

# **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Work Session Room, City Hall  
200 North Fifth Street, Garland, Texas  
October 18, 2011**

**Council will meet beginning at 6:00 p.m.**

## **DEFINITIONS:**

**Written Briefing:** Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

**Verbal Briefing:** These items do not require written background information or are an update on items previously discussed by the Council.

**Regular Item:** These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

**[Public comment will not be accepted during Work Session  
unless Council determines otherwise.]**

**NOTICE:** The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, TEX. GOV'T CODE.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, TEX. GOV'T CODE.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, TEX. GOV'T CODE.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, TEX. GOV'T CODE.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, TEX. GOV'T CODE.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or  
to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, TEX. GOV'T CODE.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; TEX. GOV'T CODE; Sec. 552.133, TEX. GOV'T CODE]

**(6:00) 1. Written Briefings:**

**a. EMS Fee Ordinance Amendment**

*Council is requested to consider the amendment of Section 21.26 of Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances. The addition of Sec. 21.26(B)(4) would allow the City of Garland to itemize bill for consumables used during the care and treatment of Garland Fire Department EMS transports. If Council concurs, this item will be scheduled for formal consideration at the November 1, 2011 Regular Meeting.*

**b. Upgrade of the City of Garland's Utility Customer Information System to Customer Service Suite Version 4.3**

*Council is requested to consider approval of a project to upgrade the City of Garland's Utility Customer Information System from Customer Service Suite version 4.0 to 4.3. This upgrade provides business value through:*

- *Improvements in business processes and practices*
- *Exploitation of new capabilities*
- *Elimination of various customizations*
- *Updated security enhancements*

*If Council concurs, this item will be scheduled for formal consideration at the November 1, 2011 Regular Council Meeting.*

**2. Discuss Appointments to Boards and Commissions                      Council**

**3. Consider the Consent Agenda    Council**

*A member of the City Council may ask that an item on the consent agenda for the next regular meeting be pulled from the consent agenda and considered separate from the other consent agenda items. No substantive discussion of that item will take place at this time.*

**4. Announce Future Agenda Items**

**Council**

*A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.*

**(6:20) 5. Adjourn**

**Council**

**(Estimated time to consider)**

# **AGENDA**

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

**City of Garland**

**Council Chambers, City Hall**

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

**October 18, 2011**

**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 October 3, 2011 Regular Meeting.

2. Consider approval of the following bids:

- a. **Wood Utility Poles for Warehouse Inventory** **Bid No. 2405-11**

Texas Electric Cooperatives	<b>\$151,088.00</b>
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*This request is for wood utility poles for warehouse inventory. The poles are used to support Garland Power & Light's distribution of electric power.*

- b. **Fault Indicators for Warehouse Inventory** **Bid No. 2585-11**

Techline, Inc.	<b>\$ 11,500.00</b>
Stuart Irby	<b><u>114,600.00</u></b>
	<b>\$126,100.00</b>

*This request is for fault indicators for warehouse inventory. The fault indicators are used by Garland Power & Light to locate electrical faults in the system.*

- c. **Ray Olinger Plant Unit 2 Generator** **Bid No. 2599-11**

Regenco	<b>\$235,625.00</b>
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*This request is for all parts, labor and equipment necessary for the repair*

*of Ray Olinger Unit 2 generator. Services provided include transportation and delivery from vendor's shop site.*

**d. Spring Creek Trail – Spring Creek Greenbelt Turf Establishment** **Bid No. 2401-11**

<b>Northstar Construction, Inc.</b>	<b>\$579,976.00</b>
<b>Owner's Allowance for Extended Vegetation</b>	<b><u>20,000.00</u></b>
	<b>\$599,976.00</b>

*This request is for the construction of the Spring Creek Trail and owner's allowance for additional turf establishment.*

**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. 11-22, Frank Vu**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Recycling Center on a 7.81-acre tract of land located at 209 Range Drive, northwest of the intersection of Range Drive and North First Street.*

**b. Zoning File No. 11-23, DAOUD Investments, Inc.**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for a convenience store on a 0.053-acre tract of land located at 961 West Centerville Road, northeast of the intersection of Marketplace Drive and West Centerville Road.*

**c. Zoning File No. 11-24, Fourth Avenue Investments**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Detail Plan for Single Family Homes on a 20.610-acre tract of land located north of Belt Line Road, east of Wagon Wheel Road and southwest of North Garland Avenue.*

