

# **AGENDA**

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

**City of Garland**

**Council Chambers, City Hall**

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

**April 21, 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**
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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 April 7, 2009 Regular Meeting.

2. Consider approval of the following bids:

a. ROWL I Sub-Basin Relief Line – Phase 1 Bid No. 181-09

**S. J. Louis Construction of Texas, LTD      \$3,305,627.00**

*This contract is to provide construction of approximately 5,660 linear feet of 10" sanitary sewer by open cut and directional bore and 6,040 feet of 30" sanitary sewer by open cut and tunneling, along with manholes and gabion blankets.*

b. Addition to Computer Storage System Bid No. 321-09

**NWN Corporation      \$119,550.00**

*This request is for the purchase of equipment for the expansion of the existing Intransa Building Block series which was installed last year as part of the security system for GP&L.*

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. 08-56, City of Garland**

*Approval of an ordinance will approve a change in zoning from Shopping Center (SC) District to a Planned Development (PD) District for Office and Limited Retail Uses with conditions on an approximate 3.628-acre tract of land*

*land located north of Beltline Road and west of Century Park Dr.*

- 4. Consider a resolution authorizing the City Manager to appoint a Program Administrator and Identity Theft Oversight Committee to develop, implement and administer an Identity Theft Prevention Program pursuant to the requirements of the red flag ruling provisions of the Fair and Accurate Credit Transactions Act.**

*Pursuant to a recent amendment to the Fair and Accurate Reporting Act of 2003, the Federal Trade Commission adopted identity theft rules (“Red Flag Rules”) requiring the creation of certain policies relating to the detection, prevention and mitigation of identity theft. At the April 20, 2009 Work Session, Council was scheduled to consider authorizing the City Manager to appoint a Program Administrator and develop an Identity Theft Oversight Committee necessary to develop, implement and administer an identity theft program.*

### **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.**

- 5. Consider an ordinance amending Chapter 26, “Police – Miscellaneous Provisions and Offenses,” of the Code of Ordinances of the City of Garland by adding a new Article XIII thereto.**

*At the April 6, 2009 Work Session, Council considered Chapter 26, “Police – Miscellaneous Provisions and Offenses” of the Code of Ordinances of the City of Garland by adding a new Article titled, “Convenience Stores.” This new Article XIII is designed to further protect citizens by preventing some convenience store crime and enhancing persecutions in those offenses that are committed at convenience stores. In addition, the proposed ordinance creates a formal registration process for all convenience stores in the City.*

6. **Hold a public hearing regarding a substantial amendment to the City's Consolidated Plan regarding the Homeless Prevention/Rapid Re-Housing Program.**

*At the April 6, 2009 Work Session, Council was briefed on the availability of \$858,997 in funding for a Homeless Prevention/Rapid Re-Housing Program. Council directed staff to proceed with the preparation of the application necessary to receive these funds. One of the requirements for the program is to conduct a public hearing to receive testimony from interested individuals regarding the use of these funds. Additional information was provided to Council at the April 20, 2009 Work Session.*

7. **Hold a public hearing regarding the Country Club Road/Commerce Street name change.**

*Due to the new alignment of Country Club Road at SH 66, certain segments of Country Club Road and Commerce Street must be renamed to avoid duplication and to create a logical street naming pattern. At the April 6, 2009 Work Session, Council considered this issue and directed that a public hearing be scheduled at the April 21, 2009 Regular Meeting to consider the proposed street renaming.*

8. **Hold public hearings on the following zoning cases:**

- a. **Reconsider the application of Don Valk, requesting 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/Restaurant/Retail Uses. The property is located at 417 East Centerville Road. (File 09-02)**

*The proposal is for approval of a change of zoning on property zoned for Office-1 Uses. At the March 3, 2009 City Council meeting, Council (by a vote of 6 to 3) denied the request. At the March 24, 2009 meeting, the City Council (by a vote of 7 to 1) approved reconsidering this request.*

- b. **Consider the application of Yeong-Ju So, requesting approval of a Specific Use Permit for a Commercial Amusement, Outdoor (golf driving range and par-three course) on property zoned Shopping**

**Center (SC) District. The property is located north of Belt Line Road, west of Shiloh Road. (File 09-11)**

*The proposal is for approval of a Specific Use Permit to allow for a driving range on property zoned Shopping Center. At the March 23, 2009 meeting, the Plan Commission (by a 6 to 0) vote, recommended approval of a Specific Use Permit for 15 years tied to Yeong-Ju So.*

**9. 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.*

**10. 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.*

**11. 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.*