The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, November 20, 2012, in the Council Chambers at City Hall with the following members present:

> Mayor Pro Tem John Willis Deputy Mayor Pro Tem Preston Edwards

Councilmember Marvin 'Tim' Campbell

Councilmember Anita Goebel Councilmember B.J. Williams Lori Dodson Councilmember Councilmember Rick Williams Councilmember Jim Cahill

ABSENT MEMBERS: Mayor Ronald Jones

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 Pro Tem John

Willis. Councilwoman Anita Goebel led the Invocation and

the Pledge of Allegiance.

CEREMONIALS: Mayor Pro Tem Willis presented a proclamation to Annalisa

Castillo recognizing November as Pulmonary Hypertension

Awareness Month in the City of Garland.

Mayor Pro Tem Wills presented a Special Recognition to Kendal Staton representing the Garland Emergency Corps for

assisting to save a child's life.

CONSENT AGENDA: Items 2a and 4 were pulled from the Consent Agenda for

separate consideration.

All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. A motion was made by Councilwoman Anita Goebel, seconded by Councilwoman Lori Dodson, to approve Items: 1; 2b; 2c; 3; and 5; as presented. A vote was cast. The motion carried

unanimously with 8 Ayes; 0 Nays; (Mayor Jones, absent).

1. Approved** City Council Meeting minutes of the November 6, 2012

Regular Meeting.

2.b. Approved** Award Bid No. 3132 to TAS Environmental in the amount of

> \$77,500.00 and to Protect Environmental Services, Inc. in the amount of \$77,500.00 for a total bid amount of \$155,000.00 to provide emergency hazardous material clean up on an as

needed basis.

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2c. Approved**

Award Bid No. 3237-13 to Frazier Ltd. in the amount of \$130,075.00 to provide all labor and equipment necessary to refurbish and remount three ambulances to new chassis for the Fire Department.

3. Approved**

Consider Ordinance No. 6576 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Medical Office/Clinic on a 1.83-acre tract of land located at 3630 North Shiloh Road, Suite 209B. Zoning File No. 12-48, General Improvement Co.

5. Approved**

Consider by minute action authorizing the City Manager to execute a contract between the City of Garland and the Texas Railroad Commission.

ITEMS FOR INDIVIDUAL CONSIDERATION:

2a. Approved

Joe Cherri from Garland Power and Light addressed this item. Councilman Campbell made a motion, seconded by Councilmember Cahill, to approve award of Bid No. 3118-12 Olinger to Greenville Transmission Construction in the amount of \$5,669,743.00 to provide labor required to rebuild the Olinger to Greenville 138kV transmission line. This is part of the ERCOT transmission planning requirement for system reliability and security.

4. Approved

Consider by minute action approving the Council Rules of Order and Procedure.

The following person registered a position against the item: Jamie Brittain.

Councilman R. Williams made a motion, seconded by Councilman Campbell, to approve the City Council Rules of Procedure as presented with the exception of Item G1, Page 10, "Timing", which shall be restored to the complete/original (not redacted) version.

Councilman Cahill made a motion to amend the previous motion to remove the 30 minute limit for public comment as presented. The motion to amend died on the floor due to lack of a second.

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Councilman Cahill made a motion, seconded by Councilwoman Dodson, to change the 30 minute time limit for public comment to 60 minutes. A vote was cast and the motion to amend failed with 4 ayes, 4 nays (Campbell, Goebel, Edwards, R. Williams) (Jones, absent)

A vote was cast on the main motion to adopt the City Council Rules and Procedure as provided except that G1, Page 10, "Timing" is restored to the original version. The motion carried with 7 ayes, and 1 nay (Dodson) (Jones, absent)

Consider the following (6a; 6b; and 6c) regarding Shape Corporation. Paul Mayer, CEO of Garland Economic Development Partnership, addressed this item. Items 6a; 6b; and 6c; were voted upon in a single motion. Councilwoman Dodson made a motion, seconded by Councilwoman Anita Goebel, to approve items 6a; 6b; and 6c as presented. A vote was cast and the motion carried with 8 ayes, 0 nays (Mayor Jones, absent).

The following person registered a position against item 6: Jamie Britain.

Consider Ordinance No. 6577 of the City Council of the City of Garland ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (The "Act"), providing tax incentives, designating a liaison for communication with interested parties, nominating Shape Corp. to the Office of the Governor, Economic Development and Tourism ("EDT") through the Economic Development Bank (The "Bank") as an Enterprise Project.

Consider Ordinance No. 6578 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.

Consider Resolution 10081 authorizing the City Manager to execute a Tax Abatement Agreement.

Consider the following (7a; 7b; and 7c) regarding Van-Rob Corporation. Paul Mayer, CEO of Garland Economic Development Partnership, addressed this item. Items 7a; 7b; and 7c were voted upon in a single motion. Councilwoman

6.

6a. Approved

6b. Approved

6c.Approved

7.

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Dodson made a motion, seconded by Councilwoman Goebel, to approve Items 7a; 7b, and 7c as presented. A vote was cast and the motion carried with 8 ayes, 0 nays (Mayor Jones, absent).

