

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, April 6, 2010, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	Laura Perkins Cox
Councilmember	Douglas Athas
Councilmember	Preston Edwards
Councilmember	Larry Jeffus
Councilmember	John Willis
Councilmember	Barbara Chick
Councilmember	Rick Williams
Councilmember	Darren Lathen

STAFF PRESENT:	City Manager	Bill Dollar
	City Attorney	Brad Neighbor
	City Secretary	Mary J. Kayser
	Deputy City Secretary	Debra Booth

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones; Mayor Pro Tem Laura Cox led the invocation and the pledge.

CEREMONIALS: Mayor Jones recognized the Nicholson Memorial Library System, Library Board members and Library Director Claire Bausch for their receipt of the 2009 Achievement of Excellence in Libraries Award.

Mayor Jones presented a proclamation for Autism Awareness Month.

Mayor Jones presented a proclamation for Great American Clean up/Don't Mess With Texas Trash Off day.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by Mayor Pro Tem Cox and second by Councilmember Edwards to approve Consent Agenda Item #'s: 1, 2a, 2b, 2c, 2d, 2e, 3, 4, 6a and 6b. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved** Approved the minutes of the March 23, 2010 Regular Meeting.

2a. Approved** Award the bid for Underground Construction, Loops 95 and 308

308 (Bid No. 144-10) to Infratech Corporation in the amount of \$234,965.00 with a Contingency of \$35,000.00 for a total of \$269,965.00

- 2b. Approved** Award the bid for Hybrid Sedans (Bid No. 176-10) to Sam Packs Five Star Ford of Carrollton in the amount of \$174,923.00.
- 2c. Approved** Award the bid for an Aerial Device with Cab and Chassis (Bid No. 183-10) to Altec, Inc. in the amount of \$764,000.00.
- 2d. Approved** Award the bid for a Hybrid Bucket Truck (Bid No. 184-10) to SW International Trucks – McKinney in the amount of \$235,927.82.
- 2e. Approved** Green Custodial Services at Utility Services Building (Bid No. 187-10) to GCA Services Group of Texas, LP in the amount of \$137,683.00.
3. Approved** Resolution 9928 abandoning, releasing, and quitclaiming a 15-foot utility easement due to the planned expansion and development of Mayberry Gardens Phase 5, the existing easement will be relocated and a new easement will be dedicated at the time of platting.
4. Approved** Minute action authorizing the City Manager to execute a professional agreement with Harden and Associates Consulting, LLC. in the amount of \$160,000 for inspecting current backflow prevention devices within the City.
5. Approved Consider ordinances amending Chapter 33, “Transportation,” of the Code of Ordinances of the City of Garland.

Speaking on this item was Sharon Brown from Transportation, Pat Phillips and Dawn Coleman.

Motion was made by Councilmember Willis and second by Mayor Pro Tem Cox to approve Ordinance 6386 amending Chapter 33, “Transportation”, Article III, “Speed regulations”, Section 33.28 (C) and Ordinance 6387 amending Chapter 33, “Transportation”, Article III, “Speed regulations”, Section 33.28 (D) and Ordinance 6391 amending Chapter 33, “Transportation”, Article IV “Stopping, Standing and Parking”, Section 33.49 (I) . Motion

Parking”, Section 33.49 (I) . Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6a. Approved**

Ordinance 6388 authorizing the issuance of “City of Garland, Texas, Water and Sewer System Revenue Bonds, Series 2010,” pledging net revenues of the City’s Water and Sewer System to the security of and the payment of the principal of and interest on such obligations; providing for the sale and delivery thereof, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement, and the approval and distribution of an Official Statement pertaining thereto; enacting provisions incident and related to the purposes and subject of this ordinance.

6b. Approved**

Ordinance 6389 authorizing the issuance of “City of Garland, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2010”; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues derived from the operation of the City’s Water and Sewer System; providing the terms and conditions of such certificates of obligation and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said certificates of obligation, including the approval and distribution of a Preliminary Official Statement and an Official Statement pertaining thereto; and providing an effective date.

7. Approved**

Hold a public hearing and consider an ordinance amending Chapter 32, “Neighborhood Sanitation and Housing Services,” of the Code of Ordinances of the City of Garland.

Mayor Jones opened the public hearing at 7:20pm. Speaking on this item were Richard Briley, Deborah L. Morris, Roy Dearnmore and Terry Smith.

Motion was made by Mayor Pro Tem Cox and second by Councilmember Edwards to approve Ordinance 6390 amending Chapter 32, “Neighborhood Sanitation and Housing Services,” of the Code of Ordinances of the City of Garland repealing the sunset provision and altering certain sections of Chapter 32.09.

Motion was made by Councilmember Athas and second by Councilmember Lathen to amend the motion by adding the sunset provision back into the ordinance. Motion failed 3 ayes; 6 Nays; – Cox, Edwards, Jeffus, Willis, Chick and Williams and 0 Abstentions.

The Mayor called for the vote on the main motion. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

The Council recessed at 8:19pm.
The Council reconvened at 8:35pm.

8. Held Public Hearing

Hold a public hearing regarding the 2010 - 2011 CDBG, HOME, and ESG Budget.

The record reflects that Councilmember Willis abstained from item 8 due to a conflict of interest. A statement setting out the extent of the conflict is on file with the City Secretary.

Mayor Jones opened the public hearing at 8:35pm.

Speaking on this item were the following:

Neil Montgomery, Senior Managing Director of Development Services

Allison Lewis – Achievement Center of Texas

David Swavey – Garland Police Boxing

Raul Flores, Jr. – Garland Police Boxing

Wendy Hinojosa – Garland Police Boxing

Joe Sotelo – Garland Police Boxing

Marilynne Serie – Achievement Center of Texas

Jenny Williams – Hope Clinic

Ed Seghers – Hope Clinic

Tom Trenary – Hope Clinic

Teena Le – Galaxy Counseling Center

Jennifer Morrison – New Beginnings Center

Rosette Garcia – New Beginnings Center

Maria Molett – Counseling Institute of Texas

Susan Hennem – Counseling Institute of Texas

Suzanna Swanson – Nursing Home Ombudsman

Gideon Agboola – Reinventing Human Capital

Bonnie McGee – Girls Escape Club

Aaron Gaddus – Mount Hebron Urban Community Housing

There being no further speakers the public hearing was closed at 9:25 pm.

9. Approved

Consider the application of Bryan Ly, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 3460 West Walnut Street, Suite 120. (File 10-04)

Mayor Jones opened the public hearing at 9:25pm. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services. Bryan Ly, property owner, was available for questions.

Motion was made by Councilmember Chick and second by Councilmember Williams to close the public hearing and to approve the application of Bryan Ly, requesting approval of a Specific Use Permit for 10 years for a Reception Facility on property zoned Shopping Center (SC) District. Motion carried: 8 Ayes; 1 Nay - Lathen and 0 Abstentions.

10.

Citizen comments.

Don E. Howard III
Roy F. Dearmore
Sandra Brown

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 9:41 pm.

CITY OF GARLAND, TEXAS

Signed:

Mayor Ronald E. Jones

Attest:

Mary J. Kayser, City Secretary