

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
May 1, 2012**

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. 2012 Edward Byrne Memorial Justice Assistance Grant

Council is requested to authorize the Police Department to apply to the Bureau of Justice Assistance (BJA) for an estimated direct award of \$47,697 under the 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) program for the purpose of reducing crime and improving public safety. The Attorney General has certified Garland as a disparate jurisdiction, requiring Garland to enter into an agreement to share a portion of these funds with Dallas County. The resulting estimated net award to the City of Garland will be approximately \$31,050.75. This item is scheduled for formal consideration at the May 1, 2012 Regular Meeting.

b. Miller Road Bridge Project and Woodland Basin Nature Area/Rowlett Creek Greenbelt

The Dallas County project for the construction of a new Miller Road roadway and bridge at Rowlett Creek needs the use of a very small portion of the Woodland Basin Nature Area adjacent to the existing right-of-way for roadway and bridge improvements. This will require a public hearing and a finding by the Council to meet the requirements of Chapter 26 of the Texas Parks and Wildlife Code. If Council concurs, a public hearing and formal Council consideration of this item will be scheduled at the May 15, 2012 Regular Meeting.

Item	Key Person
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2. Verbal Briefings:

a. Audit Committee Report

Williams

Council Member Rick Williams, Chair of the Audit Committee, will provide a committee report on the following items:

- *FY 2011 Deloitte External Audit*
- *Wastewater Audit*
- *Chamber of Commerce Audit Report*

b. Drought Restrictions

Dodson/Cahill

At the request of Council Members Lori Dodson and Jim Cahill, Council is requested to discuss drought restrictions regarding:

- *One day a week watering designated on Saturday only (Dodson)*
- *Going to Stage 2 twice a week watering (Cahill)*

3. Discuss Appointments to Boards and Commissions

Council

- *Monica Reyes – Community Multicultural Commission (Willis)*

4. 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.

5. 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) 6. 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

May 1, 2012

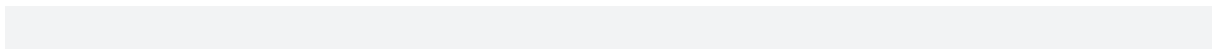
7:00 p.m.

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**
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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 April 17, 2012 Regular Meeting.

2. Consider approval of the following bids:

a. Mini Digger Derrick Bid No. 2789-12

Nesco Sales \$159,442.00

This request is for the purchase of a replacement Mini Digger Derrick for Garland Power & Light for use in daily operations.

b. Energy Management Software and Licensing Upgrade Bid No. 2877-12

Open Systems International, Inc. (OSI) \$164,736.07

This request is for all labor and material necessary to install the latest upgrades to the City's Operation Energy Management System platform, which is the Electric Reliability Council of Texas (ERCOT) designated interface between the GP&L Energy Management System, ERCOT, and the MV-90 multivendor-90 data collection system.

c. Underground Cable Replacement Bid No. 2853-12

Infratech Corporation \$756,460.57

This request is to provide labor and equipment necessary to remove and replace aging underground distribution facilities.

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. 12-12, Deleshia Taylor**

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Child Care Center on property zoned Single Family 7 (SF/7/G/3) District on a .90-acre lot located at 716 Chandler Drive.

- b. **Zoning File 12-13, Realty Capital Management LLC**

Consider an ordinance amending the zoning laws of the City of Garland by approving a change in zoning from Agriculture (AG) District to a Planned Development (PD) District for Multifamily Uses on a 50-acre tract of land located south and west of Bunker Hill Road and west of Miles Road.

4. **Consider a resolution adopting and approving the Consolidated Plan – One Year Plan of Action including a Revised Statement of Uses of Funds for the 2012 – 2013 Community Development Block Grant, Home Investment Partnership, and Emergency Solutions Grant Programs.**

At the April 3, 2010 Regular Meeting, a public hearing was held to provide an opportunity for comments by any interested individuals regarding the proposed budget allocation for the 2012 – 2013 CDBG, HOME, and ESG Programs. This item was also considered by Council at the April 16, 2012 Work Session.

5. **Consider approving by minute action the appointment of Jack L. May to the North Texas Municipal Water District Board of Directors.**

The North Texas Municipal Water District (NTMWD) notified the City that Jack L. May's term of office as a NTMWD Board Member expires on May 31, 2012. NTMWD has requested that Council consider reappointing Mr. May or appoint another Director to serve a two-year term from June 1, 2012 to May 31, 2014. In accordance with Council policy, information was posted on the City's website for 14 days regarding the qualifications of

the NTMWD Board Member to provide an opportunity for citizens to apply for the position. Mr. May was the only citizen to respond.

6. **Consider a resolution authorizing the submission and acceptance of an application to the Bureau of Justice Assistance for a grant under the 2012 Edward Byrne Memorial Justice Assistance Grant Program.**

The Police Department is requesting Council's approval to apply for the 2012 Edward Byrne Memorial Justice Assistance Grant which will result in a net award of \$31,050.75 to the City of Garland. The Director of the Bureau of Justice Assistance has made funds available to units of local government under the 2012 Edward Byrne Memorial Justice Assistance Grant program for the purpose of reducing crime and improving public safety. This item was scheduled for Council consideration at the May 1, 2012 Work Session.

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.

7. **Hold public hearings on the following zoning cases:**
 - a. **Consider the application of Martin Eagle Oil Company requesting approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Commercial 1 (C-1) District and PD (Planned Development) District 85-27 for Shopping Center Uses in the SH 190 Overlay. The property is located at 2902 Lavon Drive. (File 12-11)**

The proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Commercial 1 (C-1). At the April 9, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a period of 25 years tied to Martin Eagle Oil Company as recommended by staff.

- b. **Consider the application of Responsive Education Solutions, requesting approval of a Specific Use Permit for a Charter School on**

property zoned PD (Planned Development) District 05-08 for Church Use in the SH 190 Overlay. The property is located at 1600 West Campbell Road. (File 12-14)

The proposal is for approval of a Specific Use Permit for a Charter School on property zoned PD 05-08 for Church Use in the SH190 Overlay. At the April 9, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request as recommended by staff.

- c. Consider the application of Wes Parnell requesting approval of 1) a change of zoning from Office 1 (O-1) District to General Business (GB) District and 2) a Specific Use Permit for a Restaurant with Drive-Through. The property is located at 3300 Broadway Boulevard. (File 12-15)**

The proposal is for approval of a change in zoning from Office 1 to General Business and a Specific Use Permit for a Restaurant with Drive-Through. At the April 9, 2012 meeting, the Plan Commission (by a 5 to 4 vote) recommended denial of the request.

8. 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.

- *Monica Reyes – Community Multicultural Commission (Willis)*

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.