

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

July 13, 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**

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 June 15, 2010 Regular Meeting.

2. Consider approval of the following bids:

a. Construction Manager at Risk Bid No. 222-09
Northside Pump Station Renovation

Harrison, Walker and Harper, LP	\$5,449,617.00
Contingency	<u>300,000.00</u>
TOTAL	<u>\$5,749,617.00</u>

This request is for the construction manager at risk for renovation of the Northside Pump Station.

b. 3/4-Ton Pickup Trucks Bid No. 249-10

Sam Pack's Five Star Ford of Carrollton	\$101,303.00
Baby Jack Automotive	107,413.00
Randall Reed's Prestige Ford	<u>27,750.00</u>
TOTAL	<u>\$236,466.00</u>

This request is for the purchase of eleven ¾-ton pickup trucks to be used by various departments for use in daily operations.

c. Olinger Plant Water Collection Bid No. 269-10

Reservoir Construction

Eagle SWS **\$176,563.00**

This request is to provide all labor and material to enlarge the Ray Olinger Plant Holding Reservoir and install a liner.

d. Construction Manager at Risk **Bid No. 411-08**
McIntire Operations Center Remodel

Harrison, Walker and Harper, LP **\$1,037,382.00**

This request is for the construction manager at risk for the Operations Center remodel/addition.

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. 10-14, Harmony Science Academy

Approval of an ordinance will approve a Specific Use Permit for a Charter School on property zoned Single Family-7 (SF-7/E/3) District on a 20.5-acre tract of land located at 2302 Firewheel Parkway.

b. Zoning File No. 10-15, Heavenly Hands Learning Center

Approval of an ordinance will approve a Specific Use Permit for Kindergarten, Preschool, or Child Care Center on a 0.331-acre tract of land zoned Central Area 2 (CA-2) District located at 316 South Ninth Street, north of West Avenue C and east of South Ninth Street.

4. Consider by minute action authorizing the City Manager to execute a design contract with Freese and Nichols, Inc.

Funding for the major rehabilitation of the Lavon Pump Station and the Wallace Pump Station (West Pressure Plane Improvements) were included in the approved 2010 Capital Improvement Program. In order to begin the process, staff has negotiated a contract with a local firm, Freese and Nichols, Inc., in an estimated amount of \$830,000.

5. **Consider by minute action authorizing the City Manager to execute an agreement with Blue Cross Blue Shield for administrative services for a three-year period (January 1, 2011 through December 31, 2013).**

At the July 12, 2010 Work Session, Council was scheduled to consider changing Third Party Claims Administrators and Preferred Provider Networks from CIGNA to Blue Cross Blue Shield as a result of proposals submitted in response to Request for Proposal 139-10 for employee and retiree group medical insurance.

6. **Consider by minute action authorizing the City Manager to enter into an agreement with Dallas Area Rapid Transit (DART).**

The City has been working with DART and the Dallas Garland and Northeastern (DGNO) railroad to relocate the DGNO freight facilities from downtown to an area adjacent to the Newman Power Plant. In order to relocate the rail facilities, certain improvements are needed within and adjacent to the DART/DGNO rail right lane. Under a proposed agreement, the City will pay DART \$584,385.76 for designing and constructing additional freight rail track and constructing an extension of the Rainbow Estates sound wall. This item was scheduled for Council consideration at the July 12, 2010 Work Session.

7. **Consider a resolution designating the Water Field Operations Complex as the “Jack L. May Field Operations Complex.”**

The City Council has expressed a desire to name the Water Operations Complex located at 2343 Forest Lane as the “Jack L. May Field Operations Complex” in recognition of Mr. May’s 40 years of service to the City of Garland in the Water Department.

8. **Consider an ordinance authorizing an amendment to the 2010 Capital Improvement Program (Budget Amendment No. 2) providing for the supplemental appropriation of funds in the Firewheel Fund.**

At the July 12, 2010 Work Session, Council considered authorizing the amendment of the 2010 Capital Improvement Program to increase appropriations by \$671,045 in order to acquire the operational assets of the Firewheel Golf Park’s Contractor. The assets are being acquired under the

terms stipulated in Section (4) of the Professional Golf Services Agreement and Concession Services Agreement.

