AGENDA

CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street
Garland, Texas
September 3, 2013

5:30 p.m.

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

Verbal Briefing: These items do not require written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

[Public comment will not be accepted during Work Session unless Council determines otherwise.]

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, TEX. GOV'T CODE.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, TEX. GOV'T CODE.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, TEX. GOV'T CODE.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, TEX. GOV'T CODE.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, TEX. GOV'T CODE.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or
to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, TEX. GOV'T CODE.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; TEX. GOV'T CODE; Sec. 552.133, TEX. GOV'T CODE]

(5:30) 1. Written Briefings:

a. National Incident Management System Point of Contact

Council is requested to consider appointing Ben Williamson, Senior Emergency Management Specialist in the Office of Emergency Management, as the point of contact for the National Incident Management System implementation/maintenance for the City of Garland. Due to the previous point of contact transferring from the Office of Emergency Management to another City department, the appointment of a new point of contact is required. If Council concurs, this item will be scheduled for formal consideration at the September 17, 2013 Regular Meeting.

b. Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Comprehensive Grant

Council is requested to consider authorizing the acceptance of a TxDOT – Selective Traffic Enforcement Program Comprehensive Grant. This grant will be used to aggressively enforce the laws related to red light and intersection violations, seat belt violations, speed violations, and driving while intoxicated. This item is scheduled for formal consideration at the September 3, 2013 Regular Meeting.

c. Change Order No. 1 – Asbestos Abatement

Council is requested to consider authorizing Change Order No. 1 to BL 05289 in the amount of $60,245.30 with Intercon Environmental for unforeseen failed expansion joint damages and turbine re-insulation which resulted in an increased insulation need. If Council concurs, this item will be scheduled for formal consideration at the September 17, 2013 Regular Meeting.

Item	Key Person

(5:45) 2. Verbal Briefings:

a. Community Services Committee Report — Dodson

Mayor Pro Tem Lori Barnett Dodson, past chair of the Community Services Committee, will provide a Committee report on the following items:

1. *Expansion of "junk vehicle" definition in Chapter 32 of the Code of Ordinances to include trailers.*
2. *Oversize vehicles in residential zones.*
3. *Requirements for the placement of residential storage buildings.*
4. *Park drives and future street right-of-way adjacent to Central Park.*

Council is requested to consider proposed amendments to ordinances relating to items 1 and 2 above.

b. National Night Out in Texas **Dollar**

National Night Out is a community police awareness-raising event in the United States. This year Texas will celebrate National Night Out on Tuesday, October 1, which is also the first regularly scheduled Council meeting in October. Council is requested to consider rescheduling the October 1 meeting in order to allow the Mayor and Council members the opportunity to participate in local National Night Out activities in the community. If Council concurs, this item will be scheduled for formal consideration at the September 17 Regular Meeting.

c. Briefing on North Central Texas Council of Governments Emergency Preparedness Planning Council Meeting **Williams**

Council Member B. J. Williams will brief Council on the North Central Texas Council of Governments Emergency Preparedness Planning Council meeting that was held on August 15, 2013.

d. Transportation Committee Report **Willis**

Council Member John Willis, chair of the Transportation Committee, will provide a report on the Committee's meeting on August 9, 2013 with Federal Highway Administrator Victor Mendez.

3. Regular Items:

a. Discussion of 2013–14 Proposed Budget (Contingency Only) **Young**

This item is being posted in the event that Council wishes to continue discussions, deliberations, or staff presentations related to the 2013-14 Proposed Budget.

4. Discuss Appointments to Boards and Commissions **Council**

Preston Edwards – South TIF (Athas)
Reta Day – Garland Cultural Arts Commission (Stanley)
Jerry DeFeo – Board of Adjustment (Stanley)
Marcie Adame – Community Multicultural Commission (LeMay)
Terri Chepregi – Library Board (LeMay)
Rick Johnson – Downtown TIF (Cahill)
Christopher Ott – Plan Commission (Cahill)

5. Consider the Consent Agenda **Council**

A member of the City Council may ask that an item on the consent agenda for the next regular meeting be pulled from the consent agenda and considered separate from the other consent agenda items. No substantive discussion of that item will take place at this time.

6. Announce Future Agenda Items **Council**

A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.

