

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, September 4, 2012, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	John Willis
Deputy Mayor Pro Tem	Preston Edwards
Councilmember	Marvin 'Tim' Campbell
Councilmember	Anita Goebel
Councilmember	B.J. Williams
Councilmember	Lori Barnett Dodson
Councilmember	Rick Williams
Councilmember	Jim Cahill

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

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

CEREMONIAL: Proclamation: Hispanic Heritage Month

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by MPT Willis, seconded by Deputy MPT Edwards, to approve 1., 2.a., 2.b., 2c., 2.d., 3a., 3.b., 4., 5., 6., and 7. Motion carried unanimously with 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved** Consider approval of the minutes of the August 14, 2012 Special Meeting and August 21, 2012 Regular Meeting.

- 2.a. Approved** Award Bid No. 3032-12 for One-Ton Trucks to Randall Reed's Prestige Ford for \$159,877.00 for four one-ton replacement trucks for various departments.

- 2.b. Approved** Award Bid No. 3045-12 for Overhead Maintenance and Construction to T & D Solutions in the amount of \$500,000.00 for labor and equipment necessary to remove and replace electric overhead facilities for maintenance or construction purposes for Garland Power & Light.

- 2.c. Approved** Award Bid No. 3047-12 for Upgrade Turbine Supervisory System (TSI) to Metrix Instrument Company in the amount of \$110,075.00 for Ray Olinger Unit 3 Turbine replacement.
- 2.d. Approved** Award Bid No. 3094-12 for Replacement of Cisco Network Equipment to INX, Inc. in the amount of \$243,674.86 for replacement of aging network routers and switches at various locations in the City.
- 3.a. Approved** Approve Ordinance #6563 regarding Zoning File No. 12-34, applicant being Illiana Rojas, approving a Specific Use Permit for a Reception Facility on property zoned Industrial 1 (1-1) on a 6.803-acre tract located at 2800 West Kingsley Road, Suites 100 and 101.
- 3.b. Approved** Approve Ordinance # 6564 regarding Zoning File No. 12-37, approving request of applicant Provence @ Firewheel, for an amendment to Planned Development (PD) District 04-19 for Single Family Uses regarding regulation of garages on thirteen lots not served by an alley on a 138.51-acre tract of land known as Provence @ Firewheel located west of Lavon Drive/SH 78, southeast of Talley Road, and east of Brand Road.
4. Approved** Approve Resolution #10068 authorizing the City Manager to execute an engineering services agreement with R-Delta Engineers, Inc. for completing the limited topographic surveying and mapping, electrical engineering, civil engineering, structural engineering, and municipal planning and permitting coordination necessary to expand Rosehill Substation for a total not-to-exceed amount of \$106,000 (includes \$10,320 contingency for unforeseen design requirements).
5. Approved** Approve Resolution #10069 authorizing the City Manager to execute an engineering services agreement

with R-Delta Engineers, Inc., for completing topographic surveying and mapping, electrical engineering, civil engineering, structural engineering, geotechnical engineering, landscape architecture, landscape irrigation design and municipal planning and permitting coordination to demolish and reconstruct Wynn Joyce Substation for a total not-to-exceed amount of \$354,000 (includes \$32,240 contingency for unforeseen design requirements).

6. Approved**

Approve Ordinance # 6565 amending the tax roll of the City of Garland. Council annually amends the tax roll to reflect uncollected ad valorem taxes, as necessary to meet generally accepted accounting principles, avoid overstatement of accounts receivable on the balance sheet and avoid risk of a qualified audit opinion from the external auditors.

7. Approved**

Approve Resolution #10070 accepting a Texas Department of Transportation Selective Traffic Enforcement Program Single Year 2013 Comprehensive Grant in the amount of \$507,651.97.

8. Held

Hold a public hearing regarding the 2012-13 Proposed Budget and Tax Rate. Section 5, Article VII, of the City Charter requires that a public hearing be held on the Proposed Budget for the coming fiscal year. At the public hearing, all interested persons shall be given an opportunity to be heard for or against any proposed item in the Budget, including the proposed tax rate.

Mayor opened the Public Hearing at 7:07 p.m.

Speakers were: Dorothy Zimmerman, Larry Jeffus, Robert Stankiewicz, Randall Dunning and Laura Perkins Cox.

Mayor closed the Public Hearing at 7:46 p.m.

9. Approved

Consider Ordinance #6566 adopting the operating budget for fiscal year 2012-13, providing budgetary

appropriations for the various funds of the City, amending the current budget as revised and authorizing the City Manager to make adjustments.

