

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, August 6, 2013, in the Council Chambers at City Hall with the following members present:

Mayor	Douglas Athas
Mayor Pro Tem	John Willis
Councilmember	Marvin 'Tim' Campbell
Councilmember	Anita Goebel
Councilmember	Stephen W. Stanley
Councilmember	B.J. Williams
Councilmember	Lori Barnett Dodson
Councilmember	Scott LeMay
Councilmember	Jim Cahill

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	City Secretary	Lisa Palomba

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas. District 2 Councilwoman Anita Goebel led the Invocation. The Pledge of Allegiance was led by members of Boy Scout Troop No. 1978. Mayor Athas also acknowledged the presence of Troop 100.

CEREMONIALS: None.

ANNOUNCEMENTS: Mayor Athas commented on the following: Garland Animal Services spay/neuter ordinance enforcement; September 21, 2013 Healthy Living Expo at Curtis Culwell Center 9 a.m. - 1 p.m. and Mayor's Evening In to be held Wednesday, August 28, from 5 to 7 p.m. at City Hall. Mayor Pro Tem Willis provided information regarding the 16th Annual Transportation & Infrastructure Summit to be held in Irving.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on in a single motion at the beginning of the meeting. Item 9 was pulled from the Consent Agenda at the request of Councilman Cahill. A motion was made by Councilwoman Goebel, seconded by Councilwoman Dodson, to approve Items: 1, 2a, 2b, 2c, 3, 4, 5, 6, 7, and 8. A vote was cast and the motion carried with 9 Ayes; 0 Nays.

1. Approved** City Council minutes of the July 16, 2013 Regular Meeting.

2a. Approved** Award of Bid No. 3592-13 to Schweitzer Engineering Laboratories in the amount of \$558,275.00 and an optional contingency fee of \$55,827.00 for a total award of \$614,102.00 to provide for the purchase of replacement relay and SCADA

equipment for the Texas Municipal Power Agency's Bryan East, Dansby, Greenville Steam Interchange and McCree Substations.

2b. Approved**

Award of Bid No. 3599-13 to Brandon & Clark, Inc. in the amount of \$125,000.00 to provide electronic motor repair maintenance for Garland Power & Light Production Plans on an as needed basis.

2c. Approved**

Award of Bid No. 3687-13 to RKM Utility Services, Inc. in the amount of \$300,000.00 to provide cleaning and video inspection of sewer lines throughout the City.

3. Approved**

Ordinance No. 6628 amending the zoning laws of the City of Garland, Texas by approving a Specific Use Permit for Automobile and Motorcycle Sales, Leasing Services and Repair (Used) on a 0.92-acre tract of land zoned Industrial-1 (I-1) District and located at 410 South Kirby St. providing for conditions, restrictions, and regulations; (Zoning File No. 13-25, Color Build In).

4. Approved**

Approve by minute action authorizing the City Manager to execute Change Order No. 1 to the contract with ARK Contracting Services, LLC in the amount of \$70,545.92.

5. Approved**

Resolution No.10115 authorizing the Mayor to execute an amendment to the Power Sales Contract ("The Power Sales Contract") between and among the City of Bryan, Texas, the City of Denton, Texas, the City of Garland, Texas, the City of Greenville, Texas and the Texas Municipal Power Agency.

6. Approved**

Ordinance No. 6629 amending the civil services classifications within the Garland Fire Department for the Fiscal Year 2012-2013 by adding an additional Driver position and eliminating a Firefighter position; and prescribing the number of positions in each classification.

7. Approved**

Ordinance No. 6630 amending Chapter 51, "General Utility Provisions", of the Code of Ordinances of the City of Garland.

8. Approved**

Resolution No. 10116 authorizing the City Manager to execute an Engineering Services Agreement with R-Delta Engineers, Inc. in an amount not to exceed \$107,569.00 including a \$9,779.00 contingency fee.

ITEMS FOR INDIVIDUAL CONSIDERATION:

9. Approved Mayor Pro Tem Willis made a motion, seconded by Councilman Stanley, to approve Resolution No. 10117 supporting the seamless interconnectivity of high-speed rail into the operational terminal areas of the Dallas/Fort Worth International Airport. A vote was cast and the motion carried with 8 ayes, 1 nay (Cahill).

10a. Held & Approved Senior Managing Director of Development Services, Neil Montgomery provided background information regarding the application of Oaks Properties LLC, requesting approval of 1) a change of zoning from Central Area 1 (CA-1) District to Planned Development (PD) District for Central Area 1 Uses, 2) a Detail Plan and 3) variances to Section 27 - 442 and 27 - 452 of the Comprehensive Zoning Ordinance regarding building setbacks. The property is located at the southeast corner of North Fifth Street and Austin Street and 203 North Fifth Street, west of North Fifth Street and north of State Street. (Zoning File 13-26)

Mayor Athas opened the public hearing to accept public input. The following person spoke: J. Mark Wolf.

Councilwoman Goebel made a motion, seconded by Councilman Campbell, to close the public hearing and to approve the application as recommended by the Plan Commission and Staff. A vote was cast and the motion carried with 9 ayes, 0 nays.