(6:45) 7. Adjourn **Council**

(Estimated time to consider)

Meeting: Work Session

Date: September 3, 2013

Policy Report

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) POINT OF CONTACT

ISSUE

Council is requested to consider appointing Ben Williamson, Senior Emergency Management Specialist in the Office of Emergency Management, as the point of contact for the National Incident Management System (NIMS) implementation/maintenance for the City of Garland. Due to the previous point of contact, Don Hart, transferring from the Office of Emergency Management to the Health Department, the appointment of a new point of contact is required.

OPTIONS

1. Appoint Ben Williamson as the City of Garland's NIMS point of contact.
2. Take no action.

RECOMMENDATION

1. Staff recommends Option 1: Appoint Ben Williamson as the City of Garland's NIMS point of contact. If Council concurs, this item will be scheduled for formal consideration at the September 17, 2013 Regular Meeting.

COUNCIL GOAL

Safe, Family-Friendly Neighborhoods

BACKGROUND

The National Incident Management System was introduced in 2004 by the federal government as a method to coordinate emergency response across response agencies and jurisdictions. The NIMS has annual implementation requirements which are reported to the Federal Emergency Management Agency. One of these requirements is for jurisdictions to appoint a NIMS point of contact who is responsible for coordinating NIMS implementation and reporting within the jurisdiction.

On July 19, 2005, Council adopted Resolution No. 9331 formally recognizing the National Incident Management System concept of incident and disaster management. Homeland Security requires a National Response Plan and National Incident Management System in order to remain eligible for future federal preparedness assistance in the form of grants, contracts, and other future receipt of federal funding. The Office of Emergency Management is responsible for managing the NIMS compliance program.

CONSIDERATION

If no action is taken, the City of Garland would fail to meet a NIMS implementation requirement and thus put receipt of Department of Homeland Security grant funds in jeopardy.

Submitted By:

Mollie Rivas
Office of Emergency Management

Date: August 23, 2013

Approved By:

William E. Dollar
City Manager

Date: August 23, 2013

Meeting: Work Session

Date: September 3, 2013

Policy Report

TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)
COMPREHENSIVE GRANT

ISSUE

Council is requested to consider accepting a Texas Department of Transportation (TxDOT) – Selective Traffic Enforcement Program (STEP) – Comprehensive Grant.

OPTIONS

1. Accept TxDOT STEP Grant Funding.

2. Do Not Accept TxDOT STEP Grant Funding.

RECOMMENDATION

Staff recommends Option 1: Accept TxDOT Grant Funding for the Selective Traffic Enforcement Program (STEP) Comprehensive Grant for FY 2013-2014. This item is scheduled for formal consideration at the September 3, 2013 Regular Meeting**.**

COUNCIL GOAL

Safe, Family-Friendly Neighborhoods – By accepting the STEP Grant, the City Council will augment the ability of the Garland Police Department to provide an even greater level of traffic safety for the citizenry of the City of Garland by potentially changing the driving habits of those who violate the laws related to the four enforcement modules within the grant.

BACKGROUND

The Garland Police Department has successfully participated in STEP enforcement grants for many years. The purpose of this grant is to save lives, reduce motor vehicle crashes and injuries, and change behavior related to driving habits. This is accomplished by aggressively enforcing the laws of the State of Texas related to red light and intersection violations, seat belt violations, speed violations and driving while intoxicated violations.

The enforcement activities will also be supplemented by additional public information and education campaigns conducted throughout the enforcement period. These efforts will be focused throughout the City of Garland.

CONSIDERATION

The grant for the FY 2013-2014 is in the amount of $457,362.09. If accepted, TxDOT will reimburse the City of Garland $249,583.89. The grant requires the City to provide $207,778.20 in matching funds. This will be accomplished in part through fringe benefits expenditures, TMRS contributions, vehicle mileage costs, and administrative time spent on grant related paperwork. Consequently, the City can satisfy the contractual match requirements without expending any additional funds.

ATTACHMENT

None

Submitted By:

Mitchel L. Bates
Chief of Police

Date: August 22, 2013

Approved By:

William E. Dollar
City Manager

Date: August 22, 2013

Meeting: Work Session
Date: September 3, 2013

Policy Report

CHANGE ORDER NUMBER 1 TO BL 05289
ASBESTOS ABATEMENT

ISSUE

Council is requested to consider authorizing Change Order No. 1 to BL 05289 in the amount of $60,245.30 (a 63% increase) with Intercon Environmental for unforeseen failed expansion joint damages and turbine re-insulation which resulted in an increased insulation need.

