

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

April 3, 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 20, 2012 Regular Meeting.

2. Consider approval of the following bids:

a. Construction Services at Bid No. 2823-12
Main Street Municipal Building

Nouveau Construction and \$168,791.67
Technology Services, LP

This request is to provide labor and materials for construction services to improve space utilization of the third floor in the Main Street Municipal Building.

b. City of Garland Visitors' Center Finish-out Bid No. 2654-12

Denco Construction Specialists \$184,711.77

This request is to provide labor, supervision, materials, services, and equipment necessary to construct interior finish-out of approximately 1,500 square feet of a portion of the existing building at 211 North Fifth Street, Garland, TX.

c. Sand Trap Renovation Bid No. 2805-12

Fleetwood Services, LLC \$230,754.00

This request is for the renovation of bunkers on the Champions 9 and Masters 9 at The Bridges at Firewheel as well as the restoration of the original No. 9 Green on Traditions.

- 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. 12-09, Firewheel Ventures

Consider an ordinance amending the zoning laws of the City of Garland by approving a Detail Plan for Medical Clinic/Office and Office, General on property zoned Planned Development (PD) District 03-09 for General Business Uses on a 0.60-acre lot located south of Naaman School Road, east of Goldenwood Drive.

- 4. Consider a resolution authorizing the City Manager to execute a Project Supplemental Agreement with Dallas County for roadway and bridge improvements to Pleasant Valley Road from Richfield Drive to Miles Road.**

At the March 19, 2012 Work Session, Council considered authorizing a Project Supplemental Agreement with Dallas County for roadway and bridge improvements to Pleasant Valley Road from Richfield Drive to Miles Road. The 2004 Bond Referendum and approved 2012 Capital Improvement Program included funds to partner with TxDOT and Dallas County in this project.

- 5. Consider a resolution approving and authorizing Publication of Notice of Intention to Issue Certificates of Obligation.**

At the March 19, 2012 Work Session, Council considered authorizing the publication of Notice of Intention to Issue Certificates of Obligation in the principal amount of approximately \$6.8 million. The issuance of Certificates of Obligation will fund various projects in the Capital Improvement Program that was approved on February 21, 2012.

- 6. Consider by minute action authorizing the City Manager to execute a contract with Freese-Nichols, Inc. in the amount of \$159,000.**

At the March 19, 2012 Work Session, Council considered authorizing a contract with Freese-Nichols, Inc. to assist the City with an asset management program for the Water and Wastewater Utility.

7. **Consider a resolution authorizing the City Manager to execute Change Order No. 1 to Harrison, Walker & Harper LP in the amount of \$495,585 for the Apollo/Northside Pump Station Renovation contract.**

At the March 19, 2012 Work Session, Council considered a request to increase the guaranteed maximum price contract with Harrison, Walker & Harper LP for the Apollo/Northside Pump Station Renovation by the amount of \$495,585 for the replacement of six control valves.

8. **Consider a resolution authorizing the Managing Director of Environmental Waste Services to file a project application with the North Central Texas Council of Governments for grant funding for a Regional Solid Waste Program Local Implementation Project.**

At the March 19, 2012 Work Session, Council considered authorizing Environmental Waste Services to submit a grant proposal in the amount of \$26,000 to the North Central Texas Council of Governments to be used for (1) the design and print of an Environmental Waste Services (EWS) brochure and (2) acquire and implement My-Waste smart phone application that will be customized to the EWS collection schedule and various programs.

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. **Consider a resolution confirming Raymond Knight as Fire Chief and Head of the Garland Fire Department.**

Council is requested to confirm the City Manager's appointment of Raymond Knight as Fire Chief and Head of the Garland Fire Department.

10. **Hold a public hearing and consider an ordinance amending Chapter 22, "Health" and Chapter 32, "Neighborhood Sanitation and Housing Services" 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 19, 2012 Work Session, Council considered changes to several sections of Chapter 22 and Chapter 32 of the Code of Ordinances. A public hearing will be held to receive citizen input regarding the proposed changes.

11. Hold a public hearing regarding the 2012-2013 CDBG, HOME, and ESG Funding.

At the April 2, 2012 Work Session, Council was provided information regarding the available funding and applications received for the CDBG, HOME, and ESG 2012-13 budget year. As part of the review process, a public hearing is needed to obtain comments from any interested parties.

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

Consider the application of M & I Ventures LLC, requesting approval of a Specific Use Permit for a Retail Sales with Gasoline Pumps on property zoned General Business (GB) District. The property is located at 3032 Broadway Boulevard. (File 12-07)

The proposal is for approval of a Specific Use Permit to demolish the existing structures to accommodate development of a new Retail Sales with Gas facility on property zoned General Business (GB) District. At the March 12, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a period of 20 years tied to M & I Ventures LLC as recommended by staff.

13. 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.

14. 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.

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, March 20, 2012 in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	Preston Edwards
Councilmember	Laura Perkins Cox
Councilmember	Larry Jeffus
Councilmember	John Willis
Councilmember	Lori Barnett Dodson
Councilmember	Rick Williams
Councilmember	Jim Cahill
Councilmember	Douglas Athas

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	Interim City Secretary	Elaine Simpson
	Recording Secretary	Yvonne Naser

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones. Councilmember Jeffus led the invocation. The pledge to the US flag and the Texas flag, respectively, was led by members of Boy Scout Troop 360.

CEREMONIALS: Mayor R. Jones introduced Representative Angie Chen Button who recognized the following individuals:

Congratulating Vicki Yeatts, the public health administrator for the City of Garland, for being selected by the Texas Department of State Health Services to serve as a member of its new Public Health Funding and Policy Committee - VICKI YEATTS AND RICHARD BRILEY ACCEPTING

Congratulating the Garland Parks, Recreation, and Cultural Arts Department for receiving the 2011 Regional Recreation and Facility Design Excellence Award for the design of its Harris Hollabaugh Recreation Center from the Texas Recreation and Park Society - WARREN BIRD ACCEPTING AND LAVETTE ERVIN AND ANN MCGINNES

Congratulating Travis Cunniff of the Garland Parks, Recreation, and Cultural Arts Department for receiving the

2011 Regional Horizons Award from the Texas Recreation and Park Society - WARREN BIRD ACCEPTING AND TRAVIS CUNNIFF

Congratulating Joyce Kendall of the Garland Parks, Recreation, and Cultural Arts Department for being named a 2011 Regional Part-Time Employee of the Year by the Texas Recreation and Park Society - WARREN BIRD ACCEPTING AND GEORGE DEINES

Congratulating George Deines of the Garland Parks, Recreation, and Cultural Arts Department for being named a 2011 Regional Recreation Professional of the Year by the Texas Recreation and Park Society - WARREN BIRD ACCEPTING AND GEORGE DEINES

Congratulating Jack Sparkes, a trail steward for the Rowlett Creek Preserve in Garland, for being named a 2011 Regional Advocate of the Year by the Texas Recreation and Park Society - WARREN BIRD ACCEPTING AND JACK SPARKES

Congratulating the City of Garland Environmental Waste Services Department for winning a 2011 Environmental Leadership Award from the State of Texas Alliance for Recycling - LONNIE BANKS AND GLENNA BROWN ACCEPTING

Congratulating the City of Garland Government Access Television for being recognized by the Texas Association of Telecommunications Officers and Advisors for its production of the documentary, A Tribute to Charles Duckworth - JIM HARMON, DAVE KUHN, DOROTHY WHITE

Congratulating the Garland Fire Department, Garland City Council, Garland ISD, and Garland Citizens Firefighters Club for raising more than \$11,000 to provide the opportunity for needy children in Garland ISD to purchase Christmas gifts in December 2011 - INTERIM FIRE CHIEF RAYMOND KNIGHT ACCEPTING

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by Councilmember Larry Jeffus and second by Mayor Pro Tem Edwards to approve the following items from the Consent Agenda, as presented: #1, #2.a., #2.b., #2.c., #2.d., #2.e., #3., #4., #5., #6., #7., #8., #9. and #10.

Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved ** Consider approval of the minutes of the March 6, 2012 Regular Meeting.

2. a. Approved ** 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.

2.b. Approved ** 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.

2. c. Approved ** 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.

2.d. Approved **

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.

2.e. Approved **

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. Approved **

Ordinance #6526 related to Zoning File No. 12-08, Firewheel Master Partnership Ltd., applicant, 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. Approved **

Ordinance #6527 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 as recommended by 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. Approved **
Resolution #10036 abandoning and approving the sale of an alley in the Joel Crumpacker Survey, Abstract No. 328, City of Garland, Dallas County, Texas, being part of Lot 6, Block 12, of the original Town of Duck Creek at the rear of 505 W. State Street, to Sarah L. Stafford, Marion Gene Garvin and Teena Cato Garvin, and authorizing the Mayor to execute a deed without warranty conveying the property to the buyer.

6. Approved **
Consider approving by minute action the Hazard Mitigation Action Plan developed to implement hazard mitigation activities that will result in a more sustainable community by saving lives and properties from disaster situations.

7. Approved **
Resolution # 10037 authorizing the City Manager to execute a Recyclables Processing and Marketing Agreement with Allied Waste Systems, dba Allied Waste Services of Plano to transport, process, and sell single-stream recyclables materials.

8. Approved **
Ordinance #6528 amending Chapter 51, “General Utility Provisions”, of the Code of Ordinances of the City of Garland related to modifications to the Drought Contingency Plan. These changes alter allowed irrigation patterns to more closely follow those recommended by the North Texas Municipal Water District.

9. Approved **
Ordinance #6529 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 accepted the Certification of Unopposed Candidates and the Certified List of No Write-In Candidates from the Interim City Secretary and authorized 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. The elections in Districts 2 and 4 are not affected.

10. Approved **

Resolution #10038 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, 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).

11. Approved

Consider approving by minute action a consulting agreement for 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, February 21 Regular Meeting and March 19, 2012 Work Session. Several Council Members requested additional revisions be made to the proposed agreement and brought back for Council consideration and approval.

Council Member Rick Williams made a motion, and Mayor Pro Tem Preston Edwards seconded, 'to authorize the City Manager to execute an agreement with Vision Energy Consultants, Inc. in substantially the form and substance of that presented in the Council's agenda. By that, I mean to authorize the City Manager, in the exercise of his reasonable discretion and with the advice of the City Attorney, to make changes to the agreement as may be necessary to finalize the contemplated agreement in accordance with the direction of this Council'.

