

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, July 7, 2009, in the Council Chambers at City Hall with the following members present:

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

STAFF PRESENT:	City Manager	Bill Dollar
	City Attorney	Brad Neighbor
	City Secretary	Mary J. Kayser
	Recording Secretary	Yvonne Naser

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

CEREMONIALS: None

OATH: City Attorney Brad Neighbor administered the Oath to those who were to present testimony at this meeting.

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 Cox, seconded by Councilmember Willis to approve Consent Agenda Item #'s: 1, 2a, 2b, 3, 4, 7, 8, 9, 10, 11 and 12. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved\*\* Approval of the minutes of the June 16, 2009 Regular Meeting.
- 2a. Approved\*\* Award the bid for ERT Meter Change-out (Bid No. 327-09) to Quanta Utility Services in the amount of \$300,000.00.
- 2b. Approved\*\* Award the bid for EPR for Warehouse Inventory (Bid No. 389-09) to Techline in the amount of \$366,080.00 and Hughes Supply in the amount of 54,032.00 for a total of \$420,112.00.
3. Approved\*\* Ordinance 6324 re-adopting and re-enacting the Code of Ordinances by making certain technical and non-substantive

changes and corrections thereto (except as otherwise expressly provided); amending Sec. 10.14(A) of the Code of Ordinances; amending Sec. 10.20 of the Code of Ordinances; repealing and reserving Sec. 10.30 of the Code of Ordinances; providing a penalty clause imposing the penalties established by Sec. 10.05 of the Code of ordinances.

4. Approved\*\*

Resolution 9881 authorizing the City Manager to apply for and accept a Justice Assistance Grant for funding of a Tactical Observation Platform.

5. Approved

Consider an ordinance amending Chapter 26, "Police – Miscellaneous Provisions and Offenses," of the Code of Ordinances of the City of Garland.

Speaking on this item was Terry Smith, City Attorney Brad Neighbor and Police Chief Mitch Bates.

Motion was made by Councilmember Athas and second by Councilmember Edwards to approve Ordinance 6325 amending Chapter 26, "Police – Miscellaneous Provisions and Offenses," of the Code of Ordinances of the City of Garland by adding Section 26.12 Personal Storage Containers. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6. Postponed

Consider an ordinance amending Chapter 26, "Police – Miscellaneous Provisions and Offenses," of the Code of Ordinances of the City of Garland by adding a new Article XIII thereto.

Speaking on this item was Steve Miller.

Motion was made by Councilmember Athas and second by Councilmember Lathen to postpone consideration of an ordinance amending Chapter 26, "Police – Miscellaneous Provisions and Offenses," of the Code of Ordinances of the City of Garland by adding a new Article XIII thereto to a future meeting in order to hold a public hearing on the ordinance. Motion carried: 8 Ayes; 1 Nays (Chick); and 0 Abstentions.

7. Approved\*\* Resolution 9882 adopting and approving the Garland Housing Agency's fourth year update on its five-year annual plan approved in 2005.
8. Approved\*\* Resolution 9883 adopting an Identity Theft Prevention Program designed to address specific activities required in order to meet the recent amendment to the Fair and Accurate Reporting Act of 2003, wherein the Federal Trade Commission adopted the Identity Theft Red Flags Rule.
9. Approved\*\* Resolution 9884 authorizing the City Manager to sign an interlocal governmental agreement by and between the City of Garland and the County of Dallas relating to motor vehicle registration refusal pursuant to the Texas Transportation Code.
10. Approved\*\* Ordinance 6326 amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland regarding truck routes and restrictions on operation of commercial vehicles.
11. Approved\*\* Ordinance 6327 amending Chapter 32, "Neighborhood Sanitation and Housing Services," of the Code of Ordinances of the City of Garland regarding a revised, updated definition of "family" for purposes of determining what constitutes a "single-family" residence.
12. Approved\*\* Resolution 9885 reappointing Tom Jefferies to the Texas Municipal Power Agency Board of Directors for a two year term.
- 13a. Approved Consider the application of The Dimension Group, requesting approval of 1) a change in zoning from Planned Development (PD) 87-28 and 01-23 Districts for Freeway Uses, Planned Development (PD) 95-59 District for Industrial Uses and Agriculture (AG) District to Planned Development (PD) District for Freeway Uses, 2) a Specific Use Permit for Kindergarten, Preschool or Child Care Center, and 3) a Detail Plan for a Private (Montessori) School. The property is located north of SH 190, east of Campbell Road and south of Ferris Road. (09-19)

Mayor Jones opened the public hearing at 7:21 pm. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services. The developer was present but did not address the Council.

