

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
November 1, 2011
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. Freeport Exemption

Senate Bill 1, which was recently passed by the Texas Legislature, revised and narrowed the law relating to Freeport property tax exemption on certain types of "Goods-in-Transit." This legislation expands the current Freeport exemption to include goods shipped from one location to another within the state. This revised exemption of "Goods-in-Transit" would result in a loss of approximately \$269,944 in annual property tax revenues to the City. Council is requested to consider opting out while still maintaining the current Freeport Exemption. If Council concurs, a public hearing and approval of an ordinance opting out of the revised Freeport exemption will be scheduled at the November 15, 2011 Regular Meeting.

b. School-Related Parking Restrictions at Carver Elementary and Naaman Forest High School

The Transportation Department periodically conducts school safety studies to respond to identified problems. This year these studies indicate that changes to traffic controls are needed at Carver Elementary and Naaman Forest High School. Council is requested to consider 1) establishing a parking restriction on the south side of Wynn Joyce from Country Club to 820 feet west of Country Club, and the west side of Country Club from Wynn Joyce to Summit Ridge, and 2) establishing a parking restriction along both curbs on both sides of Naaman Forest between Ranger and Elliot. This item is scheduled for formal consideration at the November 1, 2011 Regular Meeting.

c. Establishment of Speed Limits on Sections of Saturn Road and Naaman Forest Boulevard

Council is requested to consider establishing speed limits on Saturn Road between Miller Road and Northwest Highway and the newly-construction portion of Naaman Forest Boulevard. This item is scheduled for formal consideration at the November 1, 2011 Regular Meeting.

d. Bond Refunding

Council is requested to consider authorizing the refunding of approximately \$18.2 million Certificates of Obligation Bonds, \$45 million General Obligation Tax-exempt Commercial Paper Notes, \$22.5 million Electric Utility System Revenue Bonds, and \$32.7 million Water & Sewer System Revenue Bonds. This item is scheduled for formal consideration at the November 1, 2011 Regular Meeting.

Item	Key Person
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2. Verbal Briefing:

a. Spring Creek Trail – Spring Creek Greenbelt

Stone

At the October 18, 2011 Regular Meeting, the bid for the Spring Creek Trail - Spring Creek Greenbelt (Bid No. 2d) was postponed at the request of Council for additional information. Council will be briefed regarding the request to award this bid at the November 1, 2011 Regular Meeting.

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.

(6:45) 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

November 1, 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 18, 2011 Regular Meeting.

2. Consider approval of the following bids:

- a. Spring Creek Greenbelt Turf Establishment Bid No. 2401-11

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

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

- b. Architectural Services - Bid No. 477-08
Analytical Laboratory

HDR Architecture, Inc.	\$248,500.00
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This request is for the design of a new analytical laboratory to be located at the Rowlett Creek Wastewater Treatment Plant. The current analytical laboratory located at the Duck Creek Wastewater Treatment Plant was constructed in the 1970s and no longer meets current testing standards.

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. 11-25, Linnie Ford & Joyce Whitaker

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Kindergarten, Preschool or Child Care Center on a 2.33-acre tract of land zoned Planned Development

(PD) District 00-41 for General Business Uses, located at 4702 Saturn Road, east of Saturn Road and north of Marketplace Drive.

b. Zoning File No. 11-26, FMB Sports Inc.

Consider an ordinance amending the zoning laws of the City of Garland by approving a change of zoning from Freeway (FW) District to a Planned Development (PD) District for Freeway Uses to allow Vehicle Sales, Service and Repair (other than auto) as an ancillary use and a Detail Plan with conditions on a 2.41-acre tract of land located at 354 E. Interstate Highway 30, Suite B, south of Interstate Highway 30, west of Lyons Road.

c. Zoning File No. 11-27, 714 N. Watson LLC

Consider an ordinance amending the zoning laws of the City of Garland by approving a change of zoning from Planned Development (PD) District 98-50 for Care of Psychiatric Patients, Residential to a Planned Development (PD) District for Multi-Family Uses (Assisted Living), a Specific Use Permit for Assisted Living, and a Detail Plan on a 4.955-acre tract of land located southeast of the intersection of Colonel Drive and Broadway Boulevard.

d. Zoning File No. 11-28, Golden Corral

Consider an ordinance amending the zoning laws of the City of Garland by approving 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, an amended Concept Plan and Detail Plan for a Restaurant on a 3.15-acre tract of land located west of Saturn Road, north of Eastgate Drive.

e. Zoning File No. 11-29, SMR Construction Inc.

Consider an ordinance amending the zoning laws of the City of Garland by approving a change of zoning from Single Family-7 (SF7/G/3) District and Planned Development (PD) District 03-40/41 for Commercial Uses to a Planned Development (PD) District for Health Services, and a Detail Plan for a parking lot associated with Medical Clinic on a 2-acre tract of land located at 902 Hopkins Street.

4. Consider an ordinance amending Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances of the City of Garland.

At the October 18, 2011 Work Session, Council considered amending Section 21.26 of Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances. The addition of Section 21.26(B)(4) will allow the City of Garland to itemize bill for consumables used during the care and treatment of Garland Fire Department EMS transports.

5. **Consider an ordinance amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland.**

The Transportation Department periodically conducts school safety studies to respond to identified problems. This year these studies indicate that changes to traffic controls are needed at Carver Elementary and Naaman Forest High School. This item was scheduled for Council consideration at the November 1, 2011 Work Session.

6. **Consider an ordinance amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland.**

At the November 1, 2011 Work Session, Council was scheduled to consider establishing 35 miles per hour speed limits on Saturn Road between Miller Road and Northwest Highway, and on the newly-constructed portion of Naaman Forest Boulevard.

7. **Consider by minute action authorizing the City Manager to execute a Scope of Work and three years maintenance agreement with Ventyx, Inc.**

At the October 18, 2011 Work Session, Council considered authorizing a project to upgrade the City of Garland's Utility Customer Information System from Customer Service Suite version 4.0 to 4.3.

8. **Consider the following:**

- a. **Consider an ordinance authorizing the issuance of "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, Series 2011A", pledging net revenues of the City's Water and Sewer System to the security of and the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement, a**

Purchase Agreement and an Escrow Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement; and providing an effective date.

- b. Consider an ordinance authorizing the issuance of “City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, Series 2011A”, pledging the net revenues of the City’s electric utility system to the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement, a Purchase Agreement and an Escrow Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement; and providing an effective date.**

- c. Consider an ordinance authorizing the issuance of “City of Garland, Texas, General Obligation Refunding Bonds, Series 2011A”; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; providing for the redemption of certain outstanding obligations of the City; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement, a Purchase Agreement and an Escrow Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement; and providing an effective date.**

- d. Consider an ordinance authorizing the issuance of “City of Garland, Texas, General Obligation Refunding Bonds, Series 2011B”; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; providing for the redemption of certain outstanding obligations of the City; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement; and providing an effective date.**

At the November 1, 2011 Work Session, Council was scheduled to consider authorizing the issuance of four debt issues to refund outstanding

Certificates of Obligation, General Obligation Tax-Exempt Commercial Paper Notes, Electric Utility System Revenue Bonds, and Water & Sewer System Revenue Bonds.

9. 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.

10. 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.