Mayor recognized the following speakers:

- 1.) Randall Dunning: against, citing concerns about having a long-term contract/'evergreen clause'.
- 2.) Mike Rose: spoke in favor

Councilmember Cox explained that the 'evergreen clause' had been removed from the current version of this contract. Councilmember Athas explained that the contract has a 30-day out agreement, which will allow Council to terminate the contract for non-performance, if needed.

Amendment to the motion was made by Councilmember Cox, seconded by Councilmember Dodson, to strike all language stating that City Manager can change the contract we pass tonight.

Vote on the amendment:

Ayes: Willis, Jones, Cox, Dodson

Nays: Athas, Edwards, Jeffus, Williams, Cahill

Abstain: None

Motion failed 4 Ayes, 5 Nays, 0 Abstentions

Council returned to debate on the original motion.

Vote on the original motion:

Ayes: Athas, Cahill, Dodson, Edwards, Jeffus, Willis, Williams

Nays: Jones, Cox

Motion carried 7 Ayes, 2 Nays, 0 Abstentions

12. Held and Approved

Hold a public hearing on the following zoning case:

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), for approval of a Detail Plan for a Medical Clinic/Office and Office, General Uses.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report. Mayor Jones opened the public hearing at 8:00 pm. Bryan Hull, the owner, spoke as the applicant in favor of the motion.

Motion was made by Councilmember Cahill and second by Councilmember Williams to close the public hearing at 8:01 pm and to approve the application as presented.

Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

13. Held and Approved

Hold a public hearing and consider (1) Ordinance # 6530 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) Resolution # 10039 authorizing the City Manager to execute a tax abatement agreement, related to Advanced Pharmacy 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.

Mayor Jones opened the Public Hearing.

1.) Paul Mayer from the Garland Chamber of Commerce spoke in favor of the request, explaining that this had been through the entire hearing process.

There were no Council comments.

Motion: Councilmember Cahill made a motion to close the Public Hearing at 8:04 p.m. and to approve the item, as presented, and Councilmember Dodson seconded the motion.

Motion carried unanimously: 9 Ayes, 0 Nays and 0 Abstentions.

14. Held and Approved

Hold a public hearing and consider (1) Ordinance # 6531 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) Resolution # 10040 authorizing the City Manager to execute an economic development agreement

with Kraft Foods Global, Inc.; and, (3) Resolution # 10041 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.

Mayor Jones opened the Public Hearing.

1.) Paul Mayer from the Garland Chamber of Commerce also spoke in favor of this request, explaining that this item had also been through the entire hearing process, just as the previous item.

There were no Council comments.

Motion: Councilmember Cahill made a motion to close the Public Hearing at 8:05 p.m. and to approve the item, as presented, and Councilmember Dodson seconded the motion.

Motion carried unanimously: 9 Ayes, 0 Nays and 0 Abstentions.

15. Held and Approved

Hold a public hearing and consider Ordinance # 6532 adopting the Envision Garland 2030 Comprehensive Plan. A public hearing was previously held regarding the proposed Envision Garland Comprehensive Plan. This item was discussed at the March 19, 2012 Work Session.

Neil Montgomery, Senior Managing Director of Development Services introduced the item. This is the second public hearing for this Envision Garland document. The plan is a product of a multi-year plan and has been updated with comments from the previous public hearing as well as those received since. The document has had some 'jargon' removed, and some points have been clarified.

Mayor Jones opened the public hearing:

There were 12 speakers.

- 1.) Betty Cox: in favor
- 2.) Mark W. King, Micropac Industries: in favor
- 3.) Paul Mayer: in favor
- 4.) Tom Trenary: in favor
- 5.) Janie Brittain: registered a position 'against', did not speak
- 6.) B. J. Williams: in favor
- 7.) Lyn Cromwell: in favor
- 8.) Mike Rose: in favor
- 9.) Randall Dunning was given six minutes to speak, for himself and for Ms. Pam Stoneham, who was in the audience, but wished to have Mr. Dunning speak on her behalf. – against
- 10.) Liz Moser – was given an extra three minutes to speak on behalf of the Garland Tea Party: spoke against
- 11.) Darren Lathen: expressed concerns
- 12.) Phillip Lathrop: in favor

Neil Montgomery was called back to explain the next step in the process will be to pass a unified development code. This process will be public-input driven.

Assistant City Manager Bryan Bradford was called to speak about Garland's fiscal challenges.

Motion was made by Councilmember Williams, seconded by Councilmember Willis, to close the public hearing at 9:31 p.m. and to approve the Envision Garland plan, as presented.

A motion to amend was made by Councilmember Dodson, seconded by Councilmember Cahill, to add a disclaimer that

'this document is not intended to supersede private property rights'.

Vote on the amendment:

Ayes: Athas, Cahill, Cox, Dodson, Edwards, Jeffus, Jones, Willis

Nay: Williams

Amendment carried 8 Ayes, 1 Nay, 0 Abstentions.

Vote on the primary motion, as amended.

Motion carries unanimously: 9 Ayes, 0 Nays, 0 Abstentions

16. There were no citizen comments.

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 9:40 pm.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Elaine Simpson, Interim City Secretary



Purchasing Report

CONSTRUCTION SERVICES AT MAIN STREET MUNICIPAL BUILDING OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide labor and materials for construction services to improve space utilization of the third floor in the Main Street Municipal Building. Pricing was obtained through the Houston-Galveston Area Council Cooperative Purchasing Agreement Contract 09-2230. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Nouveau Construction & Technology Services, LP	All	\$168,791.67
	TOTAL:	\$168,791.67

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

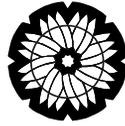
Gary L. Holcomb, CPPO, C.P.M.
 Director of Purchasing

William E. Dollar
 City Manager

Date: 03/23/12

Date: 04/03/12

FINANCIAL SUMMARY:			
Total Project/Account: \$	1,440,000	Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/> Year: 2012
Expended/Encumbered to Date:	1,179,758	Document Location:	Page MF08
Balance: \$	260,242	Account #:	692-4749-1606411-9002
This Item:	168,792	Fund/Agency/Project – Description:	Labor and Materials for Construction Services at MSMB
Proposed Balance: \$	91,450	Comments:	
Ron Tiffany	03/23/12		
Budget Analyst	Date		
Ron Young	03/23/12		
Budget Director	Date		



GARLAND

PURCHASING

Executive Summary
Bid 2823-12

Construction Services at Main Street Municipal Building Third Floor

Recommended Vendor:

Nouveau Construction & Technology Services, LP

Total Recommended Award:

\$168,791.67

Basis for Award:

Cooperative Purchase

Purpose:

The Main Street Municipal Building requires renovation of third floor interior finishes to match the renovations of the first and second floor finishes.

Evaluation:

This contract is awarded through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Agreement Contract 09-2230.

Nouveau Construction & Technology Services, LP provided the renovation services on the first and second floors, and is capable of performing the required renovations for the third floor.

Recommendation:

Staff recommends awarding the contract for construction services to Nouveau Construction & Technology Services, LP in the amount of \$168,791.67

Funding Information:

CIP Project Account 692-4749-16064-11-9002

Department Director:

Jennifer Shoulders, Facilities Construction Manager, 972-205-3108



Purchasing Report

CITY OF GARLAND VISITOR'S CENTER FINISH-OUT OPEN MARKET

PURCHASE JUSTIFICATION:

This project provides all labor, supervision, materials, services, and equipment necessary to construct interior finish-out of approximately 1,500 square feet of a portion of the existing building at 211 Fifth Street, Garland, Texas. Denco Construction Specialists received the highest evaluated score based on the published criteria offering the Best Value to the City. Expenses will not exceed the appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Denco Construction Specialists	All	\$184,711.77
TOTAL:		\$184,711.77

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.

 Director of Purchasing

William E. Dollar

 City Manager

Date: 03/23/12

Date: 03/27/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	345,000
Expended/Encumbered to Date:	29,558
Balance: \$	315,442
This Item:	184,712
Proposed Balance: \$	130,730
Trent Schulze	03/26/12
Budget Analyst	Date
Ron Young	03/26/12
Budget Director	Date
Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2012	
Document Location: Page MF01	
Account #: 466-4999-1608611-9002	
Fund/Agency/Project – Description: Facilities and Miscellaneous Tax-Supported Program – Community Relations – Visitor's Center	
Comments: Project provides all labor, supervision, materials, services, and equipment to finish out 1,500 square feet at 211 Fifth Street for Garland Visitor's Center	



GARLAND

PURCHASING

Executive Summary
Bid 2654-12
City of Garland Visitor's Center

Recommended Vendor:

Denco Construction Specialists

Total Recommended Award:

\$184,711.77

Basis for Award:

Best Value

Purpose:

The Project provides all labor, supervision, materials, services and equipment necessary to construct interior finish out of approximately 1,500 square feet of a portion of the existing building at 211 Fifth Street, Garland, TX.

Evaluation:

Nineteen (19) construction firms responded to the Request for Competitive Sealed Proposal (CSP). Denco Construction Specialists received the highest evaluated score based on the published criteria.

Sufficient funds for the contract were appropriated within the CIP; this is not a request for additional appropriation of funds.

Recommendation:

Staff recommends award of contract for construction services including Base Bid Amount, all Bid Alternates, and the Post Bid Addendum to Denco Construction Specialists in the amount of \$184,711.77.

