

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

September 20, 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. **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 September 6, 2011 Regular Meeting.

2. Consider approval of the following bids:

a. Ray Olinger Plant Control Valve Parts

Bid No. 2441-11

General Electric	\$ 4,468.36
Action Turbine Repair Services, Inc.	7,895.00
Fajon Machining, Inc.	40,465.00
Mechanical Dynamics Analysis	54,225.00
Technical Hardfacing Machining	<u>70,059.00</u>
TOTAL	<u>\$177,112.36</u>

b. Replacement Fleet Vehicles

Bid No. 2548-11

Sam Pack's Five Star Ford \$456,779.27

This request is for the purchase of 25 replacement fleet vehicles including SUVs and pickups to be used by various City departments for daily operations.

c. Control Valve Repair Parts
for Ray Olinger Turbines

Bid No. 2557-11

Voith Turbo, Inc. \$175,908.14

This request is to provide all labor and material for maintenance and repair of the Ray Olinger Plant #4 gas turbine starter torque converter.

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. 11-21, Pecan Ranch Early Learning Center, LLC

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Kindergarten, Preschool or Child Care Center on a 0.717-acre tract of land zoned Single-Family (SF/7/E/3) District located at 815 East Oates Road, north of East Oates Road and east of Broadway Boulevard.

4. **Consider by minute action authorizing the City Manager to execute an agreement to bind dental insurance coverage with Guardian Dental effective January 1, 2012.**

At the September 6, 2011 Work Session, Council considered authorizing changing group carriers for the City of Garland dental insurance program offered to employees, retirees, and eligible dependents effective January 1, 2012.

5. **Consider an ordinance amending Section 10 of Ordinance 6485 of the City of Garland.**

On September 6, 2011, Council passed Ordinance 6485 establishing fees for various services provided by the City. Section 10 of the ordinance made October 1, 2011 the effective date for all fees established by the ordinance. The sewer service fees established in Section 7 of the ordinance (for industrial customers and customer cities) were intended to become effective November 1, 2011, rather than October 1, 2011. This ordinance amends Section 10 of Ordinance 6485 to make November 1, 2011 the effective date for the referenced sewer service fees, while leaving October 1, 2011 as the effective date for all other fees.

6. **Consider a resolution authorizing the City Manager to execute an interlocal agreement with the City of Sachse for storage and use of an emergency decontamination trailer.**

The City of Garland Health and Fire Departments were awarded \$129,055 in Homeland Security funding to purchase a decontamination trailer for use in

the cleansing of patients in the event of a hazmat or terrorist event. The trailer will require a customized truck chassis that is not in Garland's current fleet. The City of Sachse has a truck available and agreed to house, transport and provide personnel to operate the decontamination trailer when needed in the event of an emergency. The agreement is for Sachse to assist Garland response units within the northeast Texas region as part of the City of Garland's Regional Response Team. This item was considered by Council at the September 6, 2011 Work Session.

7. **Consider a resolution supporting the issuance of a Municipal Setting Designation Certificate for property generally located at 11344 Plano Road and the Dallas Area Rapid Transit right-of-way abutting such property.**

The City of Dallas approved a Municipal Setting Designation (MSD) ordinance for a facility located at 11344 Plano Road on June 9, 2010. Because the City of Garland is located within the half-mile buffer zone surrounding the MSD, the property owner is requesting a resolution of support for the MSD application from the City of Garland. This item was considered by Council at the September 6, 2011 Work Session.

8. **Consider by minute action confirming the reappointment of Dr. Timothy Lambert for a two-year term as Garland Health Officer.**

Chapter 121 of the Texas Health & Safety Code requires that a local health department (city or county) which employs a non-physician Director of Health have a licensed physician to aid the Director in the control of communicable diseases within the jurisdiction. The state law requires that the Director's appointment of the City Health Officer be confirmed by Council every two years. Dr. Timothy Lambert has served as Garland's City Health Officer since June 25, 2005. Dr. Lambert's two-year term expires on October 1, 2011. This item was considered by Council at the September 6, 2011 Work Session.

9. **Consider by minute action authorizing the Mayor to execute a deed without warranty conveying 914 Quincy Drive to Two C-Three C, Inc.**

On May 3, 2011, property located at 914 Quincy was struck off to the City of Garland pursuant to a delinquent tax suit for \$15,198.93. Two C-Three C, Inc. has offered to purchase this lot for \$15,200, which is greater than the

market value stated in the judgment. This item was considered by Council at the September 19, 2011 Work Session.

10. **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.**

The City of Garland contracts annually with the Texas State Library and Archives Commission to operate the Northeast Texas Library System (NETLS). Council is requested to consider authorizing the approval of the State Fiscal Year 2012 NETLS Operating Grant Contract. The City will receive \$300,444 for operation of the NETLS service program, including a projected \$14,307 in indirect costs as City revenues. This item was considered by Council at the September 6, 2011 Work Session.

11. **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.**

The City of Garland contracts with the Texas State Library and Archives Commission to administer the program for the Northeast Texas Library System through the Nicholson Memorial Library System. 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. Council is requested to authorize the City Manager to accept a Technical Assistance Negotiated Grant in the amount of \$84,162 for administration of the program, including \$4,008 indirect costs as City revenues. This item was considered by Council at the September 6, 2011 Work Session.

12. **Consider a resolution establishing fund balance policies as required by GASB 54.**

The Governmental Accounting Standards Board (GASB) adopted Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. A Council resolution is required to comply and implement GASB 54 requirements. This item was considered by Council at the September 6, 2011 Work Session.

13. **Consider a resolution repealing Resolution No. 8383.**

In its last session, the Texas Legislature enacted substantial revisions to the laws that govern the confidentiality of "competitive matters", that is, information that could affect the competitive interests of the City's electric utility, GP&L. Under the previous state of the law, the governing bodies of municipally-owned utilities had a great deal of authority to determine what categories of information would be deemed to be competitive and thus excepted from disclosure. The new law removes that discretion and instead provides an "either or" categorization, that is, information is either competitive (as defined by the revised law) or it is not. Resolution No. 8383 was adopted under the old law. It is no longer relevant, and should therefore be repealed. This item was considered by Council at the September 19, 2011 Work Session.

14. **Consider a resolution authorizing the City Manager to execute an interlocal agreement with the City of Sachse for water main improvements along Bunker Hill Road.**

At the September 6, 2011 Work Session, Council considered authorizing an interlocal agreement with the City of Sachse for the construction of water main improvements along Bunker Hill Road from SH-78 to Pleasant Valley Road. The interlocal agreement is required to establish cost shares for the water main improvements.

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.

15. **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.

16. **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.