

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, July 13, 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. Councilmember Williams led the invocation and the pledge.

CEREMONIALS: Mayor Jones presented a proclamation for Parks and Recreation Month.

Jerry Nichols, chairman of the Senior Awareness Day, provided an update on the events planned.

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 Williams, seconded by Councilmember Lathen to approve Consent Agenda Item #'s: 1, 2a, 2b, 2c, 2d, 3a, 3b, 4, 5, 6, 8, 9, 10 and 11. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved\*\* Approve the minutes of the June 15, 2010 Regular Meeting.

2a. Approved\*\* Award the bid for Construction Manager at Risk for the Northside Pump Station Renovation (Bid No. 222-09) to Harrison, Walker and Harper, LP in the amount of \$5,449,617.00 and a contingency in the amount of \$300,000.00 for a total of \$5,749,617.00.

- 2b. Approved\*\* Award the bid 3/4-Ton Pickup Trucks (Bid No. 249-10) to Sam Pack's Five Star Ford of Carrollton in the amount of \$101,303.00; to Baby Jack Automotive in the amount of \$107,413.00 and to Randall Reed's Prestige Ford in the amount of \$27,750.00 for a total of \$236,466.00.
- 2c. Approved\*\* Award the bid for the Olinger Plant Water Collection Reservoir Construction (Bid No. 269-10) to Eagle SWS in the amount of \$176,563.00.
- 2d. Approved\*\* Award the bid for the Construction Manager at Risk for the McIntire Operations Center Remodel (Bid No. 411-08) to Harrison, Walker and Harper, LP in the amount of \$1,037,382.00.
- 3a. Approved\*\* Ordinance 6409 approving a Specific Use Permit for a Charter School on property zoned Single Family-7 (SF-7/E/3) District on a 20.5-acre tract of land located at 2302 Firewheel Parkway. (Zoning File No. 10-14, Harmony Science Academy)
- 3b. Approved\*\* Ordinance 6410 approving a Specific Use Permit for Kindergarten, Preschool, or Child Care Center on a 0.331-acre tract of land zoned Central Area 2 (CA-2) District located at 316 South Ninth Street, north of West Avenue C and east of South Ninth Street. (Zoning File No. 10-15, Heavenly Hands Learning Center)
4. Approved\*\* Minute action authorizing the City Manager to execute a design contract with Freese and Nichols, Inc. for the major rehabilitation of the Lavon Pump Station and the Wallace Pump Station (West Pressure Plane Improvements) in the amount of \$830,000.00.
5. Approved\*\* Minute action authorizing the City Manager to execute an agreement with Blue Cross Blue Shield for administrative services for a three-year period (January 1, 2011 through December 31, 2013).
6. Approved\*\* Minute action authorizing the City Manager to enter into an agreement with Dallas Area Rapid Transit (DART) to construct facilities associated with the relocation of DGNO operations from downtown necessitated by the extension of Sixth Street to Walnut and the extension of the Rainbow Estates sound wall in the amount of \$584,385.

7. Approved Motion was made by Councilmember Williams and second by Mayor Pro Tem Cox to approve Resolution 9945 designating the Water Field Operations Complex as the "Jack L. May Field Operations Complex." Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.
8. Approved\*\* Ordinance 6411 authorizing an amendment to the 2010 Capital Improvement Program (Budget Amendment No. 2) providing for the supplemental appropriation of funds in the Firewheel Fund \$671,045 in order to acquire the operational assets of the Firewheel Golf Park's Contractor.
9. Approved\*\* Resolution 9946 authorizing the City Manager to execute a Temporary Golf Management Services Agreement with Don Kennedy, the current Contractor at the Firewheel Golf Park; the Management Services Agreement replaces the existing Firewheel Professional Golf Services and Concession Services contracts.
10. Approved\*\* Resolution 9947 adopting and approving the Garland Housing Agency's Fifth Year Update on the 2005-2010 Five-Year Plan and approving the 2010-2014 Five-Year and Annual Plan.
11. Approved\*\* Resolution 9948 approving the City of Garland Housing Agency Administrative Plan for the Section 8 Certificate and Voucher Programs.
- 12a. Denied Consider the application of Charlie Shearer, requesting approval of 1) a change of zoning from Planned Development (PD) District 88-19 for General Business Uses to a Planned Development (PD) District for Commercial-1 Uses, and 2) a Specific Use Permit for an Alternative Financial Establishment (AFE). The property is located at 1818 Northwest Highway. (File 10-13)