Motion was made by Councilmember Athas and second by Mayor Pro Tem Williams to close the public hearing at 7:24 pm and to approve the application of The Dimension Group, requesting approval of 1) a change in zoning from Planned Development (PD) 87-28 and 01-23 Districts for Freeway Uses, Planned Development (PD) 95-59 District for Industrial Uses and Agriculture (AG) District to Planned Development (PD) District for Freeway Uses, 2) a Specific Use Permit for 20 years for Kindergarten, Preschool or Child Care Center, and 3) a Detail Plan for a Private (Montessori) School. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

13b. Approved

Consider the application of Steve Donosky Co., requesting approval of 1) a change of zoning from Freeway (FW) District to a Planned Development (PD) District for Freeway Uses, 2) an amendment to Planned Development (PD) District 06-69 for Freeway Uses, 3) an amendment to the Concept Plan, 4) an amendment to the Detail Plan for a Retail Sales with Gas Pumps, and 5) an amendment to the Specific Use Permit for a Retail Sales with Gas Pumps. The property is located at Broadway Boulevard & Guthrie Road. (File 09-20)

Mayor Jones opened the public hearing at 7:25 pm. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services and Karen Mitchell.

Motion was made by Councilmember Jeffus and second by Councilmember Edwards to close the public hearing at 7:34 pm and to approve the application of Steve Donosky Co., requesting approval of 1) a change of zoning from Freeway (FW) District to a Planned Development (PD) District for Freeway Uses, 2) an amendment to Planned Development (PD) District 06-69 for Freeway Uses, 3) an amendment to the Concept Plan, 4) an amendment to the Detail Plan for a Retail Sales with Gas Pumps, and 5) an amendment to the Specific Use Permit for a Retail Sales with Gas Pumps. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

14.

Consider appointments to Boards and Commissions.

Appointment to the NTMWD Board of Directors

The names of Paul Hoffman, Christopher Ott and Don Gordon were placed in nomination for the NTMWD Board of Directors

Don Gordon received 8 votes (Athas, Cox, Edwards, Willis, Mayor Jones, Chick, Mayor Pro Tem Williams and Lathen)

Paul Hoffman received 1 vote (Jeffus)

Christopher Ott received no votes

Don Gordon was appointed to the NTMWD Board of Directors for a two year term.

Motion was made by Councilmember Athas to appoint the following individuals to the listed boards:

Garland Youth Council

Jaywin Singh Malhi  
Paige Mackenzie Pospisil

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

Motion was made by Councilmember Cox to appoint the following individuals to the listed boards:

Garland Youth Council

Valencia King  
Ana Karen Garcia

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

Motion was made by Councilmember Edwards to appoint the following individuals to the Garland Youth Council:

Ashleigh Jo Luke  
Chanale Grant

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

Motion was made by Councilmember Jeffus to appoint the following individuals to the Garland Youth Council:

Celeste Marie Vielma  
Francely Acenet Martinez

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

Motion was made by Councilmember Willis to appoint the following individuals to the Garland Youth Council:

Brianda Reyes  
Jennifer Christie Loos

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

Motion was made by Councilmember Chick to appoint the following individuals to the Garland Youth Council:

Phillip Graham  
Kaitlyn Cherry Walker

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

Motion was made by Mayor Pro Tem Williams to appoint the following individuals to the listed boards Garland Youth Council:

Dakota Lambert Thompson  
Tony Douglas Cleveland Jr.

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

15. Citizen comments.

Claudia Jenkins  
Steve Miller  
Kathy Stokes

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 7:50 pm.

CITY OF GARLAND

Signed:

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Mayor Ronald E. Jones

Attest:

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Mary J. Kayser, City Secretary