

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, May 21, 2013, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald 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

MEMBERS ABSENT: 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 Ronald Jones. Mayor Jones led the Invocation.

CEREMONIALS: Boy Scout Troop 100, sponsored by the Garland Firefighters Association, led a Flag Ceremony followed by the Pledge of Allegiance. The Garland Firefighters Association provided Mayor Jones the Hero Patrol Lifetime Member Award. Mayor Jones recognized Deputy Mayor Pro Tem Edwards for 6 years of dedicated service to the City of Garland. Mayor Jones recognized Councilman Rick Williams for 6 dedicated years of service to the City of Garland. President of Garland Firefighters Association David Riggs provided a resolution to Mayor Jones and presented a fire helmet as a gesture of appreciation for many years of service to the City of Garland.

CONSENT AGENDA: The following items were pulled from the Consent Agenda: 2g; and 10.

All items marked with asterisks (**) on the Consent Agenda were voted on in a single motion at the beginning of the meeting. A motion was made by Councilman Campbell, seconded by Councilwoman Goebel, to approve Items: 1 as amended; 2a; 2b; 2c; 2d; 2e; 2f; 3; 4; 5; 6; 7; 8; 9; 11; 12; 13; 14; and 15 as presented. A vote was cast and the motion carried with 8 Ayes; 0 Nays (Cahill, absent).

1. Approved** City Council Meeting minutes of the May 7, 2013 Regular Meeting as amended.

- 2a. Approved** Award of Bid No. 3401-13 to PepsiCo Food Service in the amount of \$177,443.25.25 to provide meal service for the City of Garland's Summer Food Service Program.
- 2b. Approved** Award of Bid No. 3495-13 to Safeway Services in the amount of \$150,000 to provide scaffolding services on an as-needed basis for system maintenance on plant equipment at the Olinger and Spencer Power Plants.
- 2c. Approved** Award of Bid. No. 3504-13 to Stuart Irby in the amount of \$254,950.00 for the purchase of steel structures required for construction of the 138kV Nevada Switchyard.
- 2d. Approved** Award of Bid No. 3510-13 to Tri Con Services in the amount of \$425,000.00 with a contingency amount of \$43,000.00 with a total award of \$468,000.00 to provide system improvements to the Rosehill distribution line, including the installation of three manholes, 350' of 30" steel casing bore under IH-30, and approximately 1,700' of 6" line duct work.
- 2e. Approved** Award of Bid No. 3518-13 to Fleetwood Services, LLC in the amount of \$165,000.00 to provide for the complete renovation of bunkers on the 18-hole Lakes Course at Firewheel Golf Park.
- 2f. Approved** Award of Bid No. 3566-13 to Hill & Wilkinson General Contractors in the amount of \$851,502.00 for a Guaranteed Maximum Price for Construction Manager at Risk Services for the City Hall Uninterrupted Replacement and Electric Service upgrade package.
3. Approved** Ordinance No. 6613 amending the zoning laws of the City of Garland by approving an amendment to Planned Development (PD) 08-26 for Freeway Uses and an amended Detail Plan on 2.569-acre tract of land located at 4412 Bass Pro Drive (Zoning File No. 13-6, Atlantic Hotels.
4. Approved** Resolution No. 10105 approving the Park, Recreational & Cultural Arts Department's update to the department's Development Guidelines and the priority needs for future park systems physical improvements.
5. Approved** Resolution No. 10106 approving and funding the 2013 – Cycle 1 Neighborhood Vitality Matching Grants projects.

6. Approved**

Resolution No. 10107 authorizing the Mayor to sell City-owned property located at 1113 Mill River Drive and execute a deed without warranty conveying the property to Crackpot Realty, LLC. for \$20,000.
7. Approved**

Resolution No. 10108 authorizing the Mayor to sell the City-owned property located at 5706 Marina Drive, Unit 3, Building A, to Dr. Robert Milstein for \$28,500.
8. Approved**

Ordinance No. 6614 amending Section 25.04, Park Names, of the Code of Ordinances naming Central Park Baseball Field Number 5 for longtime youth baseball volunteer, Don Koerner.
9. Approved**

Approve by minute action authorizing the Mayor to execute an amendment to the Function Space License Agreement with Harbor Point Hotels, L.L.C. (Atlantic Hotels, Ltd.) for the development of a Holiday Inn Express Hotel on IH-30 within the Harbor Point Development and entering into a shared parking agreement.
11. Approved**

Approve by minute action authorizing the City Manager to execute Change Order No. 1 in the amount of \$63,700 to the Guaranteed Maximum Price contract with Hill & Wilkinson General Contractor to provide temporary relocation of the Lyles and Pace Houses in order to provide an opportunity to explore additional options for the disposition of the houses.
12. Approved**

Approve by minute action authorizing the Mayor to execute a Special Warranty Deed conveying title of undeveloped property for use as a utility easement adjacent to 1234 Rowlett Road owned by James L. and Lana J. Benson to the City of Garland.
13. Approved**

Resolution No. 10109 approving the sale of designated tax foreclosed real property, 212 Southwood, to Habitat for Humanity; authorizing a deed conveying the property to the buyer for a purchase price of \$15,000.
14. Approved**

Approve by minute action authorizing the City Manager to execute a change order with Advanced Communications in the amount of \$32,331.00 for a path to provide fiber network connectivity to Fire Station No. 9 and signalized intersections located at Centerville Road and First Street, Centerville Road at Glenbrook Drive and Center Road and O'Banion.