Funding Information:

CIP Project Account 466-4999-16086-11-9002

Department Director:

Jennifer Shoulders, Facilities Construction Manager, 972-205-3108



Purchasing Report

SAND TRAP RENOVATION OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide for the renovation of sand traps and putting green on the Champions and Master's Nines on the Bridges Course at Firewheel Golf Course. Funding for this project was approved in the 2012 Capital Improvement Program.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Fleetwood Services, LLC	All	\$230,754.00
	TOTAL:	\$230,754.00

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.
 Director of Purchasing

William E. Dollar
 City Manager

Date: 03/26/12

Date: 03/26/12

FINANCIAL SUMMARY:			
Total Project/Account:	\$ 946,491	Operating Budget:	<input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2012
Expended/Encumbered to Date:	497,138	Document Location:	Page MF10
Balance:	\$ 449,353	Account #:	256-4419-3653011-9002
This Item:	230,754	Fund/Agency/Project – Description:	Facilities and Miscellaneous Tax-Supported Program – Firewheel Golf Park Improvements
Proposed Balance:	\$ 218,599	Comments:	
Matt Watson	03/27/12		
Budget Analyst	Date		
Ron Young	03/27/12		
Budget Director	Date		

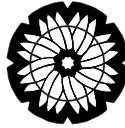
CITY OF GARLAND - BID RECAP SHEET OPENED: 03/22/12 REQ. NO. PR 29802 BID NO. 2805-12 PAGE: 1 of 1 BUYER: T. Smith			Fleetwood Services, LLC		TDI Golf		Landscape Unlimited		Links Land		Jones Plan		LDM Design	
----------------------------------------------------------------------------------------------------------------------------------	--	--	-------------------------	--	----------	--	---------------------	--	------------	--	------------	--	------------	--

I T E M	QTY	U N I T	DESCRIPTION	Fleetwood Services, LLC		TDI Golf		Landscape Unlimited		Links Land		Jones Plan		LDM Design	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	Lt.	Renovation of bunkers on the Champions 9 and the Masters 9 at The Bridges at Firewheel as well as the restoration of the original #9 Green on Traditions.	230,754.00	\$230,754.00	293,554.42	\$293,554.42	277,900.00	\$277,900.00	284,581.00	\$284,581.00	348,357.00	\$348,357.00	266,600.00	\$266,600.00
			Best Value Criteria - Score out of 100	90.67	90.67	84.00	84.00	80.43	80.43	74.95	74.95	63.95	63.95	47.49	47.49
TOTAL GROSS PRICE				230,754.00	230,754.00	293,554.42	293,554.42	277,900.00	277,900.00	284,581.00	284,581.00	348,357.00	348,357.00	266,600.00	266,600.00
CASH DISCOUNT															
TOTAL NET PRICE				230,754.00	230,754.00	293,554.42	293,554.42	277,900.00	277,900.00	284,581.00	284,581.00	348,357.00	348,357.00	266,600.00	266,600.00
F.O.B. DELIVERY				DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED	DELIVERED

NEXT LOW: _____
LOW: _____
SAVINGS: \$0.00

4021 #of inquires sent out
12 # of HUBS from CMBL
82 # of HUBs notified

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



GARLAND

PURCHASING

Executive Summary **Bid 2805-12** **Renovations for Firewheel Golf Park**

Recommended Vendor:

Fleetwood Services, LLC

Total Recommended Award:

\$230,754.00

Basis for Award:

Best Value

Purpose:

The purpose of this contract is to provide for the complete renovation of bunkers on the Champions 9 and Masters 9 at The Bridges at Firewheel as well as the restoration of the original #9 Green on Traditions.

Evaluation:

Request for bids were issued per Purchasing procedures. Six (6) bids were received and evaluated. Fleetwood Services, LLC scored the highest score based on the published best value criteria. In addition to having the highest score, Fleetwood Services, LLC was the lowest bidder on the project. Staff recommends that Fleetwood Services, LLC be awarded the project and feel that they have the experience and the capabilities to perform this renovation to the standards required by Firewheel Golf Park.

Recommendation:

Staff recommends awarding the bid for the renovations at Firewheel Golf Park to Fleetwood Services LLC.

Funding Information:

256-4419-3653-011-9002

Department Director:

Don Kennedy, 972-205-2797



City Council Item Summary Sheet

Work Session

Agenda Item

Date: April 3, 2012

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 12-09 – Firewheel Ventures

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Submitted By:

Neil Montgomery
Senior Managing Director of Development
Services

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A DETAIL PLAN FOR MEDICAL CLINIC/OFFICE AND OFFICE, GENERAL ON PROPERTY ZONED PLANNED DEVELOPMENT (PD) DISTRICT 03-09 FOR GENERAL BUSINESS USES ON A 0.60-ACRE LOT LOCATED SOUTH OF NAAMAN SCHOOL ROAD, EAST OF GOLDENWOOD DRIVE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 27th of February, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Firewheel Ventures**, and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:

Section 1.

Ordinance No. 4647 is hereby amended by approving a Detail Plan for a Medical Clinic/Office and Office, General on property zoned Planned Development (PD) District 03-09 for General Business Uses on a 0.60-acre lot located south of Naaman School Road, east of Goldenwood Drive, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

Section 3.

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 5.

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

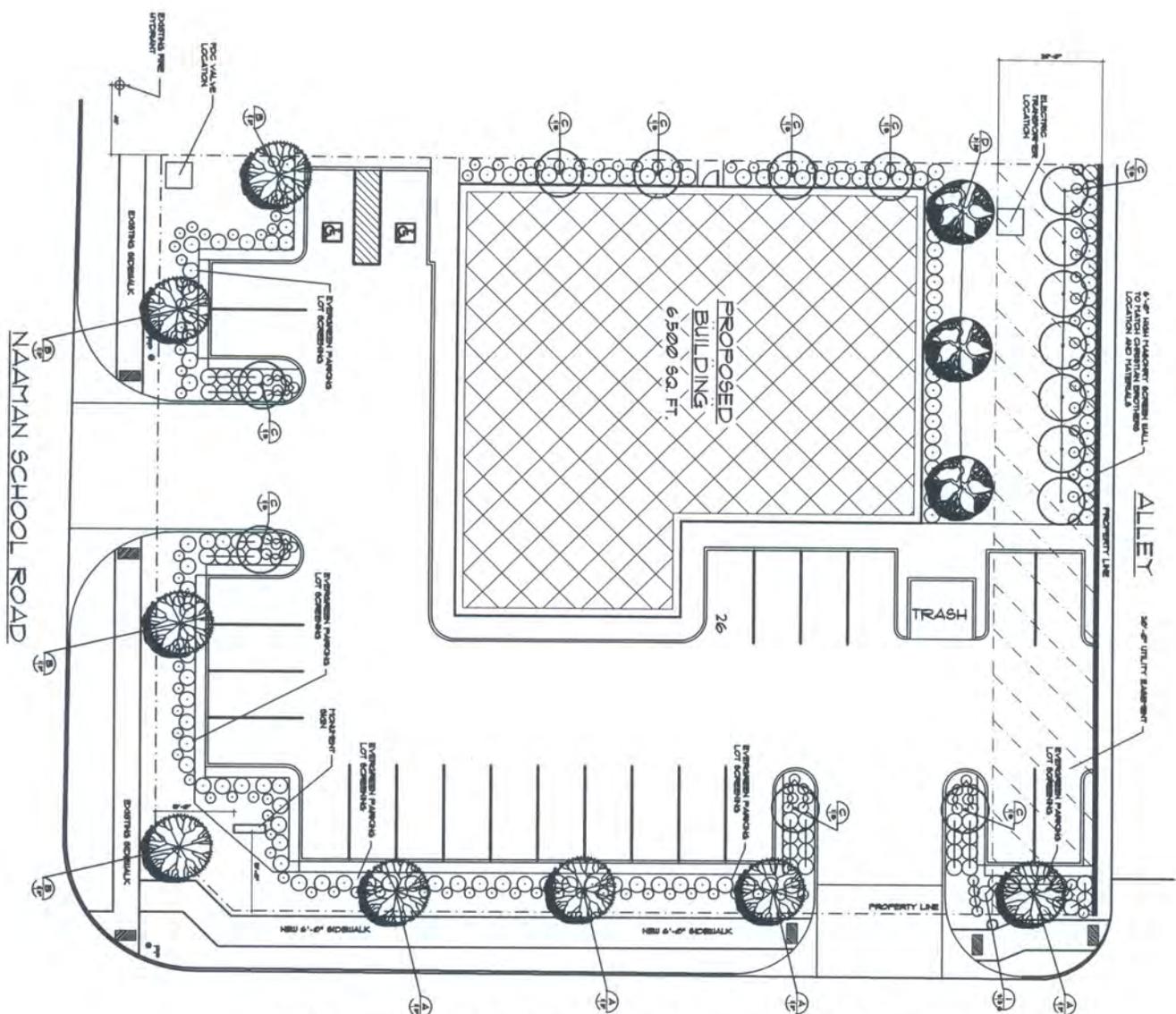
PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 12-09

South of Naaman School Road, east of Goldenwood Drive

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit a Medical Office/Clinic and Office, General Uses building subject to conditions.
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All development shall comply with Section 25, 32 and 46 of the Comprehensive Zoning Ordinance, Ordinance No. 4647 are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Development Plans:**
 - A. Detail Plan: Development shall be in general conformance with the Detail Plan. (Exhibit C)
 - B. Screening and Landscape Plan: Screening and landscaping shall be in general conformance with the screening and landscape plan. (Exhibit D)
- V. **Specific Regulations:**
 - A. Permitted Uses: Uses permitted are those found in the General Business (GB) District of the State Highway 190 Overlay District.
 - B. Exterior Elevations Plan: The exterior elevations of the building shall be provided as generally shown on the exterior elevations plan. (Exhibit E)
 - C. Location of Parking: A maximum of 11 parking spaces are permitted in the front yard as shown on Exhibit C.
 - D. Rear Yard Setback: The building and dumpster screen shall be setback as shown on Exhibit C. The building shall be placed no closer than 34 feet from the rear property line while the dumpster screen shall be placed no closer than 24 feet from the rear property line.
 - E. Side Yard Setback: The building shall be set back a minimum of 5 feet from the eastern side property line.
 - F. Screening Wall: The screening wall along the residential boundary line shall be built per the city's construction specifications.

