

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

October 21, 2008

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 October 7, 2008 Regular Meeting.

2. Consider approval of the following bids:

a. Refuse Trucks Bid No. 11-09

Bond Equipment Company/ Buyboard Cooperative	\$257,834.00
Heil of Texas/Buyboard Cooperative	382,806.40
East Texas Mack Sales/HGAC Cooperative	<u>244,046.00</u>
TOTAL	<u>\$884,686.40</u>

This request is for the purchase of four refuse trucks (two commercial and two residential) to be used by the Environmental Waste Services Department in daily operations.

b. Centerville Water Transmission Line - Bid No. 481-08
Country Club to Commerce

Tri-Con Services	\$4,801,123.40
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This request is for 8,500 linear feet of 36" RCCP and 2,500 linear feet of 30" RCCP. The project also includes erosion control, pavement removals, pavement replacement, tree protection, and utility adjustments.

c. Pressure Digger Bid No. 564-08

Altec Industries

\$269,380.00

This request is for the purchase of a pressure digger to be used by the Electric Department in daily operations.

- 3. Consider a resolution authorizing the City Manager to enter into a contract with the Texas State Library and Archives Commission to operate the Northeast Texas Library System (NETLS); to submit annually a grant application and program of service to operate NETLS.**

At the October 6, 2008 Work Session, Council considered authorizing an annual contract with the Texas State Library and Archives Commission to operate the Northeast Texas Library System (NETLS) through the Nicholson Memorial Library System. The program is fully funded by the State of Texas and the City incurs no financial liability for operation of the system should funds not be appropriated by the State.

- 4. Consider a resolution authorizing the City Manager to execute and administer a grant with the Texas State Library and Archives Commission; providing that the Nicholson Memorial Library System will provide certain services.**

At the October 6, 2008 Work Session, Council considered authorizing an annual contract with the Texas State Library and Archives to administer the Technical Assistance Negotiated Grant (TANG) 2009 program for the NETLS Member Libraries. The program is fully funded by the State of Texas and the City incurs no liability for operation should funds not be appropriated by the State.

- 5. Consider a resolution authorizing the City Manager to purchase an approximate two-acre tract of land from the Estate of James H. Jordan, deceased.**

Council previously considered authorizing the purchase of a tract of land containing approximately two acres to be used for the future Brand Road right-of-way.

- 6. Consider a resolution abandoning, releasing, and quitclaiming certain utility easements.**

The owners of 3705 University Drive have dedicated new drainage easements to the City for the University Channel Project. In exchange, they have requested that the City abandon other existing easements that will not be necessary due to the channel project. This item was considered by Council at the October 6, 2008 Work Session.

- 7. Consider an ordinance amending Section 50.34, "Sewer Service Rates" of the Code of Ordinances of the City of Garland, by establishing a wastewater treatment rate for certain classes of customers.**

At the October 6, 2008 Work Session, Council considered authorizing wastewater rate adjustments for the major industrial and customer city rate classes effective for all bills rendered on and after November 1, 2008.

- 8. Consider a resolution establishing the dates of the meetings of the City Council for November and December 2008.**

Due to the General Election being held on November 4, Council previously discussed rescheduling their November 4, 2008 Regular Meeting to November 3. Council also considered rescheduling the Regular Meetings in December 2008 to December 2 and 9 due to the holiday season. The Work Sessions will be held on the Mondays prior to the Regular Meetings.

- 9. Consider an ordinance amending Section 4 of Ordinance No. 6249 to designate the Director of Economic Development of the Garland Economic Development Partnership as the City's liaison to communicate and negotiate with the Office of Governor Economic Development & Tourism.**

On August 19, 2008, the City of Garland held a public hearing and approved Ordinance No. 6249 nominating Atlas Copco Drilling Solutions, LLC for the Texas Enterprise Zone Program. Staff is requesting approval of an amendment to Section 4 of the nominating ordinance designating the City's liaison from the Deputy City Manager to the Director of Economic Development of the Garland Economic Development Partnership. The proposed amendment is consistent with other Texas Enterprise Zone ordinances previously approved by Council.



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. The City Attorney will swear in everyone who intends to present comments or testimony during the meeting.

- 10. Consider an ordinance modifying the Comprehensive Zoning Ordinance to establish a definition and develop regulations regarding Wind Energy Systems.**

The Development Services Committee is recommending that the Comprehensive Zoning Ordinance regarding residential wind energy systems be amended as follows: 1) Wind Energy Systems would not be permitted in the CA-1 District; 2) Roof mounted systems would be permitted without being subject to the public hearing process; 3) Roof mounted systems would be restricted to no more than 60 inches above the roof line; 4) The time period in which a system would be considered abandoned would be changed to six months; 5) Public hearings to consider requests for Wind Energy Systems would be conducted by the Plan Commission with a provision for appeal to the City Council; and, 6) The application fee would be \$300.

- 11. Hold public hearings on the following zoning cases:**

- a. Consider the application of Broadway Food Plaza, 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 4646 Broadway Boulevard. (File 08-49)**

The proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps. At the September 22, 2008 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a term of 20 years as recommended by staff.

- b. Consider the application of STB Architects, requesting approval of 1) an amendment to Planned Development (PD) District 99-35 for**

Multi-Family Uses regarding unit mix, building setbacks, perimeter screening requirements and garages, and 2) amendment to the Detail Plan. The property is located east of Garland Avenue and north of Belt Line Road. (File 07-57)

The proposal is for approval of a change of zoning from a Planned Development for Multi-Family Uses and approval of the Detail Plan. At the September 22, 2008 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request with modifications as described in the Planning Report.

12. 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.

13. 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.

14. 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.