

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

August 4, 2009

7:00 p.m.

5:30 p.m. - COUNCIL EXECUTIVE SESSION

Council Executive Session to discuss Council briefings, personnel, land, and legal matters to be continued, if necessary from the Work Session.

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. **BRILLE 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 July 21, 2009 Regular Meeting.

2. Consider approval of the following bids:

a. Dental Coverage Bid No. 210-09

Ameritas Group	\$460,428.00
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This request is to award a contract with an insurance carrier to provide dental benefit options to employees, retirees, and eligible dependents.

b. Olinger Hot Gas Path Inspection and Repair Bid No. 316-09

Turbo Care, Inc.	\$368,902.00
Wood Group Heavy Ind. Turbines, LP	120,500.00
Contingency Item #1	30,125.00
Contingency Item #2	55,335.00
TOTAL	<u>\$574,862.00</u>

This request is to provide labor, equipment, and materials necessary to open, inspect, clean, and close Unit #4 after repairs are completed.

c. Traffic Signal Installation/Modernizations Bid No. 388-09

Mel's Electric, L.P.	\$1,115,250.75
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This request is to provide the Transportation Department with the ability to build new traffic signals, retrofit existing traffic signals, and install conduit, cables, and miscellaneous items on an as needed basis.

d. Audubon Park Playground Improvements Bid No. 452-09

Playwell Group

\$146,756.08

This request is to provide all labor, materials, and equipment for the installation of new playground equipment at Audubon Park.

- 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.**

Zoning File No. 09-21, City of Garland

Approval of an ordinance will approve an amendment to Planned Development (PD) District 82-42 for Single-Family and Duplex Uses on an approximately 144.45-acre tract located north of West Buckingham Road, west of North Garland Avenue and east of Sam Houston Drive.

- 4. Consider a resolution designating the community room at the Charles E. Duckworth Utility Services Building as the “Goldie Locke Community Meeting Room.”**

At the July 21, 2009 Work Session, Council considered naming the community meeting room at the new Charles E. Duckworth Utility Services Building in honor of longtime community leader Goldie Locke.

- 5. Consider an ordinance amending Chapter 26, “Police – Miscellaneous Provisions and Offenses” of the Code of Ordinances of the City of Garland.**

At the July 21, 2009 Work Session, Council considered amending Article V of Chapter 26, “Police – Miscellaneous Provisions and Offenses,” of the Code of Ordinances regarding Home Solicitations. These recommended revisions transfer the processing duties and responsibilities from the City Secretary’s Office to the Police Department, simplify the application and permitting process, and enhance the revocation clause.

- 6. Consider an ordinance changing street names within the City of Garland.**

A public hearing was held at the July 21, 2009 Regular Meeting to consider street name changes for segments of Country Club Road and Commerce Street due to the new alignment of Country Club north of SH 66.

- 7. Consider by minute action approval of the Council Rules of Order and Procedure for meetings.**

In accordance with the City Charter, Council is required to annually adopt its own rules of order of business and procedure for meetings.

- 8. Consider a resolution authorizing and ratifying the purchase of certain real property from the Young Men's Christian Association of Metropolitan Dallas.**

Council previously considered authorizing the purchase of approximately 11.6343 acres of real property located within the 1900 block of SH 66 from the Young Men's Christian Association of Metropolitan Dallas. This tract will be used for the future development of a new Transmission and Distribution facility for GP&L.

- 9. 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, providing tax incentives, designating a liaison for communication with interested parties, nominating Ecolab, Inc. to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank as an enterprise project.**

At the May 19, 2009 Regular Meeting, Council approved an ordinance nominating Ecolab, Inc. for the Texas Enterprise Zone Program. The ordinance stated that the project was located in an area designated as an enterprise zone. The project is not in an enterprise zone and the revised ordinance reflects the correction.

<u>ITEMS FOR INDIVIDUAL CONSIDERATION</u>
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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.

10. Presentation of the 2009-10 Proposed Budget.

In accordance with the City Charter, the City Manager shall submit to the City Council a Proposed Budget for the coming fiscal year, prior to August 15. The City Manager will formally present his Proposed Budget for 2009-10. Following the presentation to Council, copies of the Budget will be placed at each City library, the Office of the City Secretary, and on the City's website for public review and inspection.

11. Proposal to vote on Proposed Tax Rate for 2009-10.

In accordance with Chapter 26 of the State Property Tax Code, the Council must vote to place on the agenda of a future meeting an action item calling for the adoption of the ad valorem tax rate. This vote must be recorded and must specify the desired rate. Council must then schedule two public hearings on the proposed rate. This action is required as part of "Truth in Taxation" legislation surrounding setting ad valorem tax rates and does not commit Council to adopting the proposed ad valorem tax rate. Following the vote and call for a public hearing, a notice will be placed on the City's website, and a quarter-page ad placed in the local newspaper, publicizing the vote and public hearings.

12. Consider by minute action the election of a Mayor Pro Tem and Deputy Mayor Pro Tem.

Council is requested to elect a Mayor Pro Tem from among its members. In accordance with City Council Policy OPNS-30 – Who Shall Act As Mayor, Council may also elect a Deputy Mayor Pro Tem at its discretion.

13. Hold a public hearing regarding the 2009-11 Homelessness Prevention and Rapid Re-Housing Budget.

One of the requirements from HUD in allocating the funds for the Homelessness Prevention and Rapid Re-Housing Budget is to conduct a public hearing to obtain testimony from any interested party. This item will be scheduled for Council discussion and consideration at the August 17, 2009 Work Session.

14. Hold a public hearing regarding temporary special purpose signs.

At the July 6, 2009 Work Session, Council directed that a public hearing be held regarding the regulation of temporary special purpose signs.

15. Hold public hearings on the following zoning cases:

- a. Consider the application of Chester Murdock, requesting approval of a change of zoning from Commercial-2 (C-2) District to Industrial-1 (I-1) District. The property is located at 2713-2717 South Garland Avenue. (09-23)**

The proposal is for approval of a change in zoning from Commercial-2 District to Industrial-1 District to accommodate storage of trucks and buses on the rear of the property. At the July 13, 2009 meeting, the Plan Commission (by a 7 to 1 vote) recommended approval of a Planned Development with Commercial 2 based zoning, with an additional use to allow truck and bus storage.

- b. Consider the application of Joseph Yang, requesting approval of a Specific Use Permit for Warehousing and Wholesaling on property zoned Planned Development (PD) District 03-40/41 for Commercial-2 (C-2) Uses. The property is located at 113 Casalita Drive. (File 09-24)**

The proposal is for approval of a Specific Use Permit for Warehousing and Wholesaling. At the July 13, 2009 meeting, the Plan Commission (by a 7 to 1 vote) recommended approval of the request for a period of 10 years tied to GM Manufacturing as recommended by staff.

- c. Consider the application of Bona Enterprises, requesting approval of a Specific Use Permit for a Reception Facility on property zoned**

Shopping Center (SC) District. The property is located at 1146 Belt Line Road. (File 09-25)

The proposal is for approval of a Specific Use Permit for a reception facility in an existing shopping center. At the July 13, 2009 meeting, the Plan Commission (by a 7 to 1 vote) recommended approval of a Specific Use Permit for a period of 10 years tied to Bona Enterprises as recommended by staff.

16. 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.

17. 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.