

# **AGENDA**

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

**City of Garland**

**Council Chambers, City Hall**

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

**May 3, 2011**

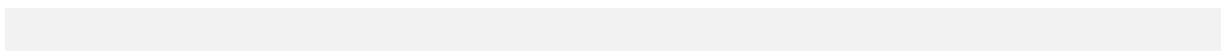
**7:00 p.m.**

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 April 19, 2011 Regular Meeting.

2. Consider approval of the following bids:

a. Installation of Radio Water Meter Reading System 2011 Bid No. 2162-11

Badger Meter, Inc. \$1,397,935.90

*This request is for the purchase and installation of radio read water meters that will enhance accuracy of meter readings for the billing system.*

b. Electric Line Clearance for GP&L Transmission Department Bid No. 2166-11

Asplundh Tree Expert Company \$205,000.00

*This request is to provide labor and equipment necessary to perform all vegetation management services for the City's transmission system.*

c. Electric Line Clearance for GP&L Distribution Department Bid No. 2167-11

Asplundh Tree Expert Company \$800,000.00

*This request is to provide labor and equipment necessary to perform all vegetation management services for the City's distribution system.*

d. Liquid Chlorine for Wastewater Department Bid No. 2221-11

**DPC Industries, Inc. \$243,605.00**

*This request is for the purchase of liquid chlorine required for the chlorination of the treated effluent to reduce the number of pathogenic microorganisms.*

**e. Bulk Polymer for Water Recycling Bid No. 2247-11**

**Polydyne, Inc. \$355,628.32**

*This request is for the purchase of bulk polymer for the processing of primary and water activated sludge.*

**f. Erosion Annual Maintenance Bid No. 2268-11**

**Knight Erosion Control, Inc. \$200,000.00**

*This request is to add funds to the original contract that provides erosion maintenance on an annual basis which includes R-Rap Bag walls to repair erosion problems as requested by property owners. The projects are typically part of the Drainage Participation Program.*

**g. Early Literacy Stations Bid No. 2282-11**

**AWE, Inc. \$127,582.00**

*This request is to provide the replacement of aging PC's at the City's Central Library. The Early Literacy Station provides a dynamic and safe digital learning environment for children.*

**3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.**

**a. Zoning File No. 11-08, Applebee's of Texas**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Detail Plan with Conditions for a Restaurant on a*

*1.237-acre tract of land zoned Planned Development (PD) District 06-37 for Freeway Uses and located at 1540 Eastgate Drive, north of Eastgate Drive and west of Saturn Road.*

**b. Zoning File No. 11-10, Joseph L. Hanna**

*Consider an ordinance amending the zoning laws of the City of Garland by approving an amendment to Planned Development (PD) District 84-10 for Single Family Uses regarding maximum allowable building coverage and side and rear yard building setbacks on a 0.13-acre lot located at 6805 Clear Springs Circle.*

**c. Zoning File No. 11-11, Nexeo Solutions**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for High Risk Use on a 13.387-tract of land zoned Industrial-1 (I-1) District located at 3101 Wood Drive, north of Wood Drive and west of Loonecker Drive.*

**4. Consider authorizing by minute action the reappointment of Don Gordon as Garland's representative to the North Texas Municipal Water District Board of Directors.**

*At the April 4, 2011 Work Session, Council was informed that the North Texas Municipal Water District (NTMWD) notified the City that Don Gordon's term of office as a NTMWD Board Member expires on May 31, 2011. A notice was posted on the City's website for 14 days in order to provide citizens the opportunity to apply for the position. No citizens responded. Mr. Gordon has indicated his desire to continue serving as Garland's representative on the NTMWD Board of Directors.*

**5. Consider a resolution adopting and approving the Consolidated Plan – One Year Plan of Action including a revised State of Uses of Funds for the 2011/2012 Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Programs.**

*A public hearing was held at the April 5, 2011 Regular Meeting in order to provide any interested individuals an opportunity to comment on the proposed*

*use of funds for the CDBG, HOME, and ESG Programs. At the April 18, 2011 Work Session, Council considered the allocations for funds.*

- 6. Consider a resolution authorizing the City Manager to execute a Project Specific Agreement with Dallas Area Rapid Transit (DART) to extend Sixth Street, across DART's right-of-way, to West Walnut.**

*An agreement with DART is necessary to construct the extension of Sixth Street across the DART rail tracks to Walnut. Construction of the crossing requires the relocation of the DGNO freight operations. The agreement includes provisions for transferring land between DART and the City to make this possible. This item was scheduled for Council consideration at the May 2, 2011 Work Session.*

- 7. Consider a resolution authorizing the City Manager to execute a Project Development Agreement authorizing the City Manager to enter into a Project Development Agreement with the Garland Foundation for Development, Inc.**

*In order to construct the Sixth Street extension across the DART right-of-way to Walnut using the Garland Foundation for Development, it is necessary to execute a Project Development Agreement with the Foundation which defines the project, allowable expenses, obligations and terms including the transfer of \$2,900,000 for the CIP to the Foundation. This item was scheduled for Council consideration at the May 2, 2011 Work Session.*

## 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.

8. **Consider a resolution appointing a representative to the Dallas Area Rapid Transit Board of Directors.**

*At the May 2, 2011 Work Session, Council was scheduled to interview the seven candidates interested in representing Garland on the DART Board of Directors to complete the term of a previous board member until June 30, 2012.*

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

- a. **Consider the application of Dana Ly requesting approval of a Specific Use Permit for a Medical Office/Clinic on property zoned Industrial-1 (I-1) District. The property is located at 3421 W. Kingsley Road, Suite 103. (File 11-12)**

*The proposal is for approval of a Specific Use Permit for a Medical Office/Clinic on the subject property. At the April 11, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the Specific Use Permit tied to the property owner for a period of 20 years as recommended by staff.*

- b. **Consider the application of Masterplan requesting approval of 1) a Concept Plan for Shopping Center Uses; 2) a Detail Plan for Retail Sales with Gasoline Pumps; 3) a Specific Use Permit for said Retail Sales with Gasoline Pumps (RaceTrac) on property zoned Planned Development (PD) District 08-52 for Shopping Center Uses; and 4) variances to the IH635 Development Standards regarding the following: 4.1) Section 34.20(B)(1) regarding landscape buffers, 4.2)**

**Section 34.20(B)(1)(a), regarding landscape buffer tree plantings. The property is located west of Garland Avenue and east of Shiloh Road. (File 11-04)**

*The proposal is for approval of 1) a Concept Plan for Shopping Center Uses; 2) a Detail Plan for Retail Sales with Gas Pumps (RaceTrac); 3) a Specific Use Permit for said Retail Sales with Gasoline Pumps; and 4) variances to the IH635 Development Standards. At the March 28, 2011 meeting, the Plan Commission (by a 6 to 3 vote) recommended denial of the request as recommended by staff.*

**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 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.*