

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

September 15, 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. **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**

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 26, 2009 Special Meeting and September 1, 2009 Regular Meeting.

2. Consider approval of the following bids:

- a. South Country Club Road Bid No. 436-09
24" Water Main Extension
Shadow Brook Trail to Grace Drive

Canary Construction \$277,048.60

This contract is for the construction of approximately 2,000 linear feet of 24" new water main by open cut through an undeveloped area along the future South Country Club Road right-of-way.

- b. Roll-Off Truck Bid No. 505-09

Bruckner Truck Sales, Inc. \$153,702.00

This request is for the purchase of a roll-off truck to be utilized by the City of Garland's Wastewater Department in their daily operations.

- c. Library Information System Bid No. 509-09

Sirsi/Dynix \$144,275.00

This request is to upgrade the Library Information System to Symphony which is being offered as a web enabled solution. This request includes the upgrade, maintenance, and associated services to deliver the solution.

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. 09-29, Encore Recyclers**

Approval of an ordinance will approve a Specific Use Permit for a Recycling Center on Property Zoned Industrial-1 (I-1) District on a 3-acre tract located north of Forest Lane and west of Shiloh Road.

- b. **Zoning File No. 09-31, Thelma Ugwu**

Approval of an ordinance will approve a Specific Use Permit for a Reception Facility on property zoned Industrial-1 (I-1) District on a 5.9-acre tract located south of Kingsley Road and west of Shiloh Road.

- c. **Zoning File No. 09-32, Grand Ideas Unlimited**

Approval of an ordinance will approve a Specific Use Permit for a Kindergarten Preschool or Child Care Center on a 0.921-acre tract of land zoned Single Family (SF/7/F/3) District, located at 5902 North Jupiter Road.

4. **Consider a resolution authorizing the City Manager to purchase a 1.23-acre tract of land from Steve and Lisa Clayton.**

At the August 31, 2009 Work Session, Council was briefed on the Park and Recreation Board recommendation to acquire property for sale adjacent to Coomer Park. The 1.23-acre tract consists of two parcels at 538 and 602 Apollo Road. The property will add open space along Pebble Branch Creek to this neighborhood park and will also provide space for a small amount of additional parking in the future.

5. **Consider a resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the installation of railroad warning signals and gates on State Street at the Kansas City Southern Railroad in Garland.**

At the August 31, 2009 Work Session, Council considered a request by the Texas Department of Transportation (TxDOT) to participate in the cost of programming the installation of railroad crossing gates at the State Street

crossing of the Kansas City Southern Railway (KCS) because the cost of these gates exceeds the standard TxDOT funding level. In addition, these gates are needed in order to implement a quiet zone along the entire KCS corridor in Garland.

- 6. Consider a resolution approving the acquisition by Dallas Area Rapid Transit (DART) by fee simple purchase, easement purchase or the exercise of the right of eminent domain, of a specific property within the City of Garland for the construction of an extension of the Blue Line Light Rail.**

At the August 31, 2009 Work Session, Council considered a request from DART that the City of Garland authorize DART to acquire a parcel of land through eminent domain needed to construct the extension of the Blue Line Light Rail to Rowlett. DART has been unable to obtain a clear title to this property because certain liens still exist. An agreement has been reached with the property owner but the eminent domain action is needed to clear the title.

- 7. Consider a resolution authorizing the City Manager to execute agreements with the Texas Department of Transportation and the Texas Transportation Institute for the installation of a train monitoring system.**

At the August 31, 2009 Work Session, Council considered authorizing an agreement with the Texas Department of Transportation and the Texas Transportation Institute for the installation of a train monitoring system along South Garland Road.

- 8. Consider a resolution establishing the date of the first meeting of the City Council in October 2009.**

At the August 31, 2009 Work Session, Council considered changing the date of the first Regular Meeting in October to October 5, 2009 in order to allow the Mayor and Council Members the opportunity to participate in local National Night Out activities in the 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.

9. **Hold a public hearing and consider an ordinance amending Chapter 22, "Health," of the Code of Ordinances.**

At the August 31, 2009 Work Session, Council discussed the expansion of the Animal Services Advisory Committee by two positions. Staff recommended that the positions be an at-large resident and a public health official. The Animal Services Advisory Committee is currently a four-person committee authorized by Section 22.23 of the Code of Ordinances to provide advice to the Council and Managing Director of Health in regards to the Animal Shelter operation complying with Texas Department of State Health Services' rules.

10. **Hold a public hearing on the following zoning case:**

Consider the application of New Safe Haven Church, requesting approval of 1) a change in zoning from Planned Development (PD) District 86-5 for Single Family and Industrial Uses to Single Family (SF/7/G/3) District, and 2) a Specific Use Permit for Kindergarten, Preschool, or Child Care Center. The property is located south of Commerce Street, east of Curtis Drive. (File 09-30)

The proposal is for approval of 1) a change of zoning to Single Family (SF/7/G/3), and 2) a Specific Use Permit for a Kindergarten, Preschool or Child Care Center. At the August 24, 2009 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of all of the above including the Specific Use Permit for a period of 20 years tied to New Safe Haven Church as recommended by staff.

11. **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.

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.