

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

May 18, 2010

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**

CONDUCT THE SWEARING IN OF COUNCIL MEMBERS

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 May 4, 2010 Regular Meeting.

2. Consider approval of the following bids:

a. Briarwood Drive Improvements Bid No. 193-10

Tri-Con Services \$1,031,253.85

This request is for street, drainage, and utility improvements along Briarwood Drive from Duck Creek to Fifth Street.

b. Fleet Fuels Bid No. 211-10

Martin Eagle Oil Company \$4,875,000.00

This request is to provide an estimated 800,000 gallons of diesel and 700,000 gallons of gasoline fuel to be used by various departments for daily operations.

c. DART Aerial Reconstruction Labor – Section R-1 Bid No. 213-10

HyPower, Inc. \$1,123,756.00

This request is to provide labor, tools, and equipment to remove, replace, and relocate existing Distribution and Transmission facilities to support the

construction project of Dallas Rapid Transit Rail Line (Blue Line), Section R-1, from the Garland Station to Rowlett Station.

d. 1/2-Ton Pickup Trucks **Bid No. 214-10**

Sam Pack's Five Star Ford of Carrollton **\$109,334.00**

This request is for the purchase of eight new ½-ton pickup trucks to be used by various departments in daily operations.

e. Yale Drive – Forest Lane to Lawler Road Improvements **Bid No. 220-10**

Tri-Con Services **\$3,429,879.35**

This request is for improvements to Yale Drive – Forest Lane to Lawler Road. The project includes concrete pavement, water main, sewer main, sewer bore and encasement, storm sewer, box culvert construction, and minor utility lines.

f. Emergency Citizen Communications **Bid No. 242-10**

Emergency Communications Network, Inc. **\$128,300.00**

This request is to provide emergency telephone, text, and email notification service to Garland residents who register to receive such notification.

g. Remounting and Refurbishing of Ambulances **Bid No. 248-10**

Frazier Bilt/Freeway Ford/HGAC **\$163,450.00**

This request is for the purchase of remounting and refurbishing Frazer Type I, 12' generator powered modules onto F350 diesel chassis to be used by the Garland Fire Department in daily operations.

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, 08-38, Integrated Real Estate Group

Approval of an ordinance will approve a change in zoning from Office-1 District and Planned Development District 71-98 for Townhouse Uses to a Planned Development District for Multi-Family Uses and a Concept Plan on a 19.209-acre tract of land located southeast of the intersection of Castle Drive and Country Club Road. NOTE: This request was approved by Council on August 5, 2008 subject to the tax issue being resolved prior to the adoption of the ordinance. Council approved a resolution to rescind the taxes, penalty, and interest on the property at the May 4, 2010 Regular Meeting.

b. Zoning File No. 10-09, Craig Hastings

Approval of an ordinance will approve a change in zoning from Planned Development District 92-40 for Single Family Uses and Single Family District to Agriculture District on a 9.622-acre tract of land located south of east Campbell Road and east of North Jupiter Road, and south of Sugarberry Lane and east of North Jupiter Road.

4. Consider an ordinance canvassing the returns and declaring the results of the May 8, 2010 General Election.

Formal canvassing of the returns and declaring the results of the May 8, 2010 General Election held for the purpose of electing a candidate to the office of City Council District 5 will be conducted.

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.

5. Hold a public hearing and consider the following ordinances regarding an economic development incentive for Valspar Corporation and its subsidiaries.
 - a. Consider an ordinance ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code providing tax incentives, designating a liaison for communication with interested parties, nominating the Valspar Corporation to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank as an Enterprise Project.
 - b. Consider an ordinance designating an area as a Reinvestment Zone for Commercial/Industrial Tax Abatement; making certain findings thereon; authorizing the City Manager to execute an agreement with the applicant regarding the reinvestment zone.

At the April 19, 2010 Work Session, Council considered a recommendation by the Garland Economic Development Partnership (GEDP) Steering Committee that Council hold a public hearing and approve an ordinance on May 18, 2010 nominating the Valspar Corporation and its subsidiaries for the Texas Enterprise Zone Program. The GEDP also recommended that Council provide 1) general support for the project and 2) approve an ordinance supporting a 75% City Tax Abatement on Real Estate Value and Business Personal Property Value on the new investment for 10 years (total of \$636,356).

6. Hold public hearings on the following zoning cases:

- a. Consider the application of GR LRE LLC, requesting approval of 1) an amendment of the Concept Plan for a Restaurant with Drive Through and Retail/Personal Service Uses on property zoned Planned Development (PD) District 02-25 for Freeway Uses, and 2) a Detail Plan for a Restaurant with Drive Through. The property is located east of Lavon Drive, south of Town Center Boulevard. (File 10-06)**

The proposal is for approval of an amended Concept Plan for a Restaurant with Drive Through and Retail/Personal Service Uses and a Detail Plan for a Restaurant with Drive Through. At the April 26, 2010 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request as recommended by staff with the exception that the patio area be allowed as presented by the applicant.

- b. Consider the application of Raul Licea, requesting approval of a Specific Use Permit for Contractor Equipment and Storage on property zoned Commercial-2 (C-2) District. The property is located at 110 Second Street. (File 10-10)**

The proposal is for approval of a Specific Use Permit for Contractor Equipment and Storage on property zoned Commercial 2. At the April 26, 2010 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of a Specific Use Permit for a period of 10 years tied to Raul Licea as recommended by staff.

- c. Consider the application of Taco Bell of America, requesting approval of 1) a Specific Use Permit for a Restaurant with Drive Through on property zoned General Business (GB) District, and 2) a variance to Section 7.1 of the Screening and Landscaping Standards regarding width of landscape buffer. The property is located at 502 South Garland Avenue. (File 10-11)**

The proposal is for approval of a Specific Use Permit for a Restaurant with Drive Through on property zoned General Business. At the April 26, 2010 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of a Specific Use Permit for a period of 20 years tied to Taco Bell of America as recommended by staff.

- d. Consider the application of Eris Harris, requesting approval of a Specific Use Permit for Kindergarten, Preschool or Child Care Center**

on property zoned Central Area-2 (CA-2) District. The property is located at 416 South Third Street, Suite E. (File 10-12)

The proposal is for approval of a Specific Use Permit for Kindergarten, Preschool or Child Care Center on property zoned Central Area 2. At the April 26, 2010 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of a Specific Use Permit for a period of 10 years tied to Little Steps Christian Academy as recommended by staff.

7. 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.

- **Utility Advisory Board Member – Position 7**

8. 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.

9. 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.