

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, June 21, 2016 in the Goldie Locke Room at The Duckworth Building, 217 North Fifth Street, Garland, Texas, with the following members present:

**COUNCIL PRESENT:**

Mayor	Douglas Athas
Mayor Pro Tem	B. J. Williams
Deputy Mayor Pro Tem	Lori Dodson
Council Member	David Gibbons
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	Rich Aubin
Council Member	Scott LeMay
Council Member	James Cahill

**STAFF PRESENT:**

City Manager	Bryan L. Bradford
City Attorney	Brad Neighbor
City Secretary	Eloyce René Dowl

**CALL TO ORDER:**

The meeting was called to order by Mayor Douglas Athas. Council Member Stanley led the pledge and invocation.

**CEREMONIALS:**

Mayor Athas accepted a trophy and plaque from HEB for Garland's participation in the "It's Time Texas Community Health Challenge." Garland won first place in the large city category. Garland Independent School District, partnered with the City and received a \$1500.00 grant.

Mike Davis and Mark Washington received Special Recognition for rendering aid to a citizen in need until an ambulance arrived.

Municipal Courts received the Compliance Program of the year award. Selected from all of the participating agencies in the state, this award is presented to the program showing the most dramatic increase in revenue for their city or county in the past year. Receiving the award were: Tabatha West, Wayne Page, Elizabeth Hernandez, Cindy Green, and Tina Nolasco.

**CONSENT AGENDA:**

All items marked with asterisks (\*\*) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas read those items into the record. Motion was made by Council

Member Stanley to approve the consent agenda with the exception of item 3c, pulled by Council Member Stanley to be discussed separately, seconded by Council Member Goebel, to approve items 2, 3a, 3b, 4a, 5, 6, 7, 8, and 9. Motion carried, 9 ayes, 0 nays.

2. APPROVED\*\*

Approval of the Minutes of the June 7, 2016 Regular Meeting.

3a. APPROVED\*\*

Bid No. 6471-16 to USIC, Inc. in the amount of \$250,000.00 for a Term Contract for Underground Line Locating Services.

The purpose of this contract is to provide locating and marking services for Garland Power & Light underground electrical utilities. This will be a Term Contract with four optional renewals.

3b. APPROVED\*\*

Bid No. 6646-16 to Insituform Technologies, Inc. in the amount of \$745,615.00 for Rowlett Creek Interceptor Rehabilitation.

The purpose of this request is to provide trenchless rehabilitation of approximately 1,860 feet of the existing 48-inch sanitary sewer interceptor that flows from Manhole SS64B-018MH to Manhole SS64-D-1MH on the north side of State Highway 66.

3c. APPROVED

Bid No. 6675-16 to Freese and Nichols, Inc. in the amount of \$529,540.00 for the 2016 Wastewater Master Plan.

The purpose of this contract is to enhance the City's ongoing Asset Management Program by conducting a systematic study of the wastewater collection system, updating the wastewater hydraulic model of the system, determining projected wastewater demands for build-out conditions, and performing a risk-based assessment (RBA) of pipelines and lift stations using condition and criticality parameters.

Mayor Athas opened the discussion at 7:18 p.m. The speaker on this item was Michael Polocek, Director of Engineering. Motion to approve was made by Council Member Stanley, seconded by Council Member Goebel to close the discussion at 7:24 p.m. Motion carried 9 ayes, 0 nays.

4a. APPROVED\*\*

Ordinance No. 6840 amending the Garland Development Code of the City of Garland, by approving a Specific Use Provision for truck/bus repair on a 1.64-acre tract zoned Industrial (IN) District and located at 2605 Oakland Street; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a savings clause and a severability clause; and providing an effective date. (Zoning File No. Z 16-14, Mark Russell, District 5)

5. APPROVED\*\*

Resolution No. 10248 approving the City of Garland Housing Agency Administrative Plan for the Housing Choice Voucher Program and providing an effective date.

The City of Garland Housing Agency has been designated as the Public Housing Agency (PHA) and is authorized to operate the Section 8 Housing Choice Voucher Program within the City of Garland and must adopt an Administrative Plan which states local policies on matters for which the PHA has discretion.

6. APPROVED\*\*

Resolution No. 10249 adopting and approving the Garland Housing Agency's first year update on the 2015-2019 five-year plan; and providing an effective date.

As part of the Quality Housing and Work Responsibility Act of 1998, the City of Garland Housing Agency (GHA) is required by the U.S. Department of Housing and Urban Development (HUD) to submit an annual performance progress report on their five-year plan. At the June 6, 2016 Work Session, Council considered adopting the accomplishments presented

in the first year annual performance plan update for submission to HUD.

7. APPROVED\*\*

Resolution No. 10250 authorizing the City Manager to execute a prepayment agreement among and between the City of Bryan, the City of Denton, the City of Garland and the City of Greenville regarding an elective program of prepayment of fixed cost power purchase payments to the Texas Municipal Power Agency ("TMPA"); and providing an effective date.

On July 12, 2012, the Texas Municipal Power Agency (TMPA) Board of Directors passed a resolution providing TMPA Member Cities an option for the administration of funds received from Member Cities for the purpose of refunding or repaying a portion of TMPA's outstanding revenue refunding bonds, Series 2008 and Series 2013. TMPA is proposing the use of escrow accounts as an option to manage the Series 2008 and Series 2013 debt service and seeks the approval of an agreement between and among the Member Cities to allow the use of the escrow accounts.