Motion was made by MPT Willis, seconded by Deputy MPT Edwards, to approve ordinance adopting the budget as presented. The motion carried unanimously by a vote of 9 Ayes; 0 Nays and 0 Abstentions.

10. Approved

Consider Ordinance #6567 fixing the tax rate and tax levy for the City of Garland for the fiscal year 2012-13 upon all taxable property in the City of Garland in conformity with the laws of the State of Texas and the Charter provisions and ordinances of the City of Garland; repealing all ordinances, or parts of ordinances, in conflict therewith, setting ad valorem tax rate of 70.46 cents per \$100 of valuation for the fiscal year beginning October 1, 2012.

Motion was made by MPT Willis, seconded by Deputy MPT Edwards, to approve ordinance adopting the tax rate as presented. The motion carried unanimously by a vote of 9 Ayes; 0 Nays and 0 Abstentions.

11. Approved

Consider Ordinance #6568 amending various sections of Section 50, "Utility Rates and Fees" of the Code of Ordinances of the City of Garland, relating to fees charged for various services provided by the City, including creation of certain rates and fees and adjustments to existing rates and fees.

Motion was made by MPT Willis, seconded by Deputy MPT Edwards, to approve ordinance adopting the Fee Ordinance as presented. The motion carried unanimously by a vote of 9 Ayes; 0 Nays and 0 Abstentions.

12. Approved

Consider Ordinance #6569 establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; prescribing the base salary and types of

pay for those classifications. Pursuant to Title 5, Chapter 143 of the Local Government Code of Texas, the Council must establish the civil service classifications in the Police and Fire Departments; the number of positions in each classification, the base salary and the types of incentive pays for each classification.

Motion was made by MPT Willis, seconded by Deputy MPT Edwards, to approve ordinance, as presented, to establish Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; prescribing the base salary and types of pay for those classifications. The motion carried unanimously by a vote of 9 Ayes; 0 Nays and 0 Abstentions.

13. Held and Denied

Hold a public hearing to consider the application of Oscar Heydari, requesting approval of a variance to Section XII.4 of the Downtown Development Standards regarding required parking lot landscaping on property zoned Commercial (C-2) District. The property is located at 119 Main Street. The proposal is for approval of a variance to the Downtown Development Standards requiring a minimum of 5% of the parking area to be landscaped and one large tree for every ten parking spaces. (File DD 12-01)

Addressing this item was Neil Montgomery, Senior Managing Director of Development Services.

The Mayor opened the public hearing at 7:54 pm.

Speaker was Mr. Oscar Heydari, the applicant.

Motion was made by Councilmember Goebel, seconded by Councilmember Rick Williams, to close the public hearing at 8:07 p.m. and deny the request. The motion carried by a vote of 7 Ayes (Goebel, Cahill, Dodson, Jones, Edwards, R. Williams, Campbell); 2 Nays (B.J. Williams, J. Willis) and 0 Abstentions.

14. a. Held and Approved Hold a Public Hearing and consider application of

Tiffany Enriquez requesting approval of a Specific Use Permit for Child Care Center on property zoned Planned Development (PD) 78-87 District for Retail Uses. The property is located at 2121 Northwest Highway, Suites 116 and 117. (Zoning File Z #12-38).

Addressing this item was Neil Montgomery, Senior Managing Director of Development Services.

The Mayor opened the public hearing at 8:10 pm.

Speaker was Sherry Washington, for the Applicant.

Motion was made by MPT Willis, seconded by Deputy MPT Edwards, to close the public hearing at 8:21p.m. and to approve the request as recommended. Motion carried by unanimous vote of 9 Ayes; 0 Nays and 0 Abstentions.

14.b. Held and Approved

Consider the application of Cornerstone United Methodist Church requesting approval of a Specific Use Permit for Child Care Center on property zoned Agriculture (AG) District. The property is located at 7502 North Garland Avenue and is located at the site of a church. (Zoning File Z #12-39)

Addressing this item was Neil Montgomery, Senior Managing Director of Development Services.

The Mayor opened the public hearing at 8:22 pm.

There were no speakers.

Motion was made Councilmember Campbell, seconded by Councilmember Dodson, to close the public hearing at 8:23p.m. and to approve the request as recommended. Motion carried by unanimous vote of 9 Ayes; 0 Nays and 0 Abstentions.

15.Appointed

Consider appointments to Boards and Commissions.

Councilmember Rick Williams nominated Manjula Shrivastava to the Citizens Environmental and Neighborhood

Advisory Committee (CENAC) and motion carried unanimously with a vote of 9 Ayes; 0 Nays and 0 Abstentions.

16. Citizen comments.

There were no speakers.

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 8:24 p.m.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Elaine Simpson, Interim City Secretary