

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

March 24, 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. **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 3, 2009 Regular Meeting.

2. Consider approval of the following bids:

a. Forest Lane Phase IIA Parking and Fuel Island Bid No. 136-09

Turnkey Construction Co. \$1,398,000.00

This request is for the construction of a Phase IIA parking of the master plan for the Water Department and City fuel island facility at 2323 Forest Lane.

b. Emergency Management and Bid No. 144-09
IT Services Audio-Visual

ECI Video \$146,148.00

This request is for the installation of the audio-visual package in the new Emergency Management and IT Services facility.

c. EMS Supplies Bid No. 88-09

Bound Tree Medical	\$136,593.05
South Eastern Emergency Equipment	61,509.41
Moore Medical	37,596.79
Kentron	14,815.75
TOTAL	<u>\$250,515.00</u>

This request is to provide miscellaneous EMS supplies for use by the Garland Fire Department Emergency Medical Technicians and Paramedics.

d. Material Hauling/Truck Rental

Bid No. 198-09

Chamber Bros. Construction

\$399,000.00

This request is for trucking services to haul various types of material to and from job sites for the Street Department using 12-yard and 24-yard minimum capacity dump trucks.

- 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. 09-01, Jerry E. Roberts

Approval of an ordinance will approve a Specific Use Permit for an Arcade on a 2.24-acre tract of land zoned General Business (GB) District located southwest of the intersection of West Walnut Street and North Shiloh Road.

- 4. Consider a resolution authorizing the City Manager to execute an Adoption Agreement to the Public Agencies Post-Retirement Account; and appointing a plan administrator.**

As directed by Council, an RFP was issued requesting responses from qualified institutions to provide comprehensive services to the City related to the establishment and administration of an "Other Post Employment Benefits" (OPEB) irrevocable trust fund. At the March 2, 2009 Work Session, Council considered approval of an agreement with Public Agency Retirement Services for irrevocable trust services and creating a plan administrator to coordinate administration of the trust through PARS.

- 5. Consider a resolution approving and authorizing publication of Notice of Intention to Issue Certificates of Obligation.**

On February 3, 2009, Council approved the 2009 Capital Improvement Program (CIP) which contemplates a Certificate of Obligation (CO) bond sale in the amount of \$23.5 million to fund a portion of the CIP. At the March 2, 2009 Work Session, Council considered authorizing a notice of intent resolution to issue certificates of obligation for projects and issue costs in the approximate amount of \$25 million, including issue costs.

6. **Consider a resolution authorizing the Mayor to execute the necessary documents for the sale of City-owned property.**

Council is requested to authorize the sale of approximately 5.667 acres to Colonial Acceptance Partners, LP. The property was struck off the tax rolls to the City of Garland, Garland ISD, and Dallas County on December 5, 2006 pursuant to a delinquent tax collection lawsuit and is located at 328 Oaks Trail.

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.

7. **Hold a public hearing to consider the application of Garland First at Firewheel, requesting approval of a variance to Section 34.21.C.2 of the SH 190 Development Standards regarding signage with changing, rotating or moving copy. The property is located at 5500 Lavon Drive. (File SH 09-01)**

The proposal is for approval of a variance to Section 34.21.C.2 of SH190 Development Standards regarding signage with changing, rotating or moving copy. At the January 12, 2009 meeting, the Plan Commission (by a 6 to 3 vote) recommended denial of the request.

8. **Hold public hearings on the following zoning cases:**
 - a. **Consider the application of L. J. Erickson, requesting approval of a Specific Use Permit for an unattended Car Wash facility on property zoned Planned Development (PD) District 08-52 for Shopping Center (SC) uses. This property is located at 3120 South Shiloh Road. (Z 09-10)**

The proposal is for approval of a Specific Use Permit for a Car Wash facility on property zoned Planned Development District 08-52 for

Shopping Center uses. At the February 23, 2009 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a period of 20 years tied to L. J. Erickson, as recommended by staff.

- b. Consider a request for reconsideration of Zoning File 09-02 for approval of 1) a change of zoning from Office-1 (O-1) District to a Planned Development (PD) District for Commercial-1 (C-1) Uses, and 2) a Concept Plan for Self Storage with Custodial Quarters, and Office and Retail Uses. The property is located at 417 East Centerville Road.**

This zoning request was denied by the City Council on March 3, 2009. City Council Policy requires that the request for reconsideration be heard at the meeting immediately following the denial. A motion to grant reconsideration may only be made by a Council Member who voted to deny the original request. A vote of 5 Council Members is required to authorize reconsideration of the request. If the request for reconsideration is approved, the zoning request will be readvertised and placed on the April 21, 2009 Council agenda.

9. 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.

10. 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.