

# **AGENDA**

## **REGULAR MEETING OF THE CITY COUNCIL**

**City of Garland**

**Council Chambers, City Hall**

**200 North Fifth Street, Garland, Texas**

**February 7, 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 January 17, 2012 Regular Meeting.
2. Consider approval of the following bids:

a. Material Hauling Bid No. 2695-12

Chambers Brothers Construction Co.	\$200,000.00
Eagle Remediation Services, Inc.	<u>199,000.00</u>
TOTAL	<u>\$399,000.00</u>

*This request is for a term contract with two renewal options for material hauling services generated as a result of pavement demolition and rehabilitating projects.*

b. Asphalt Road Materials Bid No. 2733-12

APAC-Texas	\$660,880.00
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*This request is for a term contract with two renewal options to provide asphalt road surfacing materials on an as needed basis for street and alley repairs and rehabilitation throughout the City.*

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. 11-31, Onyx Builders**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a change of zoning from Planned Development (PD) District 05-55*

*for Single Family Attached Uses (Townhouses) to a Planned Development (PD) District for Single Family Uses and a Detail Plan for 63 single family residences on a 12.55-acre tract of land located north of the intersection of Roan Road and Rowlett Road.*

4. **Consider a resolution supporting a toilet, showerhead, and faucet aerator replacement/installation program; authorizing the City Manager to make application with the U. S. Department of the Interior, Bureau of Reclamation regarding a grant from the Bureau of Reclamation for the program; agreement to provide matching funds for that grant if it is awarded to the City.**

*At the February 6, 2012 Work Session, Council was scheduled to consider authorizing the submittal of a grant application to the Bureau of Reclamation for funding communitywide residential toilet, showerhead, and faucet aerator replacements.*

5. **Consider an ordinance authorizing an amendment to the 2011-12 Operating Budget (Budget Amendment No. 1) providing for supplemental appropriation of funds in the General Fund, the Fair Housing Grant Fund, the Group Health Insurance Fund, the Infrastructure Repair and Replacement Fund, the Public Safety Grant Fund, the Stormwater Management Fund, and various funds associated with purchase order encumbrances.**

*At the January 17, 2012 Work Session, Council considered a recommendation amending the 2011-12 Adopted Budget for (1) projects approved in last year's budget but uncompleted by the fiscal yearend; (2) the rollover of open purchase orders from the 2010-11 fiscal year; (3) the receipt of additional grants and other awards; and (4) expenditures not anticipated in the 2011-12 Adopted Budget.*

6. **Consider an ordinance amending Chapter 10, "Administration," of the Code of Ordinances of the City of Garland relating to the cancellation of an uncontested election.**

*Texas law provides that if candidates for an election are unopposed, the election may be canceled and the unopposed candidates declared the winners. Federal law requires any change in an election procedure to receive pre-clearance from the U. S. Department of Justice. As a result, anytime the City proposes to cancel an election because candidates are unopposed, the*

*City will be required to request pre-clearance from the U. S. Department of Justice; however, the City can adopt a policy regarding cancellations that becomes part of the City's election procedures and avoid costly pre-clearance submissions in the future.*

- 7. Consider an ordinance ordering and providing notice of a General Election for the City of Garland to be held on the 12<sup>th</sup> day of May 2012; calling a runoff election, if needed**

*In accordance with the charter and laws of the City of Garland and the State of Texas, Council is requested to order a General Election to be held on May 12, 2012 for the purpose of electing Council Members for Districts 1, 2, 4, and 5; calling a Runoff Election, if needed.*

- 8. Consider approving by minute action authorizing the City Manager to execute 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.*

### **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.**

- 9. Hold a public hearing regarding the 2012 Proposed Capital Improvement Program.**

*A public hearing will be held on the 2012 Proposed Capital Improvement Program (CIP) so all interested individuals will have an opportunity to be heard for or against the proposed program. The 2012 Proposed CIP has been available for public inspection in the City's libraries, the City Secretary's Office, and on the City's website since January 18, 2012.*

10. **Hold a public hearing to consider the application of Rita Segovia requesting approval of a house conversion for use as Sunday school classes on property zoned Single Family (SF/7/G/3) District. The property is located at 409 Freeman Drive. (File HC 11-01)**

*The proposal is for approval of a residential property to be used for Sunday School classes for a church next door. At the January 9, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request.*

11. **Hold public hearings on the following zoning cases:**

- a. **Consider the application of Jupiter Management Company, requesting approval of a change in zoning from Industrial 1 (I-1) District to Commercial 1 (C-1) District. The property is located at 2206-2218 South Jupiter Road. (File 12-01)**

*The proposal is for approval of a change of zoning from Industrial 1 to a Commercial 1 District. At the January 9, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request.*

- b. **Consider the application of Jupiter Shopping Center requesting approval of a change in zoning from Industrial 1 (I-1) District to Commercial 1 (C-1) District. The property is located at 1417 – 1449 South Jupiter Road. (File 12-02)**

*The proposal is for approval of a change of zoning from Industrial 1 to a Commercial 1 District. At the January 9, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request.*

12. **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.*

13. **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](http://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.*