

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

March 23, 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. **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 March 1, 2010 Regular Meeting.

2. Consider approval of the following bids:

a. Street Light Maintenance/Service and Installation Bid No. 101-10

Republic ITS \$400,000.00

This request is to provide all labor and equipment necessary for maintenance/service and installation of street lights for the City.

b. Aerial Electric Reconstruction Material - Bid No. 109-10
DART Rail Line R-1

Techline, Inc.	\$359,853.86
Techline, Inc.	185,981.00
Contingency	<u>90,000.00</u>
TOTAL	<u>\$635,834.86</u>

This request is to provide all material necessary to remove, replace, and relocate existing Aerial Electric Distribution and Transmission Facilities to support the construction project of Dallas Area Rapid Transit Rail Line (Blue Line) Section R-1 (from the Garland Station to the Rowlett Station).

c. Archectural Services – Bid No. 166-10
Field Operation Center Phase III

Mayse & Associates, Inc. \$266,500.00

This request is to provide architectural services for the Water Department and City of Garland Field Operations Center, Phase III, which includes

secured equipment parking and storage along with conceptual planning for future phases.

3. Consider authorizing staff by minute action to early redeem tax notes.

When Council approved the issuance of \$5.8 million in tax notes on September 1, 2009, it was contemplated that the City would exercise a call provision to redeem the notes on March 30, 2010 prior to their scheduled maturity date on September 30, 2010. The City will save approximately \$85,000 in interest costs by redeeming the notes early. This item was considered by Council at the March 1, 2010 Work Session.

4. 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.

5. 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.

6. 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.

7. 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.

8. **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.

9. **Consider a resolution supporting and endorsing the adoption of HR 1618, the Safe Highways and Infrastructure Preservation Act.**

At the March 1, 2010 Work Session, Council considered a request from the Dallas County Commissioners Court seeking approval of a resolution supporting the Safe Highways and Infrastructure Preservation Act (SHIPA, H.R. 1618). This act, among other important measures, opposes any legislation that seeks to increase truck size or weight beyond the capacity of our road systems that would put Texas highways, roads and bridges at risk of increased damage or deterioration.

10. **Consider an ordinance canceling the election to be held May 8, 2010 for unopposed candidates in Districts 1, 2, and 4; declaring the unopposed candidates within those districts elected to office; continuing unaffected the General Election to be held May 8, 2010 for a Council Member in District 5; ordering the City Secretary to post a copy of this ordinance at each polling place that would have been used in the election within Districts 1, 2, and 4.**

In accordance with the charter of the City of Garland and the laws of the State of Texas, the election to be held on May 8, 2010 for Council Districts 1, 2, and 4 will be canceled since candidates in each of these districts are unopposed.

11. **Consider an ordinance amending Chapter 24, "Municipal Court and Administrative Adjudication," of the Code of Ordinances of the City of Garland.**

The proposed ordinance amends Section 24.05 of Chapter 24, "Municipal Court and Administrative Adjudication" to implement the transition of supervision of the City Marshals Office to the Office of the City Attorney. Adoption of the ordinance will ensure compliance with state and federal laws and regulations regarding the operation of the City Marshals Office as law enforcement agency.

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.

12. Consider a resolution authorizing the waiver of impact and certain other fees.

QuikTrip Corporation is seeking assistance with the site preparation and development of a proposed QuikTrip facility to be located at the northeast quadrant of Jupiter Road and Arapaho Road. This item was considered by Council at the March 1 and 22, 2010 Work Sessions.

13. Hold a public hearing to consider the application of New Safe Haven Church requesting a waiver of a required payment to the Reforestation and Tree Management Fund of Tree Preservation Ordinance 5731 on property zoned Single Family (SF/7/G/3) District with a Specific Use Permit (S09-30) for a Kindergarten, Preschool or Child Care Center. The property is located south of Davidson Drive (formerly Commerce Street) and east of Curtis Drive.

The request is for approval of a waiver of the required payment to the Reforestation and Tree Management Fund of Tree Preservation Ordinance No. 5731.

14. Hold a public hearing on the following zoning case:

Consider the application of Eric Finley, requesting approval of a Specific Use Permit for a Commercial School (cosmetology or beauty school) on property zoned Planned Development (PD) District 69-31 for General Business Uses. The property is located at 1430 Northwest Highway. (File 10-03)

The proposal is for approval of a Specific Use Permit for a Commercial School. At the February 8, 2010 meeting, the Plan Commission (by an 8 to 0

vote) recommended approval of a Specific Use Permit for a period of 10 years tied to Eric Finley as recommended by staff.

15. Consider an ordinance on the following zoning case:

Zoning File No. 10-03, Eric Finley

Approval of an ordinance will approve a Specific Use Permit for Commercial School on an 11.1-acre tract of land located south of Northwest Highway, west of Saturn Road (1430 Northwest Highway, Suite A).

16. 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.

17. 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.

18. 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. 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.