

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

November 17, 2009

7:00 p.m.

5:30 p.m. - COUNCIL EXECUTIVE SESSION

Council Executive Session to discuss Council briefings, personnel, land, and legal matters to be continued, if necessary from the Work Session.

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 November 3, 2009 Regular Meeting.

2. Consider approval of the following bid:

Telephone System Upgrade

Bid No. 41-10

Verizon

\$197,164.85

This request is for the upgrade of the citywide telephone system.

3. Consider a resolution establishing December 8, 2009 as the meeting schedule for the second Regular Meeting of the City Council for the month of December 2009.

At the November 3, 2009 Work Session, Council considered rescheduling their second Regular Meeting in December from December 15 to December 8, 2009.

4. Consider a resolution accepting a Texas Department of Transportation Impaired Driving Mobilization Selective Traffic Enforcement Program Grant.

At the November 16, 2009 Work Session, Council was scheduled to consider authorizing the acceptance of a Texas Department of Transportation – Selective Traffic Enforcement Program Impaired Driving Mobilization grant in the amount of \$15,000. The purpose of this grant is to save lives and reduce motor vehicle accidents and related injuries by aggressively enforcing the laws of the State of Texas associated with Driving While Intoxicated.

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.

- 5. Hold a public hearing and consider an ordinance ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating Sears Logistics Services, Inc. to the Office of the Governor, Economic Development Tourism through the Economic Development Bank as an enterprise project.**

Sears Logistics Services, Inc. plans to invest \$5 to \$7 million in its facility and equipment improvements over the next five years. This project will increase their Garland business personal property value by a total of \$17,000 to \$24,000. The Garland Economic Development Partnership Steering Committee is recommending that Council provide support for the nomination of Sears Logistics Services, Inc. for the Texas Enterprise Zone Program and support of employee training. This item was scheduled for Council discussion at the November 16, 2009 Work Session.

- 6. Hold public hearings on the following zoning cases:**
 - a. Consider the application of QuikTrip, requesting approval of 1) an amendment to Planned Development (PD) District 85-28 for Shopping Center Uses, 2) a Concept Plan, and 3) a Specific Use Permit for Retail Sales with Gas Pumps. The property is located at 4906 Jupiter Road. (File 09-33)**

The proposal is for approval of 1) an amendment to Planned Development (PD) District 85-28 for Shopping Center Uses, 2) a Concept Plan, and 3) a Specific Use Permit for Retail Sales with Gas Pumps tied to QuikTrip for a period of 30 years. At the October 26, 2009 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request with a condition that the applicant address issues regarding the building

elevations by adding architectural features. NOTE: As this is still under discussion, staff recommends this item be postponed until the December 1, 2009 meeting.

- b. Consider the application of First Response Restoration, requesting approval of 1) an amendment to Planned Development (PD) District 03-47 for Transit Oriented Development, and 2) a Detail Plan for expansion of a Used Auto Sales and Tire Dealer. The property is located at 3430 Forest Lane. (File 09-34)**

The proposal is for approval of 1) an amendment to Planned Development (PD) District 03-47 for Transit Oriented Development and 2) a Detail Plan for expansion of a Used Auto Sales and Tire Dealer. At the October 12, 2009 meeting, the Plan Commission (by a 7 to 0 vote) recommended denial of the request except for approval of a 9-foot landscape buffer along Forest Lane, as recommended by staff. The applicant has appealed the denial of this request.

- c. Consider the application of Alpha Academy, requesting approval of a Specific Use Permit for a Charter School on property zoned Central Area-1 (CA-1) District. The property is located at 701 West State Street. (File 09-39)**

The proposal is for approval of a Specific Use Permit for a Charter School on property zoned Central Area-1 District. At the October 26, 2009 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the request tied to Alpha Academy for a period of 5 years.

7. 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.

8. 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.