EXHIBIT B



GOLDENWOOD DRIVE

CURRENT ZONING PD 03-09
 CASE NUMBER 120112-4

LANDSCAPE TABULATION:
 SITE AREA = 6.60 ACRES, 287,177 SQUARE FEET
 BUILDING AREA = 6,500 SQUARE FEET
 PAVEMENT AREA = 15,735 SQUARE FEET
 LANDSCAPE AREA = 6,373 SQUARE FEET = 24% OF SITE

Exhibit D

PLANT LIST

SYM SIZE	BOTANICAL NAME	COMMON NAME
A	<i>Thuja occidentalis</i>	Green Tree
B	<i>Thuja occidentalis</i>	Green Tree
C	<i>Thuja occidentalis</i>	Green Tree
D	<i>Thuja occidentalis</i>	Green Tree
E	<i>Thuja occidentalis</i>	Green Tree
F	<i>Thuja occidentalis</i>	Green Tree
G	<i>Thuja occidentalis</i>	Green Tree
H	<i>Thuja occidentalis</i>	Green Tree
I	<i>Thuja occidentalis</i>	Green Tree
J	<i>Thuja occidentalis</i>	Green Tree
K	<i>Thuja occidentalis</i>	Green Tree
L	<i>Thuja occidentalis</i>	Green Tree
M	<i>Thuja occidentalis</i>	Green Tree
N	<i>Thuja occidentalis</i>	Green Tree
O	<i>Thuja occidentalis</i>	Green Tree
P	<i>Thuja occidentalis</i>	Green Tree
Q	<i>Thuja occidentalis</i>	Green Tree
R	<i>Thuja occidentalis</i>	Green Tree
S	<i>Thuja occidentalis</i>	Green Tree
T	<i>Thuja occidentalis</i>	Green Tree
U	<i>Thuja occidentalis</i>	Green Tree
V	<i>Thuja occidentalis</i>	Green Tree
W	<i>Thuja occidentalis</i>	Green Tree
X	<i>Thuja occidentalis</i>	Green Tree
Y	<i>Thuja occidentalis</i>	Green Tree
Z	<i>Thuja occidentalis</i>	Green Tree

VICINITY MAP



PROFESSIONAL OFFICES BUILDING
 FOR
 FIREWHEEL VENTURES, INC.
 3213 NAAMAN SCHOOL ROAD, GARLAND, TEXAS 75040
 972.384.6273

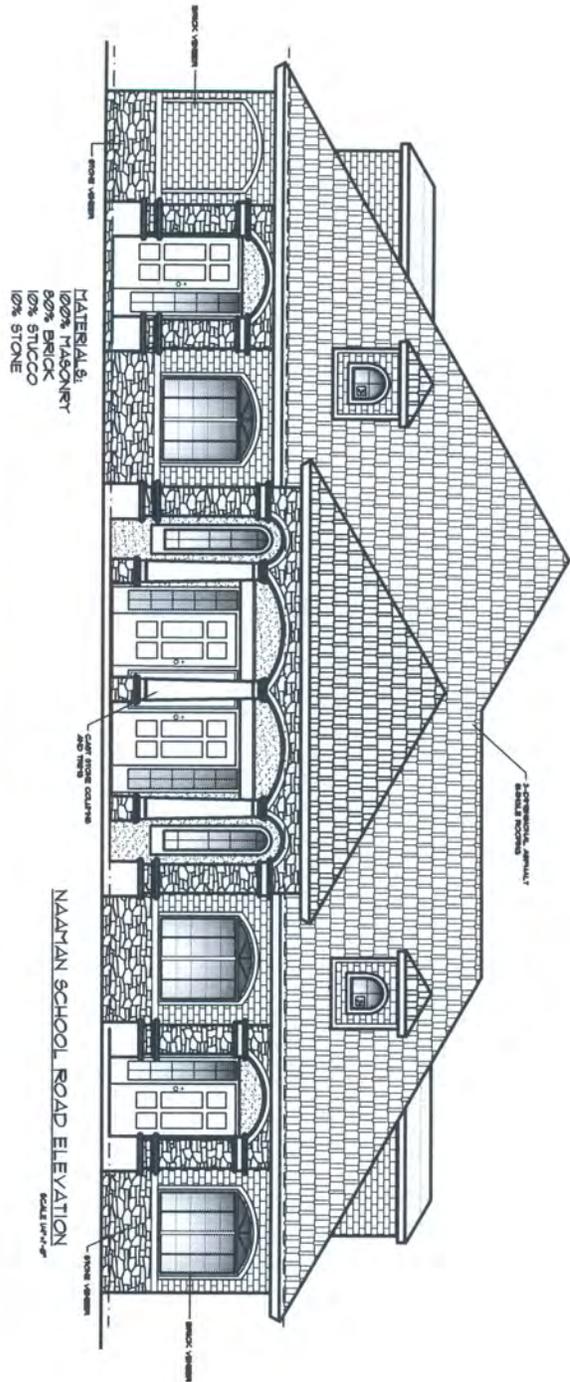
SCREENING AND
 LANDSCAPE PLAN

Clay Company, Inc.
 8714 W. ILL. 480-426-000

REVISIONS

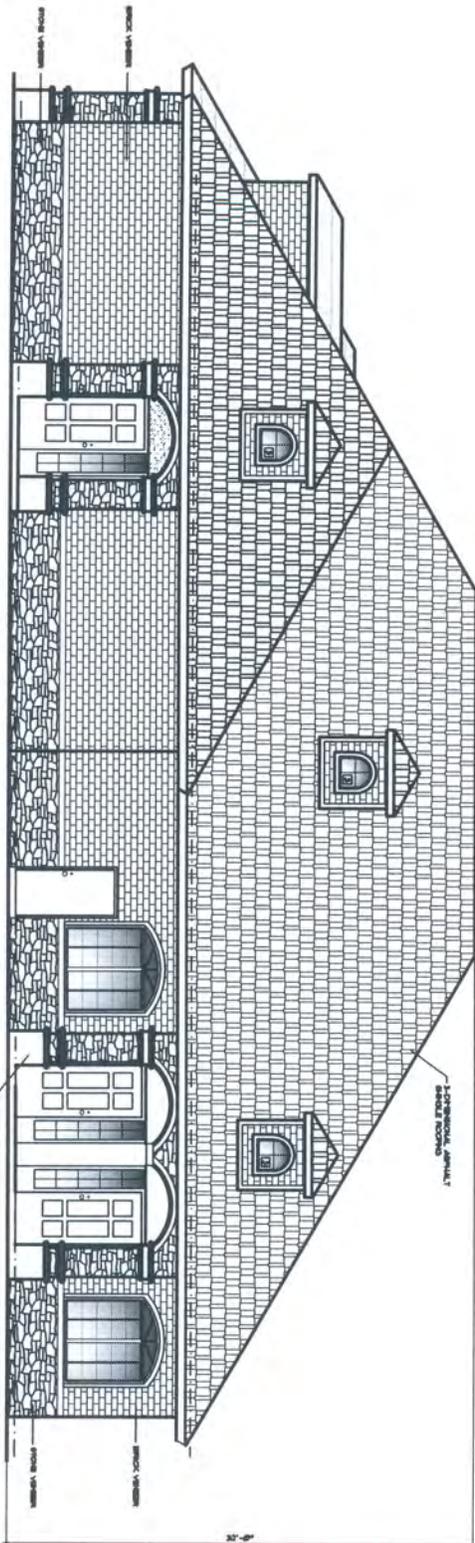
NO.	DATE	DESCRIPTION

DATE: 2/20/12
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT: 114225-C
 SHEET: L-1
 OF: 10



NAAMAN SCHOOL ROAD ELEVATION

MATERIALS:
 100% MASONRY
 80% BRICK
 10% STUCCO
 10% STONE



GOLDENWOOD DRIVE ELEVATION

MATERIALS:
 100% MASONRY
 80% BRICK
 10% STUCCO
 10% STONE

CURRENT ZONING PD 03-09
 CASE NUMBER 120112-4

EXHIBIT E

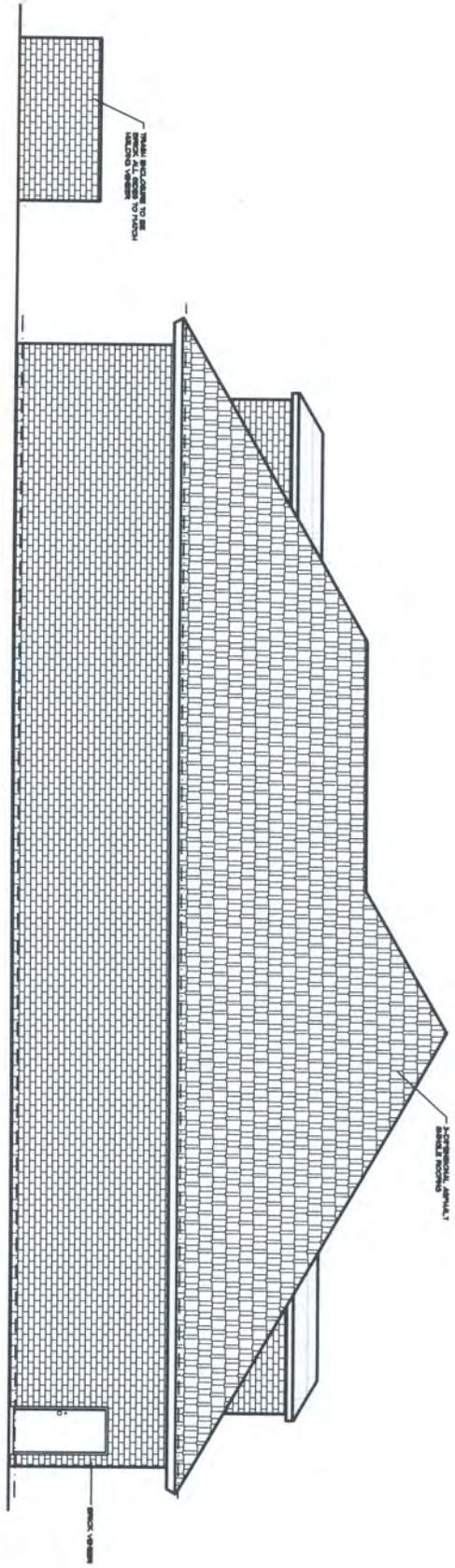
EXTERIOR ELEVATIONS

DATE	2/20/12
TITLE	1/1/10
OWNER	FF&L
PROJECT	144228-C
SCALE	AS SHOWN

PROFESSIONAL OFFICES BUILDING
 FOR
 FIREWHEEL VENTURES, INC.
 3211 NAAMAN SCHOOL ROAD, GARLAND, TEXAS 75040
 972.384.0273