- 9. Consider a resolution authorizing the City Manager to execute a Temporary Golf Management Services Agreement.**

At the July 12, 2010 Work Session, Council considered authorizing a new Management Services Agreement with Don Kennedy, the current Contractor at the Firewheel Golf Park. The Management Services Agreement replaces the existing Firewheel Professional Golf Services and Concession Services contracts.

- 10. Consider a resolution adopting and approving the Garland Housing Agency's Fifth Year Update on the 2005-2010 Five-Year Plan and approving the 2010-2014 Five-Year and Annual Plan.**

As part of the Quality Housing and Work Responsibility Act of 1998, the City of Garland Housing Agency (GHA) is required by the U. S. Department of Housing and Urban Development (HUD) to submit a five-year plan and annual strategic plan to receive funding from HUD. At the June 14, 2010 Work Session, Council considered adopting the accomplishments in the fifth-year annual performance plan update and the 2010-2014 Five-Year and Annual Plan for submission to HUD.

- 11. Consider a resolution approving the City of Garland Housing Agency Administrative Plan for the Section 8 Certificate and Voucher Programs.**

The U. S. Department of Housing and Urban Development (HUD) requires each Housing Agency to develop and adopt an Administrative Plan that identifies the policies the agency will follow to administer the Housing Choice Voucher Program Funds (better known as Section 8). At the June 14, 2010 Work Session, Council considered adopting the updated Administrative Plan.

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.

12. Hold public hearings on the following zoning cases:

- a. **Consider the application of Charlie Shearer, requesting approval of 1) a change of zoning from Planned Development (PD) District 88-19 for General Business Uses to a Planned Development (PD) District for Commercial-1 Uses, and 2) a Specific Use Permit for an Alternative Financial Establishment (AFE). The property is located at 1818 Northwest Highway. (File 10-13)**

The proposal is for approval of a change of zoning from Planned Development 88-19 for General Business Uses to a Planned Development for Commercial-1 Uses and a Specific Use Permit for an Alternative Financial Establishment. At the May 24, 2010 meeting, the Plan Commission (by a 6 to 2 vote) recommended approval of 1) the change of zoning to a Planned Development for Commercial-1 Zoning with limited uses as outlined by staff, and 2) a Specific Use Permit for an Alternative Financial Establishment for a period of 5 years tied to Jack Keller.

- b. **Consider the application of MJR Engineering, Inc. requesting approval of 1) a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District. The property is located at 775 W. Buckingham Road. (File 10-16)**

The proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District. At the June 14, 2010 meeting, the Plan Commission (by a 6 to 0 vote) recommended approval of a Specific Use Permit for a period of 25 years tied to Iram Rashid as recommended by staff.

- c. **Consider the application of SM & Lee Inc., requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned General Business (GB) District. The property is located at 723 E. Miller Road. (File 10-17)**

The proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned General Business (GB) District. At the June 14, 2010 meeting, the Plan Commission (by a 6 to 0 vote) recommended approval of a Specific Use Permit for a period of 20 years tied to SM and Lee Inc. as recommended by staff.

- d. Consider the application of EAI Realty, Inc., requesting approval of a Specific Use Permit for a Commercial School (HVAC repair training facility) on property zoned Planned Development (PD) District 69-31 for Office Uses. The property is located at 1910 Pendleton Drive. (File 10-18)**

The proposal is for approval of a Specific Use Permit for a Commercial School (HVAC repair training facility) on property zoned Planned Development (PD) District 69-31 for Office Uses. At the June 14, 2010 meeting, the Plan Commission (by a 6 to 0 vote) recommended approval of a Specific Use Permit for a period of 20 years tied to Remington College as recommended by staff.

13. 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.

14. 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.

15. 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.

