.*

- b. Sedans      Bid No. 96-10

Reliable Chevrolet      \$107,262.00

*This request is for the purchase of six 2010 midsize sedans to be used by the Police Department.*

- c. Heavy Duty Trucks      Bid No. 107-10

Southwest International Trucks, Inc.      \$229,174.05

*This request is for the purchase of three heavy duty trucks (6-yard dump, cab and chassis) to be used by the Water Department.*

- d. Jet Sewer Truck      Bid No. 136-10

Texas Underground, Inc.	\$ 70,949.00
Rush Truck Centers of Texas L.P.	<u>42,271.00</u>
TOTAL	<u>\$113,220.00</u>

*This request is for the purchase of a 2010 GMC cab and chassis and a 7844 TM sewer body for a Jet Sewer Truck to be used by the Water Department.*

- 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. S 10-01, Montessori America**

*Approval of an ordinance will approve a Specific Use Permit for Kindergarten, Preschool or Child Care Center on a 2.628-acre tract of land located northeast of the intersection of Firewheel Parkway and Pleasant Valley Road.*

- 4. Consider a resolution approving and authorizing publication of notice of intention to issue certificates of obligation.**

*On February 2, 2010, Council approved the 2010 Capital Improvement Program (CIP) which contemplated a certificate of obligation bond sale to fund a portion of the CIP. Council is requested to consider a notice of intent resolution to provide legal authorization for the issuance of these certificates in an amount not to exceed \$4 million to fund CIP projects and pay related costs of debt issuance.*

- 5. Consider an ordinance authorizing the issuance of “City of Garland, Texas, Combination Tax and Electric Utility System Revenue Refunding Bonds, Series 2010”; providing for the payment of said bonds by the levy of an ad valorem tax and a limited pledge of the net revenues of the City’s Electric Utility System; and resolving other matters incident and related to the issuance, sale, payment, and delivery of said Bonds; establishing procedures for the sale and delivery of the Bonds; and**

**delegating matters relating to the sale and issuance of the Bonds to an authorized City officer or employee.**

*Council is requested to authorize staff to proceed with the pricing and sale of City of Garland Combination Tax and Electric Utility System Revenue Refunding Bonds to facilitate proportionate financing for the Scrubber Project and Refundable Generation Related Debt as agreed in the Global Compromise Settlement Agreement between the Cities of Bryan, Denton, Garland, and Greenville, and approved by the City of Garland on December 16, 2009. This debt issuance constitutes a general obligation refunding of a portion of the City of Garland's contractual obligation under the Texas Municipal Power Agency Power Sales Agreement.*

- 6. Consider a resolution authorizing the City Manager to execute an interlocal agreement.**

*The City of Garland was selected to receive \$21.5 million of Regional Toll Revenue funds to construct a new four-lane bridge on Pleasant Valley Road across Rowlett Creek. The City of Garland will be responsible for \$2.7 million of the project costs. This item was considered by Council at the February 1, 2010 Work Session.*

- 7. Consider authorizing the City Manager by minute action to execute a design contract with Grantham & Associates.**

*The City of Garland was selected to receive \$21.5 million of Regional Toll Revenue funds from the Texas Department of Transportation (TxDOT) to construct a four-lane bridge on Pleasant Valley Road across Rowlett Creek. The agreement with TxDOT requires the City to administer and manage the design contract for the project. Staff negotiated a contract with a local firm, Grantham & Associates, for an estimated amount of \$2,060,794.90. This item was considered by Council at the February 1, 2010 Work Session.*

- 8. Consider an ordinance continuing Section 26.10 entitled "Curfew Hours for Minors," of Chapter 26 of the Code of Ordinances of the City of Garland.**

*At the February 1, 2010 Work Session, Council considered readopting the Juvenile Curfew ordinance for another three years as part of a continued effort to control juvenile crime. Section 370.002 of the Texas Local Government Code requires that after a city adopts a juvenile curfew ordinance, the city must review and readopt the ordinance every three years.*

9. **Consider a resolution establishing March 22 and 23, 2010 as the meeting schedule for the second meetings of the City Council for the month of March 2010.**

*Due to several of the Council Members planning to attend the 2010 National League of Cities Congressional City Conference on March 13-17, 2010, Council is requested to consider rescheduling the second meetings in March from March 15 and 16, 2010 to March 22 and 23, 2010. This item was scheduled for Council consideration at the February 15, 2010 Work Session.*

10. **Consider an ordinance ordering and providing notice of General Election for the City of Garland to be held on the 8<sup>th</sup> day of May, 2010; calling a runoff election, if needed.**

*In accordance with the charter and laws of the City of Garland and the State of Texas, Council is requested to order a General Election to be held on May 8, 2010 for the purpose of electing Council Members for Districts 1, 2, 4, 5 and calling a Runoff Election, if needed.*

## 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.

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

**Consider the application of R. M. Joseph, requesting approval of a change of zoning from Planned Development (PD) District 84-127 for Health Care and Fitness and Rehabilitation Center to General Business (GB) District. The property is located at 2719 Belt Line Road. (File 10-02)**

*The proposal is for approval of a change in zoning from Planned Development (PD) 84-127 for Health Care to General Business (GB) District to allow for a more inclusive zoning district. At the January 25, 2010 meeting, the Plan Commission (by a 5 to 2 vote) recommended approval of the request as recommended by staff.*

**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.*

**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.*