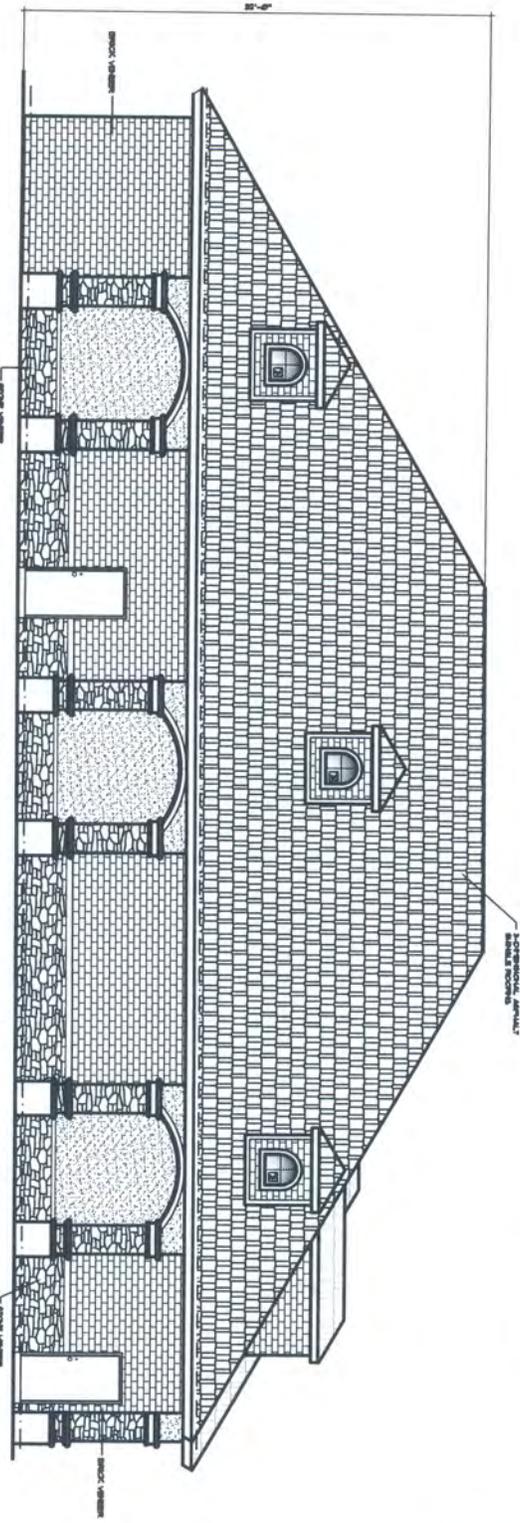
Clay Company, Inc.
 BRYAN HILL 409-425-0100

REVISIONS



MATERIALS:
100% MASONRY
100% BRICK

SOUTH SIDE ELEVATION
SCALE 1/8"=1'-0"



MATERIALS:
100% MASONRY
50% BRICK
10% STUCCO
10% STONE

EAST SIDE ELEVATION
SCALE 1/8"=1'-0"

CURRENT ZONING PD 03-09
CASE NUMBER 120112-4

EXHIBIT E

DATE: 2/28/12
 DRAWN: T.M.H.
 CHECKED: B.J.H.
 SCALE: 1/8"=1'-0"
 SHEET: 144298-C
 OF SHEETS: A-5

PROFESSIONAL OFFICES BUILDING
 FOR
 FIREWHEEL VENTURES, INC.
 3213 NAAMAN SCHOOL ROAD, GARLAND, TEXAS 75040
 972.364.6273

EXTERIOR ELEVATIONS

Clay Company, Inc.
 BRYAN HULL 409-426-6102
 11/01/12

REVISIONS



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

Project Supplemental Agreement with Dallas County Pleasant Valley Road Bridge from Richfield Drive to Miles Road

Summary of Request/Problem

The 2004 Bond Referendum and the approved 2012 CIP included funds to “partner” with TxDOT and Dallas County in the reconstruction and widening of Pleasant Valley Road Bridge from Firewheel Parkway to Richfield Drive.

An Interlocal Agreement with TxDOT was approved in February 2010.

A Project Supplemental Agreement with Dallas County is required to be approved by the City to formally establish the financial responsibilities of the City and Dallas County. The City’s expected share is \$2,685,000 plus utility improvements. Dallas County’s expected share is \$2,685,000.

This item was considered by Council at the March 19, 2012 Work Session.

Recommendation/Action Requested and Justification

Adopt a Resolution that authorizes the City Manager to execute the agreement.

Submitted By:

Michael C. Polocek, P.E.
Director of Engineering

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROJECT SUPPLEMENTAL AGREEMENT WITH DALLAS COUNTY FOR ROADWAY IMPROVEMENTS TO PLEASANT VALLEY ROAD FROM RICHFIELD DRIVE TO MILES ROAD; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That the City Manager is hereby authorized to execute a Project Supplemental Agreement with Dallas County for roadway and bridge improvements to Pleasant Valley Road from Richfield Drive to Miles Road for an estimated amount of \$2,685,000.

Section 2

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the 3rd of April, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

Notice of Intention to Issue Certificates of Obligation

Summary of Request/Problem

At the March 19, 2012 Work Session, Council considered authorizing the publication of Notice of Intention to Issue Certificates of Obligation in the principal amount of approximately \$6.8 million. The issuance of Certificates of Obligation will fund various projects in the Capital Improvement Program that was approved on February 21, 2012.

Recommendation/Action Requested and Justification

Approve a resolution approving and authorizing publication of Notice of Intention to Issue Certificates of Obligation.

Submitted By:

David Schuler
Finance Director

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION Approving and Authorizing Publication of
Notice of Intention to Issue Certificates of Obligation.

WHEREAS, the City Council of the City of Garland, Texas (the "City"), has determined that certificates of obligation should be issued under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271, as amended, for the purpose of paying contractual obligations to be incurred for: (i) constructing and improving municipal park and recreation facilities, (ii) constructing, equipping and improving municipal library facilities, (iii) constructing, improving and equipping public safety facilities, (iv) constructing, equipping and improving HVAC systems and constructing roof and building upgrades for the facility management department, (v) improving and equipping the Firewheel golf course (vi) acquiring equipment and vehicles for the solid waste, environmental waste services and stormwater departments, (vii) constructing improvements to the fleet services building and (viii) professional services rendered in connection therewith; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the Council proposes to pay the certificates; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

SECTION 1: That the City Secretary or Interim City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation in one or more series in the principal amount not to exceed SEVEN MILLION DOLLARS (\$7,000,000) for the purpose of paying contractual obligations to be incurred for: (i) constructing and improving municipal park and recreation facilities, (ii) constructing, equipping and improving municipal library facilities, (iii) constructing, improving and equipping public safety facilities, (iv) constructing, equipping and improving HVAC systems and constructing roof and building upgrades for the facility management department, (v) improving and equipping the Firewheel golf course (vi) acquiring equipment and vehicles for the solid waste, environmental waste services and stormwater departments, (vii) constructing improvements to the fleet services building, and (viii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's Water and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: That the City Secretary or Interim City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

PASSED AND ADOPTED, this 3rd day of April, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

Interim City Secretary

(City Seal)

EXHIBIT A

CITY OF GARLAND, TEXAS NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Garland, Texas, shall convene at 7:00 p.m. on the 5th day of June, 2012, at the City Council chambers located at 200 N. Fifth, in the City of Garland, Texas, and, during such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of certificates of obligation in one or more series in an amount not to exceed SEVEN MILLION DOLLARS (\$7,000,000) for the purpose of paying contractual obligations to be incurred for: (i) constructing and improving municipal park and recreation facilities, (ii) constructing, equipping and improving municipal library facilities, (iii) constructing, improving and equipping public safety facilities, (iv) constructing, equipping and improving HVAC systems and constructing roof and building upgrades for the facility management department, (v) improving and equipping the Firewheel golf course (vi) acquiring equipment and vehicles for the solid waste, environmental waste services and stormwater departments, (vii) constructing improvements to the fleet services building, and (viii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's Water and Sewer System. The certificates are to be issued, and this notice is given, under the pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271, as amended.

Interim City Secretary
City of Garland, Texas



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

Asset Management for Water and Wastewater Utilities

Summary of Request/Problem

The Water and Wastewater Utility seeks to begin the process of evaluating our current processes, documentation, and operations in order to develop an appropriate implementation plan for Asset Management. A contract in the amount of \$159,000 has been developed with a local engineering firm, Freese-Nichols, Inc., to assist in this process. Also included is an item to evaluate current software options.

This item was considered at the March 19, 2012 Work Session. Council action is necessary to authorize the City Manager to execute the contract.

Recommendation/Action Requested and Justification

Authorize the City Manager to execute the contract by Minute Action

Submitted By:

**John Baker
Managing Director of
Water and Wastewater Utilities**

Approved By:

**William E. Dollar
City Manager**



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

APOLLO/NORTHSIDE PUMP STATION RENOVATION CHANGE ORDER #1

Summary of Request/Problem

At the March 19, 2012 Work Session, Council considered a request to increase the guaranteed maximum price (GMP) contract with Harrison, Walker & Harper LP (HWH) for the Apollo/Northside Pump Station Renovation located at 3217 Apollo Road by the amount of \$495,585.00 for the replacement of six control valves located at the Apollo Pump Station. The current control valves were installed when the pump station was constructed in 1987. The costs of service kits and parts have increased while availability decreased as the pumps move beyond their serviceable life.

Recommendation/Action Requested and Justification

Staff recommends City Council approve a resolution authorizing the City Manager to execute Change Order #1 with Harrison, Walker & Harper LP. in the amount of \$495,585.00 to replace six control valves located at the Apollo Pump Station that have moved beyond their serviceable life.

Submitted By:

**John Baker
Managing Director of
Water and Wastewater Utilities**

Approved By:

**William E. Dollar
City Manager**

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO HARRISON, WALKER & HARPER LP IN THE AMOUNT OF \$495,585.00 FOR THE APOLLO/NORTHSIDE PUMP STATION RENOVATION CONTRACT.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That the City Manager is hereby authorized to issue Change Order #1 to Harrison, Walker & Harper LP increase the GMP for the Apollo/Northside Pump Station Renovation.

