

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

August 17, 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. **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 August 3, 2010 Regular Meeting.

2. Consider approval of the following bids:

a. Apollo to Lawler 138kV Transmission Line Upgrade Bid No. 302-10

Techline, Inc.	\$517,170.84
Contingency	<u>50,000.00</u>
TOTAL	<u>\$567,170.84</u>

This request is to provide material necessary to remove/replace existing transmission lines from Apollo to Lawler Substations and upgrade them to 138kV transmission lines.

b. Excavator Bid No. 374-10

HoltCat	\$263,500.00
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This request is for the purchase of a Caterpillar 336DL Excavator to be used by the Street Department in daily operations.

3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.

Zoning File No. 10-19, Skilled Healthcare LLC

Approval of an ordinance will approve a change of zoning from Industrial-1 District to Health Services District on a 10.9-acre tract of land located east of Shiloh Road, north of Westwood Drive.

4. Consider a resolution supporting the Forest Jupiter Transit Oriented Redevelopment Plan Sustainable Development Project.

The City of Garland has been awarded \$120,000 by the Regional Transportation Council from the 2009 Sustainable Development Call for Projects for preparation of a redevelopment plan and implementation strategy for the area surrounding the Forest Jupiter Station. At the August 2, 2010 Work Session, Council considered authorizing the acceptance of the funds and agreeing to the terms of the program.

5. Consider an ordinance authorizing the issuance of City of Garland Tax Notes, Series 2010 and resolving other matters incident and related thereto.

At the August 2, 2010 Work Session, Council considered authorizing the issuance of tax notes in the amount of \$5,050,000 and approving other matters incident and related thereto to provide funding for Police in-car digital video cameras and infrastructure improvements.

6. Consider authorizing by minute action the City Manager to execute a Professional Services Agreement with SSP Innovations.

A Professional Services Agreement with SSP Innovations in a not-to-exceed amount of \$200,000 (including \$28,600 contingency) is requested for the completion of the design and implementation of the TELVENT Miner & Miner "DESIGNER" application for the City's existing ArcFM platform comprised of the WorkForce Management (WFM) and the Geographic Information System (GIS) systems applications.

7. Consider an ordinance amending Chapter 22, "Health," of the Code of Ordinances of the City of Garland.

The Texas Commission on Environmental Quality (TCEQ) notified the City that our Pretreatment Ordinance needed to be amended to include elements of the TCEQ's new "Streamlining Rule." These elements were incorporated into our ordinance and submitted to the TCEQ in the form of a non-substantial program modification for their review. The City did not receive a response from the TCEQ within a 45-day time limit and therefore, by default, was granted the program modification. The ordinance amendment will not create any substantial increase in the efforts or procedures of City staff or of the City's regulated community.

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 Board of Directors of the Texas Municipal Power Agency.**

At the August 16, 2010 Work Session, Council was scheduled to interview two individuals that submitted letters of interest to represent the City of Garland on the Texas Municipal Power Agency Board of Directors.

9. **Hold a public hearing and consider an ordinance ordaining the City's participation in the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating the SST Truck Company LLC to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank as an enterprise project.**

At the August 16, 2010 Work Session, Council was scheduled to consider a recommendation by the Garland Economic Development Partnership Steering Committee that Council provide support for the nomination of SST Truck Company LLC for the Texas Enterprise Zone Program.

10. **Hold a public hearing regarding the use of cell phones and other wireless communications devices in school zones.**

At the July 20, 2010 Work Session, Council requested that a public hearing be held for all interested individuals to have an opportunity to speak on the use of cell phones and other wireless communications devices in school zones.

11. Hold a public hearing on the 2010-11 Proposed Budget.

Section 5, Article VII, of the City Charter requires that a public hearing be held on the Proposed Budget for the coming fiscal year. At the public hearing, all interested individuals shall be given an opportunity to be heard for or against any item contained in the Proposed Budget. The Proposed Budget for 2010-11 has been available for public inspection in the City libraries, City Secretary's Office, and on the City's website since August 3, 2010. An additional public hearing on the Proposed Budget will be held on Monday, August 30, 2010 at 7:00 p.m.

12. Hold a public hearing on the Proposed 2010-11 Tax Rate.

The Texas Property Tax Code, Section 26.05(d), provides that a governing body may not adopt a tax rate that exceeds the lower of the rollback tax rate or 103 percent of the effective rate until it has held two public hearings on the proposed increase. The 2010-11 Proposed Budget is based on a tax rate of 70.46 cents per \$100 of valuation, which does not exceed 103 percent of the effective tax rate of 71.72 cents or the rollback rate of 74.99 cents. The City, at its option, is choosing to have two public hearings on the proposed tax rate. The proposed rate of 70.46 cents represents an increase of 0.5 cents in the Debt Service portion of the rate with a corresponding decrease in the Operations and Maintenance portion. A second public hearing will be held on Monday, August 30, 2010, at 7:00 p.m.

13. Hold a public hearing on the following zoning case:

Consider the application of SMV, Inc., requesting approval of 1) an amendment to Planned Development (PD) District 05-51 for limited Commercial-1 Uses regarding the location of a fence, 2) a Concept Plan for a Warehousing, General (warehouse or welding supply shop) and 3) a Detail Plan for said Warehouse with conditions. The property is located at 301 Lavon Drive. (File 10-20)

The proposal is for approval of an amended Planned Development for limited Commercial-1 (C-1) uses, a concept plan and detail plan with conditions for a warehouse/welding shop. At the July 26, 2010 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the change as recommended by staff.

14. 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.

15. 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.

16. 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.