15. Approved** Ordinance No. 6616 amending Chapter 21, “Fire Prevention and Protection” and Chapter 30, “Building Inspection” of the Code of Ordinances of the City of Garland; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland modifying Section R319.1 of the 2009 International Residential Code and Section 505.1 of the 2009 International Fire Code dealing with street address numbering requirements.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 2g. Approved Director of Fleet Services Terry Anglin provided background information related to a revision of Bid No. 3568-13. Mayor Pro Tem Willis made a motion, seconded by Councilwoman Dodson, to approve Award of Bid No. 3568-13 to Heil of Texas in the amount of \$213,286.00; Bond Equipment Company, Inc. in the amount of 165,624.00; Southwest International Trucks, Inc. in the amount of \$154,773.89; and Freightliner Group, LLC in the amount of \$139,836.00 for a total award of \$673,519.89 for the purchase of five replacement chassis with various bodies to be used by the Environmental Waste Services Delivery and Environmental Waste Services Disposal (Landfill) Departments in their daily operations. A vote was cast and the motion carried with 8 ayes, 0 nays (Cahill, absent).

10. Approved City Attorney Brad Neighbor provided information related to the proposed ordinance addressing distribution boxes and stands for advertising brochures and newspapers. Councilwoman Goebel made a motion, seconded by Councilman Williams to approve Ordinance No. 6615 amending Chapter 33, “Transportation” of the Code of Ordinance of the City of Garland; repealing Sec. 30.298 of Chapter 30, providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland. A vote was cast and the motion carried with 8 ayes, 0 nays (Cahill, absent).

16. Held & Approved Mayor Jones opened the public hearing to consider items 16a; 16b; and 16c related to economic incentive agreements for Sundance Behavioral Healthcare. Paul Mayer representing the Economic Development Partnership spoke in favor of items 16a; 16b; and 16c. The following persons also spoke during the public hearing. Randy Kaniecki, Applicant; Dr. Indukuri; Dr. Sunkaraz; and Elizabeth Berry.

16a. Approved Councilwoman Dodson made a motion, seconded by Mayor Pro Tem Willis to approve the request (Ordinance No. 6618) designating an area as a reinvestment zone for commercial/industrial tax abatement; making certain findings thereon; authorizing the City Manager to execute an agreement with the applicant regarding the reinvestment zone. A vote was cast and the motion carried with 8 ayes, 0 nays (Cahill, absent).

16b. Approved Councilwoman Dodson made a motion, seconded by Councilman B.J. Williams to approve the request (Ordinance No. 6619) ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2302, Texas Government Code, providing tax incentives; designating a liaison for communication with interested parties, nominating RCR Healthcare, LLC (Sundance Behavioral Healthcare) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an enterprise project. A vote was cast and the motion carried with 8 ayes, 0 nays (Cahill, absent).

16c. Approved Councilwoman Dodson made a motion, seconded by Councilman B.J. Williams authorizing the City Manager to execute a tax abatement agreement (Resolution No. 10110). A vote was cast and the motion carried with 8 ayes, 0 nays (Cahill, absent).

17. Approved Approve Ordinance No. 6617 canvassing the results of the General Election held for the purpose of electing candidates to the Office of the City Council of the City of Garland, Texas for an election having been held May 11, 2013; declaring the results of that election; and providing an effective date. Results are as follows:

NAMES OF CANDIDATES	TOTAL VOTES	PERCENTAGE OF VOTES
<u>MAYOR</u>		
Larry Jeffus	1,941	27.55%
Douglas Athas	3,901	55.37%
Delores Elder-Jones	1,061	15.06%
Harry J. Hickey	142	2.02%
<u>COUNCILMEMBER, DISTRICT 3</u>		
Charles C. Egan	247	30.46%
Stephen W. Stanley	564	69.54%
<u>COUNCILMEMBER, DISTRICT 6</u>		
Lori Barnett Dodson	317	100%

COUNCILMEMBER, DISTRICT 7

Scott LeMay	640	54.28%
Manju Shrivastava	39	3.31%
John Kirby	500	42.41%

DISTRICT 8

Jim Cahill	815	100%
------------	-----	------

Councilman Rick Williams made a motion, seconded by Deputy Mayor Pro Tem Edwards, to approve Ordinance No. 6617 canvassing the results of the General Election held May 11, 2013. A vote was cast and the motion carried with 8 ayes, 0 nays (Cahill, absent).

New Members Sworn:

Outgoing Councilmember Rick Williams and Deputy Mayor Pro Tem Edwards provided some final words regarding their tenure on Council. Councilman Elect Stephen Stanley, District 3, was sworn into office by his wife; and Councilwoman Elect Lori Dodson, District 6, accompanied by her parents, was sworn into office by outgoing Mayor Jones. Councilman Elect Scott LeMay, District 7, was sworn into office by his wife. Mayor Jones expressed final farewell. Mayor Elect Douglas Athas was sworn into office by his son. Newly elected Councilmembers took their places at the Dais.

18. Held & Approved

Mayor Athas opened the public hearing regarding the application of North Garland Children’s Childcare Center on property zoned Single Family (SF/10/C/3) District located at 5840 North Garland Ave. (Zoning File No. 13-18)

Assistant Director of Planning Anita Russellman provided background information regarding the request. No other persons spoke during the public hearing. Councilman Campbell made a motion, seconded by Councilwoman Goebel, to approve the request for a Specific Use Permit for operating a daycare within an existing church building as recommended by the Plan Commission at the April 22, 2013 meeting for a permit tied to North Garland Children’s Childcare & Academy as recommended by staff and directed staff to bring forth an ordinance for formal consideration at a future meeting. A vote was cast and the motion carried with 8 ayes, 0 nays (Cahill, absent).

19. Citizen Comments

The following persons provided comment: Alicia Birl representing Garner Little League provided a handout to Council; and Elizabeth Berry.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:53 p.m.

CITY OF GARLAND

Signed:

Mayor

Attest:

City Secretary