

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

March 20, 2012

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 March 6, 2012 Regular Meeting.

2. Consider approval of the following bids:

a. Single Stream Recycling Containers Bid No. 2715-12

Cascade Engineering \$421,501.60

This request is to provide 8,200 95-gallon recycling containers for Phase 1 of the Environmental Waste Services Residential Automated Collection Single Stream Recycling Program.

b. Street Sweepers Bid No. 2806-12

Texas Municipal Equipment, LLC \$317,757.00

This request is for the purchase of two street sweepers for the Street Department for use in daily operations.

c. Surf and Swim Wave Pool Renovation Bid No. 2820-12

Sunbelt Pools \$288,464.30

This request is for the repair and replacement of the pool coatings at the Surf and Swim Wave Action Swimming Pool.

d. IH-635 Utility Relocation

Bid No. 2822-12

Glenn Thurman, Inc.

\$148,738.00

This request is to provide for the relocation of a 12-inch wastewater main that is in conflict with TxDOT's IH-635 frontage road improvements project.

e. Compactors

Bid No. 2833-12

Bane Machinery, Inc.

\$179,007.00

This request is for the replacement of two compactors to be used by the Street Department in daily operations.

- 3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.**

Zoning File No. 12-08, Firewheel Master Partnership Ltd.

Consider an ordinance amending the zoning laws of the City of Garland by approving an amendment to Planned Development (PD) Districts 02-25 and 03-53 for Freeway Uses regarding regulation of Freestanding Signs on a 174-acre tract of land located northeast of the intersection of State Highway 78/Lavon Drive and State Highway 190 (President George Bush Turnpike).

- 4. Consider an ordinance amending Chapter 26, "Police-Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland.**

At the March 5, 2012 Work Session, Council considered a recommendation from the Public Safety Committee and staff to amend Chapter 26, "Police – Miscellaneous Provision and Offenses" of the Code of Ordinances by adding a new section, Sec. 26.13 titled, "Prohibition of the Sale of Salvia" which would make it an offense to sell or possess with intent to sell Salvia to another person in the City of Garland.

5. **Consider a resolution abandoning and approving the sale of an alley in the Joel Crumpacker Survey, Abstract No. 328, City of Garland, Dallas County, Texas and being part of Lot 6, Block 12, of the original Town of Duck Creek.**

At the March 5, 2012 Work Session, Council considered the abandonment and sale of City property at the rear of 505 W. State Street to Sarah L. Stafford, Marion Gene Garvin and Teena Cato Garvin. Council approval is required to authorize the Mayor to execute a deed without warranty conveying the property to the buyer.

6. **Consider approving by minute action the Hazard Mitigation Action Plan.**

At the March 5, 2012 Work Session, Council considered the adoption of the local Hazard Mitigation Action Plan. This plan was developed to implement hazard mitigation activities that will result in a more sustainable community by saving lives and properties from disaster situations.

7. **Consider a resolution authorizing the City Manager to execute a Recyclables Processing and Marketing Agreement with Allied Waste Systems.**

At the March 5, 2012 Work Session, Council considered authorizing a Recyclables Processing and Marketing Agreement with Allied Waste Systems, Inc. dba Allied Waste Services of Plano to transport, process, and sell single stream recyclables materials.

8. **Consider an ordinance amending Chapter 51, “General Utility Provisions”, of the Code of Ordinances of the City of Garland.**

At the March 5, 2012 Work Session, Council considered modifications to the Drought Contingency Plan. The proposed changes would alter allowed irrigation patterns to more closely follow those recommended by the North Texas Municipal Water District.

9. **Consider an ordinance canceling the election to be held May 12, 2012 for unopposed candidates for Districts 1 and 5; declaring the unopposed candidates within those districts elected to office;**

continuing unaffected the general election to be held May 12, 2012 for Council Districts 2 and 4.

Council is requested to accept the Certification of Unopposed Candidates and the Certified List of No Write-In Candidates and authorize the cancellation of the election for May 12, 2012 for Council Districts 1 and 5 in accordance with the charter of the City of Garland and the laws of the State of Texas. These elections are canceled because the candidates in Districts 1 and 5 are unopposed. The elections in Districts 2 and 4 are not affected by this ordinance and will continue as scheduled.

- 10. Consider a resolution authorizing the submission of a grant application for the acquisition of a CBRNE Tactical Intervention Vehicle; designating Mitch Bates as the authorized official for purposes of that grant.**

At the March 19, 2012 Work Session, Council was scheduled to consider authorizing the submission of an application for the Edward Byrne Memorial Justice Assistance Grant to be used for the purchase of a Tactical Intervention Vehicle (armored personnel carrier).

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.

- 11. Consider approving by minute action a consulting agreement with Ray Schwertner.**

At the January 3, 2012 Executive Session, Council discussed the reassignment of Ray Schwertner, the Managing Director of Electric Utility, to a consulting basis. A draft of the proposed consulting agreement was considered by Council at the February 20 Work Session and February 21 Regular Meeting. Several Council Members requested additional revisions be

made to the proposed agreement and brought back for Council consideration and approval.

12. Hold a public hearing on the following zoning case:

Consider the application of Firewheel Ventures requesting approval of a Detail Plan for Medical Clinic/Offices and Office, General Uses on property zoned Planned Development (PD) District 03-09 for General Business Uses. The property is located south of Naaman School Road, east of Goldenwood Drive. (File 12-09)

The proposal is for approval of a Detail Plan for a Medical Clinic/Office and Office, General Uses. At the February 27, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the amendment as recommended by staff.

13. Hold a public hearing and consider (1) an ordinance designating an area as a reinvestment zone for commercial/industrial tax abatement; authorizing the City Manager to execute an agreement with the applicant regarding the reinvestment zone and (2) a resolution authorizing the City Manager to execute a tax abatement agreement.

Advanced Pharmacy is considering opening a 10,000 square foot certain center in Garland at the Firewheel Distribution Center, bringing \$2 million in business personal property and taxable inventory to Garland. At the March 5, 2012 Work Session, Council considered a recommendation by the Garland Economic Partnership Steering Committee that Council provide (1) general support for the project and (2) support a 50% City tax abatement on business personal property for up to seven years.

14. Hold a public hearing and consider (1) an ordinance designating an area as a reinvestment zone for commercial/industrial tax abatement; authorizing the City Manager to execute an agreement with the applicant regarding the reinvestment zone; (2) a resolution authorizing the City Manager to execute an economic development agreement with Kraft Foods Global, Inc.; and, (3) a resolution authorizing the City Manager to execute a tax abatement agreement.

Kraft Foods Global, Inc. has plans to bring additional projects to its Garland facility. The projects will require new machinery and equipment,

bringing \$11.6 million in business personal property value to Garland. At the March 5, 2012 Executive Session, Council considered a recommendation by the Garland Economic Development Partnership Steering Committee that Council provide (1) general support for the project and (2) support of a 100% City tax abatement on business personal property for five years. In addition, Council is requested to authorize an amendment to a Chapter 380 economic development agreement between the City and Kraft Foods Global, Inc.

15. Hold a public hearing and consider an ordinance adopting the Envision Garland 2030 Comprehensive Plan.

A public hearing will be held regarding the proposed Envision Garland Comprehensive Plan. This item was scheduled for Council consideration and discussion at the March 19, 2012 Work Session.

16. 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.

17. 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.