The following person registered a position against Item 7: Jamie Britain.

7a. Approved

Consider Ordinance No. 6579 of the City Council of the City of Garland ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (The "Act"), providing Tax Incentives, designating a liaison for communication with interested parties, nominating VR Dallas, Inc. to the Office of the Governor, Economic Development and Tourism ("EDT") through the Economic Development Bank (The "Bank") as an Enterprise Project.

7b. Approved

Ordinance No. 6580 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.

7c. Approved

Resolution No. 10082 authorizing the City Manager to execute a Tax Abatement Agreement.

8.

Consider the following (8a; and 8b) regarding Academy Sports and Outdoors: Paul Mayer, CEO of Garland Economic Development Partnership, addressed this item.

The following person registered a position against Item 8: Jamie Brittain.

Items 8a; and 8b were voted upon in a single motion. Councilman Campbell made a motion, seconded by Deputy Mayor Pro Tem Edwards to approve items 8a; and 8b as presented. A vote was cast and the motion carried with 8 ayes, 0 nays (Mayor Jones, absent).

8a. Approved

Consider Resolution 10083 authorizing the City Manager to execute an Economic Development Agreement with Academy, Ltd.

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8b. Approved

Consider Resolution 10084 authorizing the City Manager to execute an Economic Development Agreement with Gulf Coast Commercial Group, Inc.

9a. Held & Approved

Consider the application of Garland Partners, requesting approval of 1) a change of zoning from Planned Development (PD) Districts 00-63 and 87-28 for Freeway Uses and Agriculture (AG) District to a Planned Development (PD) District for Mixed-Use with Conditions and Concept Plan in the SH 190 Overlay District, and 2) variances to the Comprehensive Zoning Ordinance regarding Parking (Sec. 10-200), Lot and Density Requirements, Setbacks, Lot Coverage and Height in the Multi-Family (MF), Office 2 (O-2), Neighborhood Service (NS) and Shopping Center (SC) Districts (Sec. 19-300 and 400; 21-400; 23-400, 500 and 600; 24-400, 500 and 600). (File 12-41)

Mayor Pro Tem Willis opened the public hearing.

The following persons registered a position against the item during the public hearing: Jamie Brittain. The following persons provided oral testimony: Barbara Baynam, spoke regarding concern for the preserve; and Karen Wilson, representing Oaks at Stony Creek HOA, spoke regarding concern for the preserve.

Senior Managing Director of Development Services Neil Montgomery, provided background information regarding the proposal. Applicant Paris Rutherford provided additional information related to the project and answered questions.

Councilman R. Williams made a motion, seconded by Councilwoman Goebel to close the public hearing and approve the application of Garland Partners, requesting approval of 1) a change of zoning from Planned Development (PD) Districts 00-63 and 87-28 for Freeway Uses and Agriculture (AG) District to a Planned Development (PD) District for Mixed-Use with Conditions and Concept Plan in the SH 190 Overlay District, and 2) variances to the Comprehensive Zoning Ordinance regarding Parking (Sec. 10-200), Lot and Density Requirements, Setbacks, Lot Coverage and Height in the Multi-Family (MF), Office 2 (O-2), Neighborhood Service (NS) and Shopping Center (SC) Districts (Sec. 19-300 and 400; 21-400; 23-400, 500 and 600; 24-400, 500 and 600). (File 12-

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41). A vote was cast and the motion carried with 7 ayes, 0 nays, (Dodson, recused; and Mayor Jones, absent).

9b. Held & Approved

Consider the application of Dowdey, Anderson and Assoc., requesting approval of 1) a change of zoning from Planned Development (PD) District 09-07 for Single Family, Attached Houses (Townhomes) to a Planned Development (PD) District for Single Family, Detached Houses (Patio Homes) with conditions, 2) a Detail Plan for 130 single family residences, and 3) a waiver to Section 31.27 of the Code of Ordinances regarding alleys. (File 12-43)

Mayor Pro Tem Willis opened the public hearing. Senior Managing Director of Development Services Neil Montgomery presenting background information about the project.

Councilman Campbell made a motion, seconded by Councilwoman Goebel, to approve the application of Dowdey, Anderson and Assoc., requesting approval of 1) a change of zoning from Planned Development (PD) District 09-07 for Single Family, Attached Houses (Townhomes) to a Planned Development (PD) District for Single Family, Detached Houses (Patio Homes) with conditions, 2) a Detail Plan for 130 single family residences, and 3) a waiver to Section 31.27 of the Code of Ordinances regarding alleys. (File 12-43) A vote was cast and the motion carried with 8 ayes, 0 nays (Mayor Jones, absent).

CITIZEN COMMENTS:

No citizens spoke.

There being no further business to come before the City Council, Mayor Pro Tem Willis adjourned the meeting at 8:22 p.m.

CITY OF GARLAND

Signed:

Mayor Pro Tem Willis

Attest:

Lisa Palomba, City Secretary