Section 2

That this Resolution shall take effect immediately upon and after its adoption and approval.

PASSED AND APPROVED this the ____ day of _____, 2012

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

Grant Proposal to North Central Texas Council of Governments

Summary of Request/Problem

At the March 19, 2012 Work Session, Council considered authorizing Environmental Waste Services to submit a grant proposal in the amount of \$26,000 to the North Central Texas Council of Governments to be used for (1) the design and print of an Environmental Waste Services (EWS) brochure and (2) acquire and implement My-Waste smart phone application that will be customized to the EWS collection schedule and various programs.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the Managing Director of Environmental Waste Services to file a project application with the North Central Texas Council of Governments for grant funding for a Regional Solid Waste Program Local Implementation Project.

Submitted By:

Lonnie R. Banks
Managing Director
Environmental Waste Services

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE MANAGING DIRECTOR OF ENVIRONMENTAL WASTE SERVICES TO FILE A PROJECT APPLICATION WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR GRANT FUNDING FOR A REGIONAL SOLID WASTE PROGRAM LOCAL IMPLEMENTATION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is directed by the Texas Commission on Environmental Quality (TCEQ) to administer solid waste project funds for the implementation of NCTCOG's adopted Regional Waste Management Plan; and

WHEREAS, NCTCOG makes funds available to eligible local governmental entities to accomplish the goals of the Regional Solid Waste Management Plan through implementation grant projects; and

WHEREAS, NCTCOG's funding of grant projects under this program is provided on a reimbursement basis, requiring a governmental entity approved for funding to allocate and expend the funds necessary to support the grant project and later seek reimbursement from NCTCOG on a timely basis; and

WHEREAS, the City of Garland is eligible and desires to apply for project grant funds through NCTCOG in the amount of \$26,000 to design a new solid waste brochure and to acquire a customized MyWaste smart phone application that will provide residents with solid waste and recycling schedule information; and

WHEREAS, the City must file a project application with NCTCOG in order to obtain grant funding for the program

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That the Managing Director of Environmental Waste Services is hereby authorized to file a project application with the North Central Texas Council of Governments requesting grant project funding for a Regional Solid Waste Program Local Implementation Project in the amount of \$26,000 to design a new solid waste brochure and acquire a customized MyWaste smart phone application that will provide residents with solid waste and recycling schedule information.

Section 2

That the Managing Director of Environmental Waste Services is authorized to act on behalf of the City of Garland in all matters related to the grant project application and any subsequent project contract that may result.

Section 3

That the City of Garland shall allocate and expend the necessary funds to support its project to expand recycling initiatives and later seek reimbursement of those funds from NCTCOG on a timely basis.

Section 4

That grant project funds and any project-funded equipment or facilities will be used only for the purposes for which they are intended under the project.

Section 5

That the grant activities for this project will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

Section 6

That this resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the _____ day of _____, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

Confirmation of Fire Chief

Summary of Request/Problem

Council is requested to confirm the City Manager's appointment of Fire Chief for the City of Garland.

Recommendation/Action Requested and Justification

Approve a resolution confirming the City Manager's appointment of a Fire Chief for the City of Garland.

Submitted By:

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION CONFIRMING RAYMOND KNIGHT AS FIRE CHIEF AND HEAD OF THE GARLAND FIRE DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, by vote of the people of Garland, the City is governed by the provisions of Chapter 143, TEX. LOCAL GOV'T CODE, with respect to its fire and police departments; and

WHEREAS, under Sec. 143.013, TEX. LOCAL GOV'T CODE, the City Manager shall appoint the department heads of the fire and police departments, subject to confirmation by the City Council; and

WHEREAS, the City Manager has appointed Raymond Knight as Fire Chief and head of the Garland Fire Department;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

The City Council hereby confirms the appointment of Raymond Knight as Fire Chief and head of the Garland Fire Department.

Section 2

This Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the _____ day of April, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

Proposed Changes to Chapter 22 & Chapter 32 of the Code of Ordinances

Summary of Request/Problem

Staff is recommending changes to several sections of Chapter 22 and Chapter 32 of the Code of Ordinances. The draft ordinance was reviewed by the City Council at the March 19, 2012 Work Session.

Recommendation/Action Requested and Justification

Hold a Public Hearing to receive citizen input regarding the staff-proposed modifications to Chapter 22 & Chapter 32 of the Code of Ordinances and consider an ordinance adopting the proposed changes.

Submitted By:

**Richard Briley
Managing Director of
Health & Code Compliance**

Approved By:

**William E. Dollar
City Manager**

DRAFT

- For Discussion Purposes Only -

Additions are indicated by double-underlining
Deletions are indicated as ~~strike-throughs~~

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 22, "HEALTH" AND CHAPTER 32, "NEIGHBORHOOD SANITATION AND HOUSING SERVICES" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

Section 22.06(D)(1)(e) of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(e) The prospective adopter shall pay a fee for adoption of dogs and cats in the amount of eighty dollars (\$80.00). The animal to be adopted will be sterilized, vaccinated for rabies, and provided with a registration tag at the time of adoption. If the animal has previously been sterilized or is medically unable to be sterilized, the adoption fee will be reduced to \$35.00. The fee for adoption of animals other than dogs and cats shall be set by the Supervisor of Animal Services.

(i) If the City veterinarian is unable to spay or neuter an animal prior to adoption, the prospective adopter shall pay a fee of eighty dollars (\$80.00) and shall sign an agreement with the Supervisor of Animal Services to have the animal spayed or neutered at a private veterinary clinic within ninety (90) days of the date of adoption. It shall be an offense to fail to spay or neuter an animal adopted under the provisions of this subsection within ninety (90) days of the receipt of possession of the animal.

(ii) If the animal is spayed or neutered within the time frame specified in the adoption agreement, the adopter shall be issued a refund of forty five dollars (\$45.00)."

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Additions are indicated by double-underlining
Deletions are indicated as ~~strike-throughs~~

Section 2

Section 22.11 of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"Sec. 22.11 Domestic Ferrets

~~(A) It shall be unlawful to possess, harbor, or keep a ferret at any residential dwelling without obtaining a ferret permit from Animal Services.~~ In addition to other generally applicable requirements, the owner of a ferret shall comply with the following standards:

- (1) ~~Each ferret has and maintains a current rabies certificate and is registered with the City.~~ A ferret must be currently vaccinated for rabies and shall be registered with the City;
- (2) A ferret allowed outside the owner's enclosure shall be kept on a leash;
- (3) Each ferret shall wear a collar which bears ~~a label with the name and phone number of its owner~~ a current registration tag issued by the City;
- (4) Any ferret over the age of six (6) months shall be sterilized.

(B) The registration fee for each ferret shall be five dollars (\$5.00) annually."

Section 3

Section 22.14 of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(A) Fowl shall be kept in an enclosure that is located at least thirty ~~(30)~~ feet from any residential dwelling, other than that of the owner. It shall be unlawful to harbor more than ~~two (2)~~ four female fowl over the age of one ~~(1)~~ month within the City limits, ~~except in an area zoned for agricultural use.~~ ~~In areas zoned for agricultural use, an enclosure may not be required.~~ Roosters or male peafowl (peacocks) are

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Deletions are indicated as ~~strike-throughs~~

prohibited."

Section 4

Section 22.20(B) of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(B) Authority to require removal from City; appeals from orders of removal. The Supervisor of Animal Services may order the owner of any dangerous animal to immediately remove the animal permanently from the City limits. ~~If so ordered, the animal shall be removed immediately following receipt of the order, even if an appeal is initiated. The owner may appeal the order in writing within ten (10) days of the date of the order to the Administrative Review Board. The board may uphold, reverse or modify the order of the Supervisor of Animal Services and may stipulate restrictions on the animal as a condition to allowing the animal to remain in the City. If the board upholds the order of the Supervisor of Animal Services, the owner shall not bring the animal back inside the City limits. The Supervisor of Animal Services, in lieu of ordering the removal of the animal from the City, may require the owner to take corrective actions which will ensure the safety, peace, and repose of neighboring residents.~~ If the animal is a dog, the Supervisor of Animal Services may, as an alternative to ordering the removal of the animal, determine that the animal is a dangerous dog within the meaning of Sec. 822.041, TEX. HEALTH & SAFETY CODE, in which event the owner shall comply in all respects with the applicable provisions of Chapter 822, TEX. HEALTH & SAFETY CODE. If the Supervisor of Animal Services orders a dangerous animal to be permanently removed from the City, the decision is final unless the owner files a written appeal with the hearing officer appointed under Sec. 24.25 of this Code within 15 days after receiving notice of the order of removal, who shall review the appeal de novo. If the Supervisor of Animal Services has exercised the discretionary option provided in this section with respect to a dog in lieu of ordering the animal removed as a dangerous animal, the owner may appeal as provided by Sec. 822.0421(b), TEX. HEALTH & SAFETY CODE, in which event the standard of review is substantial evidence. In either event, the filing of an appeal does not stay the order being appealed."

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Deletions are indicated as ~~strike-throughs~~

Section 5

Section 22.20 of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas is hereby amended by adding a new subsection (G) which shall read as follows:

"(G) It is an offense to possess, harbor or keep an animal determined to be a dangerous animal by the Supervisor of Animal Services or by the lawful authority of another governmental entity."

Section 6

Section 22.23(A) of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(A) The City Council shall appoint a six-person Animal Services Advisory Committee. The committee shall be composed of one licensed veterinarian, one county or municipal official, one person whose duties include daily operation of an animal shelter, one representative from an animal welfare organization, one public health official, and one ~~impartial~~ citizen who shall be a resident of Garland and who shall not have any professional or personal affiliations similar to those represented by other appointees to the committee."

Section 7

Section 22.88(I)(3) of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(3) For pools and spas where no lifeguard is provided, "CHILDREN SHOULD NOT USE POOL WITHOUT ADULT SUPERVISION" or similar wording in legible letters of at least ~~one inch~~ two inches in height."

