

# **AGENDA**

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

**City of Garland**

**Council Chambers, City Hall**

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

**May 19,, 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**

## 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 5, 2009 Regular Meeting.

2. Consider approval of the following bids:

a. Centerville to Miller Road Bid No. 259-09  
Transmission Line Upgrade

Hypower, Inc.	\$ 954,761.00
Contingency	<u>110,000.00</u>
TOTAL	<u>\$1,064,761.00</u>

*This request is to provide material and labor necessary to remove/replace existing transmission lines from Centerville to Miller Road Substations and upgrade them to 138kV transmission lines.*

b. Miller Road 138kV Substation Bid No. 281-09  
Control Building with Relay Panels

Electrical Power Products	\$256,474.00
---------------------------	--------------

*This request is to provide material necessary to construct the Control Building complete with relay panels at the Miller Road Substation in order to upgrade to 138kV transmission line systems.*

**c. Shores of Wellington and Hubbard Hills Relief Sewer** **Bid No. 285-09**

**W. R. Hodgson Co., LP** **\$521,579.65**

*This request is for the construction of a new bypass relief sewer extending from the Zion II Lift Station along the Lake Ray Hubbard shoreline to Rowlett Road.*

**d. Underground Electric Distribution Maintenance** **Bid No. 325-09**

**UCS of Texas, Inc.** **\$600,000.00**

*This request is for estimated requirements to provide labor necessary to remove and replace underground distribution facilities for maintenance purposes for the City. The total amount of the award is estimated and actual expenditures may be more or less depending on actual needs.*

**3. Consider approving by minute action the City of Garland Community Garden Program Policies and Procedures.**

*At the April 6, 2009 Work Session, Council considered a proposed Community Garden Program which had been recommended by the Community Services Committee. Council also reviewed the proposed policies and procedures.*

**4. Consider a resolution authorizing the City Manager to execute an interlocal agreement with Dallas County for the Development of Spring Creek Forest Preserve and Greenbelt Trail.**

*At the May 4, 2009 Work Session, Council was briefed on a recommendation from the Parks and Recreation Board that Council authorize an interlocal agreement with Dallas County for trail construction. This project will connect the Winters Park/Spring Creek Greenbelt trail project to additional sections of the Spring Creek Forest Preserve and the Spring Creek Greenbelt.*

5. **Consider an ordinance canvassing the results of a General Election held for the purpose of electing candidates to the office of Mayor and City Council of the City of Garland for an election having been held on May 9, 2009.**

*Formal canvassing of the returns and declaring the results of the May 9, 2009 General Election held for the purpose of electing candidates to the offices of Mayor and City Council Districts 3, 6, 7, and 8 will be conducted.*

6. **Consider a resolution adopting and approving the Consolidated Plan – One Year Plan of Action including a Statement of Projected Uses of Funds for the 2009/2010 Community Development Block Grant, Home Investment Partnership, and Emergency Shelter Grant Programs.**

*At the April 20 and May 18, 2009 Work Sessions, Council reviewed and discussed the funding allocations for the FY 2009/2010 CDBG, HOME, and ESG Programs.*

7. **Consider a resolution approving the sale and conveyance of real property to the Garland Housing Finance Corporation.**

*Council previously considered authorizing the Mayor to execute a Deed Without Warranty for the sale of city-owned property located at 3501 Bobbie Lane (old Fire Station 3) to the Garland Housing Finance Corporation.*

## 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.

8. **Hold a public hearing regarding 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. This item was considered by Council at the April 6, 2009 Work Session. NOTE: Staff is requesting that this item be postponed to June 16, 2009.*

9. **Hold a public hearing regarding the 2009 Community Development Block Grant – Recovery Funds.**

*One of the requirements in the process of formulating the budget for the Community Development Block Grant is to hold a public hearing for the purpose of providing an opportunity for comments by interested individuals regarding the proposed use of the funds. This item was scheduled for Council consideration at the May 19, 2009 Work Session.*

10. **Hold a public hearing and consider the following ordinances regarding an economic development incentive for Ecolab, Inc.**
  - a. **Consider an ordinance ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2302, Texas Government Code (the "Act"), providing tax incentives, designating a liaison for communication with interested parties, nominating Ecolab, Inc. to the Office of the Governor,**

**Economic Development and Tourism (“EDT”) through the Economic Development Bank (the “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 May 4, 2009 Work Session, Council considered a recommendation by the Garland Economic Development Partnership (GEDP) Steering Committee that Council hold a public hearing and approve ordinances nominating Ecolab, Inc. for the Texas Enterprise Zone Program. The GEDP also recommended that Council provide 1.) general support of Ecolab’s project to invest \$19.3 million in new machinery and equipment upgrades over the next four years and 2.) support of a 50% City Tax Abatement on Business Personal Property Value on the new addition for 7 years (total of \$295,032).*

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

- a. Consider the application of Carroll Company, requesting approval of a Specific Use Permit for a High Risk Use (chemical manufacturer) on property zoned Industrial-1 (I-1) District. The subject property is located at 2929 Oakland Street. (File 09-13)**

*The proposal is for approval of a Specific Use Permit for a chemical manufacturer. At the April 13, 2009 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request as recommended by staff.*

- b. Consider the application of Geral DeWitt, requesting approval of a Specific Use Permit for Automobile Sales, Leasing, and Repair (Used) on property zoned Industrial-1 (I-1) District. The subject property is located at 925 Lavon Drive. (File 09-14)**

*The proposal is for approval of a renewal to a Specific Use Permit for Automobile Sales, Leasing and Repair (used). At the April 27, 2009 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request for a period of 10 years tied to Geral DeWitt as recommended by staff.*

- c. Consider the application of Garland Recyclers, requesting approval of a Specific Use Permit for a Recycling Center on property zoned**

**Industrial-1 (I-1) District. The subject property is located west of Shiloh Road, north of Forest Lane. (File 09-15)**

*The proposal is for approval of a renewal of a Specific Use Permit for a recycling center. At the April 27, 2009 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request for a period of 20 years tied to Garland Recyclers as recommended by staff.*

**12. 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.*

**13. 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.*