OPTIONS

(1) Approve a resolution authorizing the City Manager, or his representative, to execute Change Order #1 with Intercon Environmental and allocate the additional funds necessary for the additional insulation needs.
(2) Take no action.

RECOMMENDATION

Staff recommends Option (1) - Authorize the City Manager, or his representative, to execute Change Order Number 1 totaling $60,245.30 with Intercon Environmental. If Council concurs, this item will be scheduled for formal consideration at the September 17, 2013 Regular Meeting.

COUNCIL GOAL

Consistent Delivery of Reliable City Services

BACKGROUND

The original Blanket Order for this work was thought to have one optional renewal left, when it was discovered that it did not, the services were rebid but awarded to a different vendor. This resulted in a need for a change order to the contract amount for the original vendor since the repairs and re-insulation had already been performed.

CONSIDERATION

It is recommended that a resolution authorizing the City Manager, or his representative, execute Change Order Number 1 to BL 05289 in the amount of $60,245.30 (a 23% increase) to provide for the additional insulation requirements. The BL 05289 original amount of $95,000.00 will be increased to $155,245.30.

ATTACHMENT

Change Order

Submitted By:

Jeff Janke
Garland Power & Light

Date: August 27, 2013

Approved By:

William E. Dollar
City Manager

Date: August 27, 2013

CHANGE REQUEST/ORDER RECOMMENDATION

Date:	8/8/13	Requested By:	Randy Hooks, x6490	Change Order #:	1

1

PR #:	31537				
PO #:	BL 5289	Original PO Amount	$95,000.00	Budget Account #:	451-6999

Vendor:	Intercon Environmental
Project/Job:	Reinsulating of Unit 2 / Boiler 3 expansion

Project/Job Manager:	Randy Hooks
General Contractor:	
Architect/Engineer:	

Pricing			
Original Contract Amt	$95,000.00	This CR/CO	$60,245.30
CR/CO Amt Proposed	$60,245.30	Total of All CR/CO	$60,245.30
New Contract Amount	$155,245.30	Percentage of Original PO	63%

Is Original PO > $ 100,000		Yes	X	No	If Yes, Change Order Request Must Go To Council. Policy Report Required.
Is Original PO plus Change Order Request > $ 100,000	X	Yes		No	If Yes, Change Order Request Must Go To Council. Policy Report Required.
Did Scope of Work changes increase the PO/Contract > 25%	X	Yes		No	If Yes, Change Order Request Must Go To Council. Policy Report Required.

If No, This form must be sent to Managing Director or Assistant Director for Signature

	A/E or E & O Change	Scope Revision	Unforeseen Condition	Other
Reason For Change			X	

Description of Change Requested:	Unforeseen failed expansion joint damages and turbine re insulation resulted in an increased insulation need. The original Blanket Order for this work was thought to have one optional renewal left, when it was discovered that it did not, the services were rebid but awarded to a different vendor. This resulted in a need for a change order to the contract amount for the original vendor since the repairs and re-insulation had already been performed.

Cost Basis (Firm, T&M, Estimate):	
Justification:	Insulation needs exceeded normal outage scheduled repairs due to failed expansion joint that was found during the outage. This BL contract has been re bid.

Time/Schedule Impact:	
A/E Fee Impact:	

Department Head	Dan Bailey	Date : 9/3/13
Managing Director or Assistant Director	Jeff Janke	Date : 9/3/13
Assistant City Manager		Date :
City Manager		Date :

City Council Item Summary Sheet

☒ **Work Session**

☐ **Agenda Item**

Date: **September 3, 2013**

Community Services Committee Report

Summary of Request/Problem
Mayor Pro Tem Lori Barnett Dodson, past chair of the Community Services Committee, will provide a Committee report on the following items: 1. Expansion of "junk vehicle" definition in Chapter 32 of the Code of Ordinances to include trailers 2. Oversize vehicles in residential zones 3. Requirements for the placement of residential storage buildings 4. Park drives and future street right-of-way adjacent to Central Park Copies of proposed amendments to ordinances relating to items 1 and 2 above are included for Council's review and discussion.

Recommendation/Action Requested and Justification
Council discussion and direction.

Submitted By:	**Approved By:** **William E. Dollar** **City Manager**

ORDINANCE NO.

AN ORDINANCE AMENDING 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

That Sec. 32.81 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by inserting, in appropriate alphabetic order, the following additional definitions:

"Junked trailer. A trailer that is wrecked, dismantled, partially dismantled or inoperable.