8. APPROVED\*\*

Resolution No. 10251 approving the provisions that a certain letter of the Shiloh Business Park, granting variances to deed restrictions on the Lookout Drive Substation Real Property; and providing an effective date.

Council is requested to approve a resolution approving the provisions of the Shiloh Business Park letter granting variances to deed restrictions on the Lookout Drive Substation and radio tower real property.

9. APPROVED\*\*

Ordinance No. 6841 amending Chapter 24, "Municipal Court and Administrative Adjudication," 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, A Savings Clause and a Severability Clause; and providing an effective date.

Council is requested to approve revised Ordinance 24.07.

10. POSTPONED

Appointment to the Dallas Area Rapid Transit Board

This item was postponed until the July 5, 2016 Work Session.

At the Work Session on June 20, 2016 applicants Michael T. Cheney and Mark C. Enoch were interviewed. Applicants T. Patrick Spreng and Jonathan R. Kelly will be interviewed at the Work Session on July 5, 2016.

11a. DENIED

Consider the application of OM Housing, LLC requesting approval of 1) an amended Concept Plan and Planned Development (PD) and 2) a Detail Plan for Multi-Family on property zoned Planned Development 11-32 for Multi-Family and Community Retail Uses. This property is located north of Marketplace Drive and west of Saturn Road. (File No. 16-01, District 5)

This request is to amend Planned Development (PD) 11-32, amend the Concept Plan and establish a Detail Plan for the development of a 262-unit apartment complex. The Detail Plan will establish a future commercial site.

Mayor Athas opened the public hearing at 7:25 p.m. Speakers on this item were Will Guerin, Director of Planning, Kim Wise, applicant, Gail Belton, Dr. Melinda Reagan, Amberton University, Don E. Howard III, Donna Nelson, Pastor Ronald Session, and Frances Hiner, all in opposition to the application. Motion was made by Council Member Aubin to deny approval, seconded by Council Member Cahill. Motion carried 9 ayes, 0 nays.

11b. APPROVED

Consider the application of Rena Taylor requesting approval of a Major Waiver for Office, Retail and Service uses of property located in the Downtown (DT) Zoning District, within the In Town Residential (IR) Sub-District (Garland Development Code, Section 7.06 Land and Building Use

Table 7-1: Downtown District Land Use Matrix). This property is located at 1235 Main Street. (File DD 16-03, District 2)

The applicant requests a Major Waiver to the Downtown District standards to allow Office, Retail and Services uses.

Mayor Athas opened the public hearing at 8:58 p.m. Speakers on this item were Will Guerin, Director of Planning and Rena Taylor, Applicant. Motion was made by Council member Goebel to approve the zoning waiver, seconded by Council Member Stanley to close the hearing at 9:04 p.m. Motion carried 9 ayes, 0 nays.

11c. APPROVED

Consider the application of Hakim Ali, d/b/a A Dash-In Grocery requesting approval of a variance to Section 2.55 of the Garland Development Code regarding the distance to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages. This property is located at 2445 Goldfinch Lane. (File BW 16-03, District 8).

The applicant requests approval of a variance to reduce the required distance of 300 feet from an establishment that sells or serves alcoholic beverages to a church, public school, or public hospital.

Mayor Athas opened the public hearing at 9:05 p.m. Speakers on this item were Will Guerin, Director of Planning, Saleem Lakmani, applicant, Fredda Merritt, Jason Venz, James Venz, and Tim Harper, did not testify but both were in favor of the variance. Motion was made by Council Member Cahill to deny the variance. Motion failed due to lack of a second. Motion was made by Council Member LeMay to approve the variance, seconded by Deputy Mayor Pro Tem Dodson to close the hearing at 9:11 p.m. Motion carried 8 ayes, 1 nay (Council Member Cahill)

11d. APPROVED

Consider the application of the Generator Coffee Shop requesting approval of a variance to Section 2.55 of the Garland Development Code regarding the distance to a

church, public school, or public hospital from an establishment that sells or serves alcoholic beverages. This property is located at 107 Sixth Street. (File BW 16-02, District 2)

The applicant requests approval of a variance to reduce the required distance of 300 feet to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages.

Mayor Athas opened the public hearing at 9:12 p.m. Speakers on this item were Will Guerin, Director of Planning, Nir Sela, applicant, Paul Mayer, CEO Garland Chamber of Commerce. Tim Harper and Donna Nelson did not testify but both were in favor of the variance. Motion was made by Council Member Goebel to approve the variance, seconded by Council Member Stanley to close the public hearing at 9:17 p.m. Motion carried 8 ayes, 1 nay (Council Member Cahill).

12. APPOINTED

A vote was cast and the motion carried 9 ayes, 0 nays as the following name was placed in nomination:

David Parrish – Parks and Recreation Board (District 7)

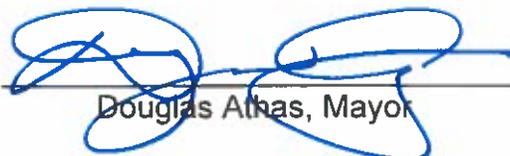
13. CITIZEN COMMENTS: None

14. ADJOURN:

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 9:18 p.m.

CITY OF GARLAND, TEXAS

APPROVED:



Douglas Athas, Mayor

ATTEST:



Eloyce, René Dowl, City Secretary