



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, November 14, 2023, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: Mayor Scott LeMay
Council Member Deborah Morris
Mayor Pro Tem Jeff Bass
Deputy Mayor Pro Tem Ed Moore
Council Member B.J. Williams
Council Member Carissa Dutton
Council Member Margaret Lucht
Council Member Dylan Hedrick
Council Member Chris Ott

Staff Present: City Manager Jud Rex
Deputy City Manager Mitch Bates
Assistant City Manager Andy Hesser
Assistant City Manager Crystal Owens
Assistant City Manager Phillip Urrutia
City Attorney Brian England
City Secretary Eloyce RenÃ© Dowl

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

It is the custom and tradition of the members of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during the meeting.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations and recognize attendees or award winners, and may make announcements regarding upcoming City events and matters of interest to citizens. There will be no Council deliberations or votes on these matters.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

The motion was made by Council Member Dutton to approve the Consent Agenda as presented, seconded by

Council Member Lucht. The motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the November 7, 2023, Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** Bridge Remediation - Group 1C **Bid No. 1086-21**

BCTX, LLC	\$292,000.00
Optional Contingency	30,000.00
TOTAL:	\$322,000.00

This request is to approve a Change Order to provide additional repairs for three bridge locations as a part of the Bridge Inventory Inspection and Appraisal Program (BRINSAP) - Group 1C Bridge Remediation construction contract.

b. **APPROVED** Transformers for Warehouse Inventory **Bid No. 0786-23**

Power Electronics (Primary)	\$4,771,465.00
Anixter, Inc (Secondary)	5,634,555.50
	\$10,406,020.50

This request is for the purchase of distribution transformers for Warehouse inventory to support GP&L operations. This approval is for a two (2) year term agreement with three (3) optional one (1) year renewals.

c. **APPROVED** Duck Creek South Extension Trail **Bid No. 1228-23**

Dean Construction	\$2,356,725.58
Optional Contingency	125,000.00
TOTAL:	\$2,484,725.58

This request is for the construction of approximately 7,600 linear feet of a 12-foot wide concrete trail. The trail will be within electric transmission corridors south of IH-30 and will extend from the existing Mesquite Heritage Trail at the city limits of Mesquite towards Ablon Park to the east.

d. **APPROVED** Traffic Signal Cabinets for Warehouse Inventory **Bid No. 0124-24**

Consolidated Traffic Controls, Inc.	\$274,387.00
--	---------------------

This request is for the purchase of traffic signal cabinets for Warehouse inventory to support Transportation operations.

3. **APPROVED** City Health Plan Third-party Administrator Extension

Council approved the extension of our current agreement with BCBSTX through December 31, 2024.

4. **APPROVED** Acquisition of a single family home for affordable housing at 3922 University Drive Through the HOME Program

Council approved the purchase of the property located at 3922 University Drive and authorized the City Manager or designee to execute all legal documents regarding the purchase of the property for the accepted price of \$315,000.

5. **APPROVED** The Council Reviewed and Affirmed the City Council Investment Strategy and Policy in accordance with State law.

There is a requirement in the Public Funds Investment Act, Government Code 2256.005 that the governing body review and affirm the investment strategy and policy annually. There are no proposed changes to the City Council Investment Policy or strategy.

6. APPROVED Resolution of No Objection for Huntington Place Senior Living at 1702 Edgefield Drive

Council approved the Resolution of No Objection for a 4% Low-Income Non-Competitive Tax Credit Program application for the proposed development of Huntington Place Senior Living, to be located at 1702 Edgefield Drive; adopting **Resolution No. 10600**

7. Public hearing(s) were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

a. APPROVED Z 22-58, Abreham Tessema (District 5)

Ordinance No. 7478 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision Amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 20-28] for Truck/Bus Storage on a 2.609-acre tract of land located at 2430 Lonnecker Drive; 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

b. APPROVED Z 23-20, CAT Scale Company (District 6)

Ordinance No. 7479 amending an ordinance of the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign at the existing development on a 7.293-acre tract of land located at 1910 South Jupiter Road 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

c. APPROVED Z 23-24, Angie Lemus (District 1)

Ordinance No. 7480 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 05-60 & Planned Development (PD) District 12-19 to add attached signs and freestanding signs and 2) a Detail Plan to add attached signs and freestanding signs at the existing development on a 8.9414-acre tract of land located at 305 River Fern 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

d. APPROVED Z 23-34, First Place Foods (District 6)

Ordinance No. 7481 of the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Food Processing & Storage Use on a 4.383-acre tract of land zoned Planned Development (PD) District 93-01 for Industrial Uses and located at 751 South International Road; 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

e. APPROVED Z 23-35, Bohler Engineering TX, LLC (District 1)

Ordinance No. 7482 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses and 2) a Detail Plan for an expansion of the existing Walmart Garden Center on a 20.22-acre tract of land located at 5302 North Garland Avenue; 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and

providing an effective date.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards are located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

8. Hold public hearings on:

- a. **APPROVED** Consider an amendment to an ordinance of the Garland Development Code to allow Automobile Repair, Minor only by Specific Use Provision in the Community Retail (CR) District. This item was reported and recommended by the Development Services Committee during the September 18, 2023, City Council Work Session.

Consider and take appropriate action to amend the Land Use Matrix of Chapter 2 of the Garland Development Code to allow for Automobile Repair, Minor use by Specific Use Provision in the Community Retail District.

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were Jerry Lawrence and Cornel Cernat.

The motion was made by Council Member Hedrick to approve the request as presented, seconded by Council Member Lucht. The motion carried:

Vote: 9 ayes, 0 nays, adopting Ordinance No. 7483

- b. **APPROVED** Consider a request by ClayMoore Engineering to allow a Coffee Shop / Restaurant with a Drive-Through [Tim Hortons] and a Retail Store. The site is located at 5050 North Garland Avenue in District 1.

Consider and take appropriate action on the application of ClayMoore Engineering, requesting approval of 1) a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Planned Development (PD) District 01-16 and 2) a Detail Plan for a Restaurant, Drive-Through Use, and a Retail Store Use. This property is located at 5050 North Garland Avenue. (File Z 23-23, District 1).

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Clay Cristy (applicant).

There was discussion by the Council.

The motion was made by Mayor Pro Tem Bass to approve the item as presented, seconded by Council Member Morris. The motion carried:

Vote: 9 ayes, 0 nays

9. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

- a. **Council Member B.J. Williams**

- Arleen Macias - Tax Increment Finance #3 Board

Council Member Williams presented his nomination and a vote was cast with the following result:

Vote: 9 ayes, 0 nays

10. **Citizen comments:** There were no speakers on this item

11. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:23 p.m.

12. **Council will move into Executive Session:** There was no action taken on this item.

Submitted By:

Scott LeMay, Mayor

Eloyce Rene Dowl, City Secretary