Mayor Jones opened the public hearing at 7:23 PM. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services, Charlie Shearer, Norma White, James N. White, Dawn Coleman, Don E. Howard, III, Susie Rutherford, Tom Jefferies, Mary Kadane, Doris Delle, Virginia Russell. Sue Orite, Linda Barnes, Kathy Cain, Deborah I. Moulder and Linda Orr did not speak but registered their opposition to this item. Charlie Shearer spoke again in rebuttal after the public comments were concluded.

Motion was made by Councilmember Willis and second by Mayor Pro Tem Cox to close the public hearing at 8:06 PM and to deny the application of Charlie Shearer, requesting approval of 1) a change of zoning from Planned Development (PD) District 88-19 for General Business Uses to a Planned Development (PD) District for Commercial-1 Uses, and 2) a Specific Use Permit for an Alternative Financial Establishment (AFE). Motion carried: 7 Ayes; 2 Nays (Athas, Lathen); and 0 Abstentions.

12b. Approved

Consider the application of MJR Engineering, Inc. requesting approval of 1) a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District. The property is located at 775 W. Buckingham Road. (File 10-16)

Mayor Jones opened the public hearing at 8:20 PM. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services and John Clary. Mohammed Kamal, Engineer for the project was present but did not speak.

Motion was made by Councilmember Lathen and second by Councilmember Williams to close the public hearing at 8:24 PM and to approve the application of MJR Engineering, Inc. requesting approval of 1) a Specific Use Permit for 25 years for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

12c. Approved

Consider the application of SM & Lee Inc., requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned General Business (GB) District. The property is located at 723 E. Miller Road. (File 10-17)

Mayor Jones opened the public hearing at 8:25 PM. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services.

Motion was made by Mayor Pro Tem Cox and second by Councilmember Edwards to close the public hearing at 8:26 PM and to approve the application of SM & Lee Inc., requesting approval of a Specific Use Permit for 20 years for Retail Sales with Gas Pumps on property zoned General Business (GB) District. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

12d. Approved

Consider the application of EAI Realty, Inc., requesting approval of a Specific Use Permit for a Commercial School (HVAC repair training facility) on property zoned Planned Development (PD) District 69-31 for Office Uses. The property is located at 1910 Pendleton Drive. (File 10-18)

Mayor Jones opened the public hearing at 8:27 PM. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services and Raymond J. Zedler.

Motion was made by Councilmember Willis and second by Councilmember Jeffus to approve the application of EAI Realty, Inc., requesting approval of a Specific Use Permit for 20 years for a Commercial School (HVAC repair training facility) on property zoned Planned Development (PD) District 69-31 for Office Uses. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

13.

Consider appointments to Boards and Commissions.

The following names were placed in nomination:

Paul F. Hoffman – Plan Commission – Jeffus  
Steven James Burke – Youth Council – Edwards  
Nate Zachary – Youth Council – Jeffus  
Austin Johnson – Youth Council – Jeffus  
Nayelli Lopez – Youth Council – Willis  
Robyn Bashaw – Youth Council Willis  
Mindy Le – Youth Council – Chick

Tracey Whitaker – DART Representative  
Mark Enoch – DART Representative

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

14. Citizen comments.

Don E. Howard, III

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 8:36 pm.

CITY OF GARLAND

Signed:

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Mayor Ronald E. Jones

Attest:

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Mary J. Kayser, City Secretary