

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, October 19, 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
	Recording Secretary	Yvonne Naser

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones who also led the invocation. Cub Scout Troop 1988 led the pledge.

CEREMONIALS: Lone Star Grant Award for the Nicholson Memorial Library System presented by State Representative Joe Driver and the Director of the Texas State Library, Peggy Rudd.

Mayor's Good Neighbor Award presented to Mr. and Mrs. Hurtig.

Special Recognition presented to John Galvan.

Special Recognition presented to the Commit to Wellness (C2W) Team.

Proclamation for Neighborhood Week.

Scout Troops 1978 and 2196 were recognized.

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, second by Councilmember Edwards to approve Consent Agenda Item #'s: 1, 2a, 2b, 2c, 2d, 3, 4 and 5. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved** Approve the minutes of the October 4, 2010 Regular Meeting.
- 2a. Approved** Award the bid for the Bradfield Recreation Center and Spring Creek Visitors Center (Bid No. 266-10) to CORE Construction Services of Texas, Inc. in the amount of \$871,600.00.
- 2b. Approved** Award the bid for Field Operations Center, Phase III -Storage Building (Bid No. 401-10) to Lee Lewis Construction, Inc. in the amount of \$1,961,000.00 with a Contingency of \$200,000.00 for a total of \$2,161,000.00.
- 2c. Approved** Award the bid for a Dynamic Mapboard System for McIntire Operations Center at the Newman Power Plant (Bid No. 436-10) to Mauell Corporation in the amount of \$141,225.00 with a Contingency of \$15,000.00 for a total of \$156,225.00.
- 2d. Approved** Award the bid for an interlocal agreement to purchase books and other library materials for all City of Garland libraries (Bid No. 1937-2011) to Brodart Library Services in the amount of \$750,000.00.
3. Approved** Ordinance 6431 approving a change in zoning from Multi-Family (MF-18) District to Commercial-2 (C-2) District and a Specific Use Permit for Contractor Equipment and Storage on a 0.227-acre of land located at 3128 Denton Drive, south of Kingsley Road and east of Denton Drive. (Zoning File No. 10-27, Vincente de Jesus)
4. Approved** Ordinance 6432 amending Chapter 51, "General Utility Provision," of the Code of Ordinances of the City of Garland establishing specific customer safeguards and an informal dispute resolution process required of retail electric providers and formalizing existing customer service department internal operating procedures for establishing, maintaining, and administering utility service.
5. Approved** Minute action approving revisions to City Council Policy No. GOV-01, "Council Appointments to and Communications with Outside Agencies/Authorities."
6. Approved Consider a request by The Fletcher Firm to waive a required payment to the Reforestation and Tree Management Fund regarding property located east of Shiloh Road and north of Westwood Drive. (File TV 10-01)

This request is to waive a required payment in the amount of \$226,500 to the Reforestation and Tree Management Fund for trees that will be removed due to construction of a proposed nursing facility and cannot be mitigated on-site.

Speaking on this item were Assistant Director of Planning Anita Russlemann, Randy Christopher, Dwayne Wilson and Steve Barrett. Registering a position against the waiver were Elizabeth A. Scott, Clyde Nail, Jerry Flook and Ronald C. Leslie.

Motion was made by Councilmember Lathen and second by Councilmember Athas to waive the entire fee of \$226,500.

Motion was made by Councilmember Jeffus and second by Councilmember Lathen to amend the motion to require payment of \$22,650 to the Reforestation and Tree Management Fund.

Motion was made by Councilmember Williams and second by Councilmember Willis to require payment of \$45,300 to the Reforestation and Tree Management Fund Reforestation and Tree Management Fund. Motion failed: 4 Ayes; 5 Nays (Athas, Edwards, Jeffus, Chick and Lathen); and 0 Abstentions.

The Mayor called for the vote on the payment of \$22,650. Motion carried: 7 Ayes; 2 Nays (Athas and Edwards); and 0 Abstentions.

The Mayor called for the vote on the main motion as amended to require payment of \$22, 650 to the Reforestation and Tree Management Fund. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

7. Denied

Hold a public hearing on the following zoning case:

Consider the application of Tony Loveth Okwilagwe, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 150 West Kingsley Road, Suite 506. (File 10-26)

Mayor Jones opened the public hearing at 8:08 pm. Speaking on this item were Assistant Director of Planning Anita Russlemann, Tony Loveth, Alan Sandgarten and Brad Quine for the applicant. Susan Owens, Barry Bonar, Jim Witt, Denise Johnson, Paul McDonald, Margie Castro, Janet Mendoza and

Earl Eugene Swaithes in opposition. Speaking in rebuttal was Brad Quine. Registering a position against the application were: John Richardson, Stephen Vickers, Joann Bowden, Billy Bowden, Winn Garrett, Paula, Garrett, Ronald Leslie, Jerry Flook, Elizabeth Scott, Clyde Nail, Keleda Swaithes, Alyson Witt, Joyce McKee, James McKee and Michael Denman.

Motion was made by Councilmember Willis and second by Councilmember Cox to close the public hearing at 8:54 pm and to deny the application of Tony Loveth Okwilagwe, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

8. Consider appointments to Boards and Commissions.

None

9. Citizen comments.

None

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 8:55pm.

CITY OF GARLAND, TEXAS

Signed:

Mayor Ronald E. Jones

Attest:

Mary J. Kayser, City Secretary