Section 8

Section 24.01(D)(6) of Chapter 24, "Municipal Court and Administrative Adjudication" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(6) Appellate jurisdiction from administrative hearings

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Deletions are indicated as ~~strike-throughs~~

conducted under section 54.044 of the Texas Local Government Code, a determination made by the Supervisor of Animal Services under subchapter B, Chapter 822, Tex. Health & Safety Code, or as otherwise provided by law; and"

Section 9

Section 24.25 subpoint(7) of Chapter 24, "Municipal Court and Administrative Adjudication" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

- "(7) Any other power necessary to carry out the express powers of this section or as may otherwise be assigned to the hearing officer by this Code or other law.

Section 10

That Section 32.03(3)(a) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

- "(3) Faulty or insufficient smoke detectors alarms.
- (a) Each dwelling unit within a multifamily dwelling, and each single-family residential dwelling regulated under section 32.09 shall be equipped with at least one smoke ~~detector~~ alarm on each floor of the dwelling unit or single-family residential dwelling and within each sleeping room. In addition, if multiple sleeping rooms are served by the same corridor, at least one smoke alarm must be installed in the corridor in the immediate vicinity of the sleeping rooms. Unless otherwise required by the Building Code applicable at the time of construction, a smoke ~~detector~~ alarm may be either battery-operated or hard-wired.
- (b) All required smoke ~~detectors~~ alarms shall be maintained in proper working order. It shall be unlawful for any person including, without limitation, an occupant of a dwelling, to render a smoke ~~detector~~ alarm inoperable by removal of the batteries or other source of power for the

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Deletions are indicated as ~~strike-throughs~~

smoke ~~detector~~ alarm except during battery replacement or repairs to the smoke ~~detector~~ alarm."

Section 11

That Section 32.07(B)(5) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(5) The applicant shall certify that each multifamily dwelling unit for which the application is submitted is equipped, in accordance with the provisions of section 32.03(3), with properly working smoke ~~detectors~~ alarms; and"

Section 12

That Section 32.09(E) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(E) Smoke ~~detector~~ alarm and occupancy limits certification. The applicant shall certify that the single-family dwelling for which the application is submitted is equipped with properly working smoke ~~detectors~~ alarms in accordance with the provisions of section 32.03(3) and that the single-family dwelling will not violate the occupancy limits established by section 32.04."

Section 13

That Sec. 32.56(C)(1) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(1) A person commits an offense if, within a residential zoning district or upon property which constitutes a residential use ~~Ordinance 3237, as amended~~, the person causes, suffers, permits or allows a driveway ~~or improved parking surface~~ to cover more than fifty percent (50%) of a front or rear yard. A limited or improved surface constitutes a driveway for purposes of determining the coverage under this section unless the surface is physically detached from any point of egress or ingress to an adjacent street or alley and is permanently incapable of providing a parking space for a vehicle."

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- For Discussion Purposes Only -

Additions are indicated by double-underlining
Deletions are indicated as ~~strike-throughs~~

Section 14

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 15

That Chapter 22, "Health" and Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas, amended, shall be and remain in full force and effect save and except as amended in this Ordinance.

Section 16

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 17

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: April 3, 2012

Agenda Item

2012-2013 CDBG, HOME, ESG Budget

Summary of Request/Problem

At the April 2, 2012 Work Session, Council was provided information regarding the available funding and applications received for the 2012-2013 budget year. As part of the review process, a Public Hearing is needed to obtain comments from any interested party.

Recommendation/Action Requested and Justification

Conduct a Public Hearing

Submitted By:

**Neil Montgomery
Senior Managing Director of Planning**

Approved By:

**William E. Dollar
City Manager**



Planning Report

File No. 12-07/District 5

Agenda Item:

Meeting: City Council

Date: April 3, 2012

M & I Ventures

3032 Broadway Boulevard

REQUEST

Approval of a Specific Use Permit for a Retail Sales with Gasoline Pumps on property zoned General Business (GB) District.

OWNER

Ellis David Austin

PLAN COMMISSION RECOMMENDATION

On March 12, 2012 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of the Specific Use Permit for twenty (20) years tied to M & I Ventures.

STAFF RECOMMENDATION

Approve the Specific Use Permit for a Retail Sales with Gasoline Pumps on property zoned General Business (GB) District. The facility would be compatible with the prevailing zoning and land uses and would re-develop an aging property per the city's current development regulations.

BACKGROUND

The applicant requests approval of a Specific Use Permit for Retail Sales with Gasoline Pumps to construct a 2,500-square foot convenience store with one gasoline pump. In order to accommodate re-development, the car wash building would be razed. New or expanded Retail Sales with Gasoline Pumps are permitted by Specific Use Permit only in certain non-residential districts.

SITE DATA

The subject property is a 0.42-acre tract with approximately 135 feet of frontage along Broadway Boulevard and approximately 120 feet of frontage on Dairy Road.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned for General Business (GB) District. The GB District accommodates a variety of retail, service and business establishments on individual unrelated sites. Retail Sales with Gasoline Pumps requires approval of Specific Use Permit in said district. This particular use is commonly found in General Business Districts located along and at intersections of major thoroughfares.

SURROUNDING ZONING AND LAND USES

North: Property to the north across Dairy Road is zoned Office-1 (O-1) District and is developed with an office building followed by an undeveloped parcel.

East: Property to the east is zoned General Business (GB) District and is developed with Uncle Dan's Pawn. Property further east is developed with a City water facility. (File S91-7) Property to the southeast is zoned General Business (GB) District and is developed with an office.

South: Property to the south across Broadway Boulevard is zoned General Business (GB) District and is developed with a multi-tenant retail building.

West: Property to the west is zoned General Business (GB) District and is developed with a church.

COMPREHENSIVE PLAN

The East Area Plan recommends Commercial and Retail Uses for the subject property. Commercial and Retail uses includes those uses needed for daily living such a grocery stores and other retail sales and personal services. This subject facility would be in keeping with this classification of the Comprehensive Plan.

CONSIDERATIONS

1. The applicant requests approval of a Specific Use Permit for Retail Sales with Gas Pumps to construct a 2,500-square foot facility that would require the demolition of the 3,052-square foot self service car wash constructed in 1984. Since the property would be entirely redeveloped, new development is subject to all applicable development standards including full compliance with the Screening and Landscaping Standards.
2. Access and Parking: Access to the site would be provided from one location from Broadway Boulevard and one location from Dairy Road. There is an existing non-conforming drive along Broadway Boulevard that would be closed and curbed limiting access to the shared drive further southeast. The access point on Dairy Road would be narrowed to conform to the Traffic Management Standards while removing an alternate access point to the adjacent pawn shop. The pawn shop would continue to have access to Dairy

Road from the remaining access drive to the north. The parking requirement is one parking space per 200 square feet of gross floor area. The size of the building will require 13 parking spaces with 13 spaces provided.

3. Development is subject to the Screening and Landscaping Standards with regard to the 10-foot landscape buffer along both streets along with the required buffer trees and row of shrubs to screen the parking and drive aisles. One tree is required for each 10 parking spaces or fraction thereof. The tree proposed at the northeast corner of the site along Dairy Road would count toward this requirement. One additional tree would be required to satisfy the parking lot landscaping requirement. The applicant has been made aware of this deficiency and will comply.
4. Exterior Building Materials: Section 10-309.2 of the Retail Sales with Gas Ordinance requires that each façade of any building on the site of the facility shall contain a minimum of 80% face brick or stone, exclusive of doors and windows. The applicant proposes 100% brick for each elevation. The applicant has been made aware that the refuse screen must also have an exterior material matching the building. In addition, canopy columns shall be constructed with the same masonry material used on the building elevations. The applicant has not provided a profile of the canopy; however, the applicant has been made aware of this requirement and will comply. Staff has added specific language to this effect in the proposed SUP conditions. Signage would be subject to the citywide Sign Ordinance.
5. Section 10-309(c) of the Comprehensive Zoning Ordinance requires that the owner/operator must provide a \$40,000 surety bond or similar security to the City to ensure the removal of all buildings, equipment, above-ground and underground storage tanks and/or other improvements in the event the business operations (retail sales with gas pumps) ceases operation for a period of two or more years. The applicant is aware of this requirement and will comply.
6. The applicant is requesting approval of a Specific Use Permit on the subject property for a twenty (20) year time period tied to **M & I Ventures**.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

Retail Sales with Gasoline Pump facilities are commonly found along thoroughfares at their intersections with other streets. Given the prevailing retail oriented GB zoning to the south and west, the proposed facility would be compatible with the zoning and immediate uses. In the immediate area there is one gas station; the Texaco (File S05-43) on north corner of Broadway Boulevard and Centerville Road. This particular redevelopment opportunity would remove an aging self service car wash and provide a retail establishment subject to the city's current development standards. It would also provide another market option in the immediate area with relatively fewer options.

Planning Report
File No. 12-07
Page 4

Prepared By:

Maxwell Fisher
Principal Planner

Date: March 23, 2012

Reviewed By:

Neil Montgomery
Director of Planning

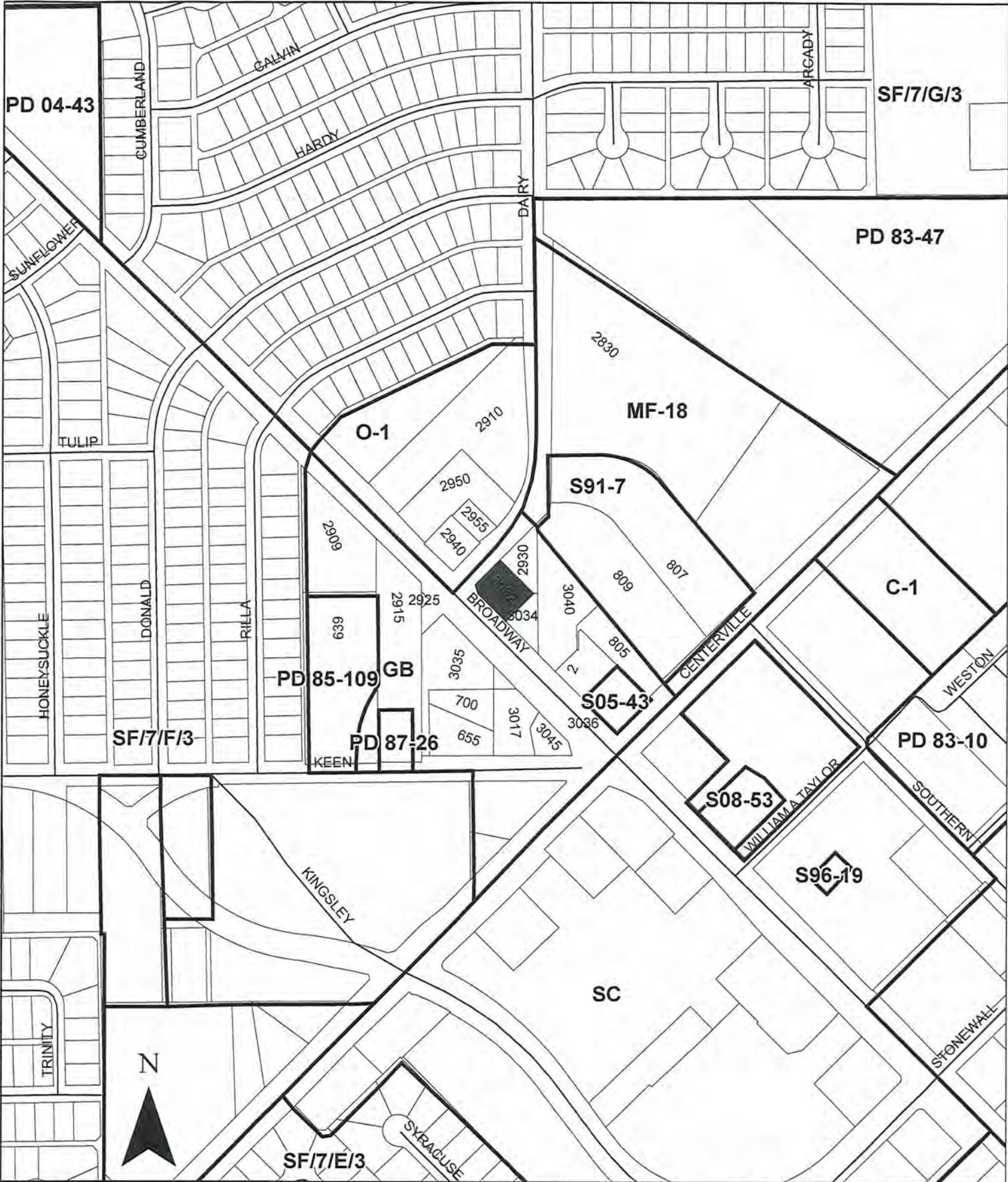
Date: March 23, 2012

Reviewed By:

William E. Dollar
City Manager

Date: March 26, 2012





SCALE IN FEET
 0 200 400 Feet
 1" = 400'

INDICATES AREA OF REQUEST

ZONING Z 12-07



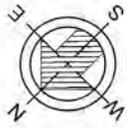
Z 12-07

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 12-07

3032 Broadway Boulevard

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow Retail Sales with Gas Pumps subject to conditions.
- II. **Statement of Effect:** This Specific Use Permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the General Business (GB) District set forth in Section 25 and 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit is approved for a twenty (20) year time period tied to **M & I Ventures**.
 - B. Site Plan: Development shall be in conformance with the approved Site Plan identified as Exhibit C.
 - C. Screening and Landscaping Plan: Screening and landscaping shall be provided as generally shown on Exhibit C with exception of the additional requirement of one large or three ornamental trees to satisfy the parking lot landscaping requirements.
 - D. Exterior Building Elevations: The exterior elevations shall be constructed in general conformance with Exhibit D. The canopy columns shall be encased with brick to match the exterior material of the main building. The exterior material of the outward facing side of the refuse screening wall shall be bricked to match the exterior of the main building.
 - E. Surety Bond: the owner/operator shall provide a \$40,000 surety bond or similar security to the City to ensure the removal of all buildings, equipment, above-ground and underground storage tanks and/or other improvements in the event the business operations (retail sales with gas pumps) ceases operation for a period of two or more years, Section 10-309(c) of the Comprehensive Zoning Ordinance.



PARKING ANALYSIS			
ADDRESS	USE	CODE	SO. FT. REQ' PROV
3032 BROADWAY BLVD	CONVENIENCE STORE	T/200	2,300'
			12
			12

PLANTING SCHEDULE				
MARK	TREE TYPE / COMMON NAME	TREE TYPE / SCIENTIFIC NAME	HEIGHT AT MATURITY	CALIPER QUANTITY
A	CRAPE MYRTLE	LARGESTROEMIA INCA	12' TO 20' FEET	2" MIN. 10
B	INDIAN HAWTHORNE	INDIAN HAWTHORNE	2' FEET	1
C	LIVE OAK	QUERCUENILANA	20' TO 40' FEET	1
D	BERNUDA GRASS	CYNODON LACTIDON		75 ±

LEGAL DESC (CURRENT 2012)
 1: BROADWAY CENTER 2
 2: BLK 1 LOT 2 ACS 0.4260
 3:
 4: INTZ01000329924 DD12152010 CO-DC
 5: 047510100200 2CG04751001
 Deed Transfer Date: 12/28/2010

PLANS & PERMIT SOLUTIONS
 plans & permit submittal and representation
 609 HANOVER DR. ALLEN, TX 75002
 (972) 432-4311
 plans@plandperm.com

Address:	3032 BROADWAY BLVD., GARLAND, TX 75041
Project:	CONVENIENCE STORE WITH FUEL PUMPS
Owner:	JAYEEO HYDER
Issued:	2/1/2017
Date:	3/01/2012

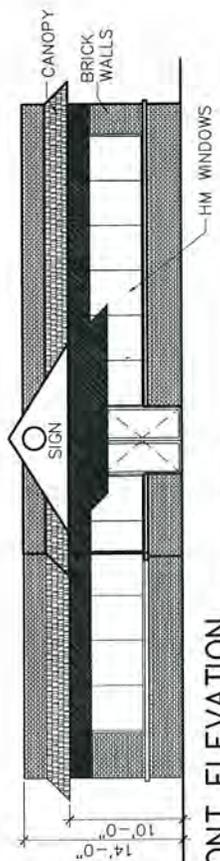
C-1



BROADWAY BLVD.

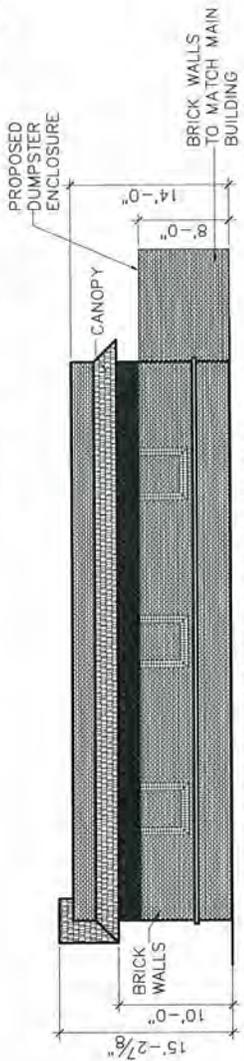
DAIRY RD.

PROPOSED SITE PLAN
 SCALE 1" = 20'-0"



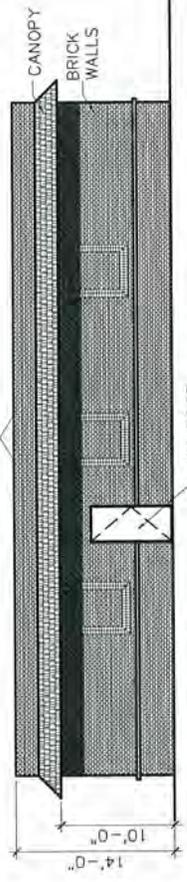
PROPOSED FRONT ELEVATION

SCALE 3/32"=1'-0"



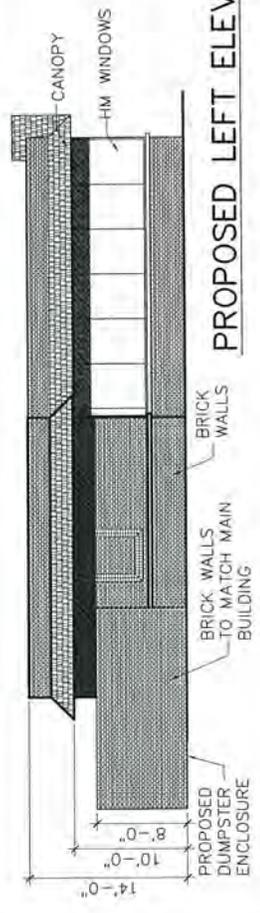
PROPOSED RIGHT ELEVATION

SCALE 3/32"=1'-0"



PROPOSED REAR ELEVATION

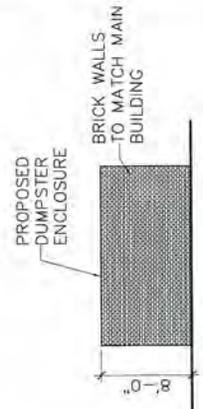
SCALE 3/32"=1'-0"



PROPOSED LEFT ELEVATION

SCALE 3/32"=1'-0"

NOTE: 100% BRICK ON NEW BUILDING AND DUMPSTER ENCLOSURE.



PLANS & PERMIT SOLUTIONS

Plans & permit submittal and representation
 608 HANCOCK DR. ALLEN, TX 75002
 office: 214.241.9169 fax: 972.432.4391
 plansandpermits@gmail.com

3032 BROADWAY BLVD.
 GARLAND, TX 75041

Project: CONVENIENCE STORE WITH FUEL PUMPS

Client: JAYVEED HYDER

Sheet: 21.207 Date: 5/07/2012

A-1

REPORT & MINUTES

P.C. Meeting, March 12, 2012 (9 Members Present)

Consideration of the application of M & I Ventures LLC, requesting approval of a Specific Use Permit for a Retail Sales with Gasoline Pumps on property zoned General Business (GB) District. The property is located at 3032 Broadway Boulevard. (File 12-07)

Representing the applicant and available for questions was Javeed Hyder, 2103 Nob Hill, Carrollton, Texas.

There were no questions of this speaker.

Motion was made by Commissioner Welborn, seconded by Commissioner Dalton to **approve** the Specific Use Permit for Retail Sales with Gas for a period of 20 years tied to M & I Ventures as recommended by staff.
Motion carried: 9 Ayes, 0 Nays.