10b. Held & Approved Senior Managing Director of Development Services, Neil Montgomery provided background information regarding the application of The Charter School Fund II, requesting approval of a Specific Use Permit for a Charter School on property zoned Single Family (SF/7F/3) District. The property is located at 2256 Arapaho Road. (Zoning File 13-27)

Mayor Athas opened the public hearing to accept public input for both Items 10b and 10c. The following persons provided oral testimony in favor of the request: Applicant Brian Huffaker, and Eddie Conger. The following persons registered a position in favor of the request: Maria Garcia, Shenglin Selinger, Shamica Polk, Karen Marx, Karen Alexander, Jeff Marx, Kim Lawson, Jacob McCord, Richard Barbee, Trey Poteet, Alicia Davis, Melissa Gomez, Nadia Ayala, Elizabeth Compton, Ryan Bayron, Glenda Bayron,

Julia Xeros, Ines Vallance, Claire Sneau, Tiffany Harrod, Ibet Antunez, Jonathan Collier, Stephanie Rosen, Kelly Rogers, Carla Canty, Byron Canty, Jessica Lentz, Michelle Porter, Mariellaliliana Gomez Conzalez, Alejandra Sutherland, Vernon Sutherland, J. Moseley, Kelly Parma, Sherrie Tootle, Jerry McCreight, John Clary, and Debra Sands.

Councilman LeMay made a motion, seconded by Councilwoman Dodson, to approve the application as recommended by the Plan Commission and Staff. A vote was cast and the motion carried with 9 ayes, 0 nays.

10c. Held & Approved

Senior Managing Director of Development Services, Neil Montgomery provided background information regarding the application of The Charter School Fund II, requesting approval of 1) a change of zoning from Shopping Center (SC) District and Office 1(O-1) District to a Planned Development (PD) District for Shopping Center Uses and Multi-Family Uses, 2) a Concept Plan, 3) a Detail Plan, 4) a Specific Use Permit for a Charter School, 5) a Specific Use Permit for a Boarding School, and 6) variances to Sections 19-421 and 24-600 of the Comprehensive Zoning Ordinance No. 4647 regarding the minimum required rear and side yard setback and the maximum allowable building height. The property is located at 4413 North Shiloh Road. (Zoning File 13-28)

Mayor Athas opened the public hearing to accept public input. The following persons provided oral testimony in favor of Item 10c: Brian Huffaker and J.D. Gonzalez. The following persons provided oral testimony against Item 10c: Amy Daza and Gary Jones.

Councilman LeMay made a motion, seconded by Councilwoman Dodson, to approve the application as recommended by the Plan Commission and Staff. A vote was cast and the motion carried with 9 ayes, 0 nays.

Councilman LeMay made a motion, seconded by Councilwoman Dodson, to approve the application as recommended by the Plan Commission and Staff. A vote was cast and the motion carried with 9 ayes, 0 nays.

10d. Postponed

Consider the application of Oakridge Investments requesting approval of 1) a change in zoning from Agriculture (AG) District to Planned Development (PD) District for Single

Family Uses and 2) a Detail Plan for approximately 43 single family homes. (Zoning File 12-22). At the request of the applicant, consideration of this item is postponed until the September 3, 2013 City Council Meeting.

11. Postponed

Consider the request of Holt Lunsford Commercial for a waiver of Roadway Impact Fees. This item is postponed until a future meeting.

12. Presented

The City Manager formally presented his proposed Budget for Fiscal Year 2013-2014.

13. Approved

Mayor Pro Tem Willis made a motion, seconded by Councilman Cahill, that an item be placed on the September 3, 2013 Council Agenda, calling for the adoption of a tax rate equaling 70.46 cents per \$100 of valuation for the fiscal year beginning, October 1, 2013. A vote was cast and the motion carried with 9 ayes, 0 nays.

Mayor Athas stated, "I call for two public hearings to be held on the proposed ad valorem tax rate of 70.46 cents per \$100.00 of valuation – which is scheduled for adoption on September 3, 2013, at 7:00 p.m. in the City Council Chambers at Garland City Hall. The public hearings will be held on:

(1) Tuesday, August 20, 2013 at 7:00 p.m. at Garland City Hall; and

(2) Thursday, August 29, 2013, also at 7:00 p.m. at Garland City Hall."

14. Board & Commission
Appointments

The following names were placed in nomination for the Garland Youth Council: Preston Sanderson (Athas), Michael Graham (Campbell), Devin Brown (Stanley), Ocean Davis (Williams), Sarahi Salazar (Dodson), and Simran Bains (Dodson). A vote was cast and the nominations carried with 9 ayes, 0 nays.

15. Mayor Pro Tem
Appointment

The following names were placed in nomination for Mayor Pro Tem: Councilman Tim Campbell and Councilwoman Lori Dodson. A vote was cast with 5 votes in favor of Lori Dodson and 4 votes in favor of Tim Campbell. Mayor Athas announced that Lori Dodson is appointed Mayor Pro Tem.

16. Citizen Comments The following persons provided public comments: John Clary and Sandra Brown.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 9:11 p.m.

CITY OF GARLAND

Signed:

Douglas Athas, Mayor

Attest:

Lisa Palomba, City Secretary