4. **Consider a resolution authorizing the City Manager to execute Change Order No. 16 with Hill & Wilkinson, Ltd., for the Utility Services Building general construction contract.**

*At the October 13, 2011 Work Session, Council considered authorizing Change Order 16 to reduce the construction contract by the amount of \$239,948.00 on the Utility Services Building.*

5. **Consider approving by minute action authorizing the City Manager to execute an engineering services design contract with Civil Associates, Inc.**

*As determined by the Water Department, there is a need for scheduled removal/replacement of pipe materials that are near or have exceeded the design capacity. The asset value has decreased and the operation and maintenance costs have increased. Replacement will significantly reduce the number of interruptions of water and sewer availability to the customer. The project location is Colgate Lane – Forest Ridge Drive to N. Yale Drive (including Colgate Circle, Colgate Court, and Park Forest Drive) and Fairdale Street – N. Shiloh Road east to end. Staff has negotiated a design contract with Civil Associates, Inc. for an estimated amount of \$160,095.00.*

### **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.**

6. **Hold public hearings on the following zoning cases:**
  - a. **Consider the application of Linnie Ford & Joyce Whitaker, requesting approval of a Specific Use Permit for a Kindergarten, Preschool or Child Care Center on property zoned Planned Development (PD) District 00-41 for General Business Uses. The property is located at 4702 Saturn Road. (File 11-25)**



*The proposal is for approval of a Specific Use Permit for a Kindergarten, Preschool or Child Care Center. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request for a period of ten years tied to Linnie Ford and Joyce Whitaker.*

- b. Consider the application of FMB Sports Inc, requesting approval of 1) a change of zoning from Freeway (FW) District to a Planned Development (PD) District for Freeway Uses to allow Vehicle Sales, Service and Repair as an ancillary use, and 2) a Detail Plan with conditions. The property is located at 354 East I-30 Freeway. (File 11-26)**

*The proposal is for approval of a change of zoning from Freeway (FW) District Uses to a Planned Development for Freeway Uses to allow for Boat Sales, Service and Repair as an ancillary use, and a Detail Plan with conditions. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the requests as recommended by staff with the addition of allowing a maximum of four boats to be displayed in front during business hours.*

- c. Consider the application of 714 N. Watson LLC, requesting approval of 1) a change in zoning from Planned Development (PD) District 98-50 for Care of Psychiatric Patients, Residential to a Planned Development (PD) District for Multi-Family (Assisted Living Facility), 2) a Specific Use Permit for Assisted Living, and 3) a Detail Plan. The property is located east of Colonel Drive and 350' north of Broadway Boulevard. (File 11-27)**

*The proposal is for approval of 1) a Planned Development for an Assisted Living Facility, 2) a Specific Use Permit for Assisted Living, and 3) a Detail Plan. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request for a period of fifty years tied to Avalon Residential Care Homes.*

- d. Consider the application of Golden Corral, requesting approval of a change of zoning from Planned Development (PD) District 06-37 and 07-52 for Freeway Uses to a Planned Development (PD) District for Freeway Uses, 2) an amended Concept Plan, 3) a Detail Plan for a Restaurant, and 4) a variance to Section 31.424 of the Comprehensive Zoning Ordinance 4647 regarding building setbacks from a public street. The property is located at the northwest corner of Eastgate Drive and Saturn Road. (File 11-28)**

*The proposal is for approval of 1) a Planned Development for Freeway Uses, 2) an amended Concept Plan, 3) a Detail Plan for a Golden Corral,*

*and 4) a variance regarding building setbacks from a public street. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request as recommended by staff with the addition of approving one additional monument sign.*

- e. **Consider the application of SMR Construction Inc, requesting approval of a change of zoning from Single Family-7 (SF/7/G/3) District and Planned Development (PD) District 03-40/41 for Commercial Uses to a Planned Development (PD) District for Health Services to allow a parking lot associated with a Medical Office/Clinic and 2) a Detail Plan with conditions. The property is located on the south side of Hopkins, east of First Street. (File 11-29)**

*The proposal is for approval of a change of zoning from Single Family-7 District and Planned Development 03-40/41 for Commercial Uses to a Planned Development for Health Services to allow for a parking lot associated with the Parkland Health Center at 802 Hopkins. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the requests as recommended by staff.*

**7. 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.*

**8. 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.*

**9. 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](http://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.*