Trailer. A vehicle without motive power that is designed, adapted or used to carry property or passengers on its own structure exclusively."

Section 2

That Sec. 32.81 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by amending the definition of "violating vehicle" to read as follows:

"Violating vehicle. Includes a junked vehicle, junked all-terrain vehicle, junked boat, junked trailer or junked off-road motorcycle or part thereof that is in violation of this division."

Section 3

That Sec. 32.82(B) 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:

"(B) A person commits an offense if the person causes, suffers, allows or permits the parking or standing of a motor vehicle or a trailer in a residential zone within ordinary public view on private property owned or controlled by that person if the vehicle:

(1) Has one or more flat tires;

(2) Is missing one or more wheels; or

(3) Is supported by one or more jacks, jack stands, blocks or similar means."

Section 4

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 5

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

Section 6

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 7

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

PASSED AND APPROVED this the _____ day of _____, 2013.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

DRAFT

- For Discussion Purposes Only -

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

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION" AND CHAPTER 24, MUNICIPAL COURT AND ADMINISTRATIVE ADJUDICATION 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

That Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new section, Sec. 33.53, to read as follows:

"**Sec. 33.53. Maximum allowed parking distance from curb face**

A vehicle is unlawfully parked if the vehicle is parked in a manner such that any portion of the vehicle extends more than 102 inches from the face of the immediately adjacent curb, if the street has a curb, or edge of pavement, if the street does not have a curb."

Section 2

That Sec. 24.44 of Chapter 24, "Municipal Court and Administrative Adjudication" of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new subsection (E) to read as follows:

"(E) If no specific penalty amount is provided in 24.44(A), the general civil penalty for a parking violation enforced under the provisions of this chapter shall be $75.00."

Section 3

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.

DRAFT

- For Discussion Purposes Only -

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

Section 4

That Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 5

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 6

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

PASSED AND APPROVED this the _____ day of _____, 2013.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

City Council Item Summary Sheet

☒ **Work Session**

☐ **Agenda Item**

Date: **September 3, 2013**

National Night Out in Texas

Summary of Request/Problem

National Night Out is a community police awareness-raising event in the United States which began in 1984 in an effort to promote involvement in crime prevention activities, police-community partnerships, neighborhood camaraderie, and to send a message to criminals letting them know that neighborhoods are organized and fighting back. The event is held each year on the first Tuesday in August. Texas has the option to use the alternate date of the first Tuesday in October to avoid hot weather.

This year Texas will celebrate National Night Out on Tuesday, October 1, 2013 which is also the first regularly scheduled Council meeting in October.

Council is requested to consider rescheduling the October 1 meeting in order to allow the Mayor and Council Members the opportunity to participate in local National Night Out activities in the community. If Council concurs, this item will be scheduled for formal consideration at the September 17, 2013 Regular Meeting.

Recommendation/Action Requested and Justification

Council discussion and direction.

Submitted By:	**Approved By:** **William E. Dollar** **City Manager**

City Council Item Summary Sheet

☒ **Work Session**

☐ **Agenda Item**

Date: **September 3, 2013**

NCTCOG Emergency Preparedness Planning Council Update

Summary of Request/Problem

Council Member B. J. Williams will brief Council on the North Central Texas Council of Governments Emergency Preparedness Planning Council meeting that was held on August 15, 2013.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:	**Approved By:**
	William E. Dollar **City Manager**

City Council Item Summary Sheet

☒ **Work Session**

☐ **Agenda Item**

Date: **September 3, 2013**

Transportation Committee Report

Summary of Request/Problem

Council Member John Willis, chair of the Transportation Committee, will provide a report on the Committee's meeting on August 9, 2013 with Federal Highway Administrator Victor Mendez.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:	**Approved By:** **William E. Dollar** **City Manager**

City Council Item Summary Sheet

☒ **Work Session**

☐ **Agenda Item**

Date: **September 3, 2013**

Discussion of 2013-14 Proposed Budget (Contingency Only)

Summary of Request/Problem

This item is being posted in the event that Council wishes to continue discussions, deliberations, or staff presentations related to the 2013-14 Proposed Budget.

Recommendation/Action Requested and Justification

Council direction regarding the 2013-14 Budget.

Submitted By:	**Approved By:**
Ron Young **Director of Budget and Research**	**William E. Dollar** **City Manager**