



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, December 12, 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
Mayor Pro Tem Jeff Bass
Deputy Mayor Pro Tem Ed Moore
Council Member Deborah Morris
Council Member B.J. Williams
Council Member Margaret Lucht
Council Member Carissa Dutton
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
Deputy City Secretary Tracy Allmendinger

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 Ott to approve the Consent Agenda as presented,

seconded by Lucht. The motion carried:

Vote: 9 - 0

1. Consider approval of the following bids:

a. **APPROVED** Tuckerville Park Development - Bob Day Tennis Center **Bid No. 1302-23**

Dean Construction	\$12,481,719.64
Owner's Contingency	1,248,171.96
TOTAL:	\$13,729,891.60

This request is to construct the new Bob Day Tennis Center in Tuckerville Park. Improvements include the construction of 12 tennis courts and a pro shop with supporting amenities along with the required site work, drainage, paving, and utilities. An owner's contingency is included for any additional work that may be required.

b. **APPROVED** GP&L Substation Disconnect Switches Contract **Bid No. 1323-23**

KBS Electrical Distributors, Inc.	\$750,000.00
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This request is for the as-needed purchase of disconnect switches and associated hardware for use in GP&L substations. This approval is for a one (1) year term agreement with four (4) optional renewals.

c. **APPROVED** GP&L Holford Switch Station Control Enclosure **Bid No. 0081-24**

Electrical Power Products, Inc.	\$1,269,131.00
Owners Contingency	126,913.00
TOTAL:	\$1,396,044.00

This request is for the purchase of a control enclosure for the GP&L Holford Switch Station as part of the approved Holford Switch Station CIP project.

d. **APPROVED** Award of Contract with Dillon Morgan Consulting for Process Improvement **Bid No. 0258-24**

Dillon Morgan Consulting (DMC)	\$ 2,000,000.00
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e. **APPROVED** GP&L McCree to Shiloh 138kV Transmission Line Upgrade Materials **Bid No. 0096-24**

Texas Electric Cooperatives, Inc.	\$1,140,319.00
Owner's Contingency	114,031.90
TOTAL:	\$1,254,350.90

This request is for the purchase of materials needed for the upgrade of the McCree to Shiloh 138kV Transmission Line.

2. Public hearings 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 22-29 Marcer Construction (District 5)

Ordinance No. 7487 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for a multi-family

(condominium) development on a 0.826-acre tract of land located at 2920 Broadway Boulevard; 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.

7487

Vote: 9 - 0

b. APPROVEDZ 23-31 Marta Nambo de Flores (District 6)

Ordinance No. 7488 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Guest House on a 0.2244-acre property zoned Single-Family-7 (SF-7) District and located at 609 Lawson 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.

7488

Vote: 9 - 0

c. APPROVEDZ 23-32 MC Office, LLC.

Ordinance No. 7489 amending the Garland Development Code of the City of Garland, Texas, by approving 1) Specific Use Provision for a Contractor's Office/Warehouse (indoors only) Use on a 1.409-acre property zoned Downtown (DT) District and located at 601 North First 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

7489

Vote: 9 - 0

d. APPROVEDZ 23-37 Shearer, Monk, & Voight (District 6)

Ordinance No. 7490 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Truck/Bus Repair Use on a 3.421-acre property zoned Industrial (IN) District with an existing Specific Use Provision [S 21-15] for a Truck/Bus Storage Use, and located at 3877 Miller Park 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.

7490

Vote: 9 - 0

e. APPROVEDZ 23-39 Peak Health Diagnostics (District 8)

Ordinance No. 7491 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Laboratory, Analytical or Research (indoor) Use on a 0.834-acre property zoned Planned Development (PD) District and located at 1605 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.

7491

Vote: 9 - 0

3. APPROVED Authorization of a Resolution of No Objection for Dominion Acquisition, LLC's Application for 4% Low-Income Tax Credits

Resolution No. 10602 amending Resolution of No Objection for the Cesera Multifamily Development low-income housing 4% tax credit application. The property is located at 202 Belt Line Road and is a partnership project with the Garland Housing Finance Corporation. This item was initially approved by the Council during the September 20, 2022, Regular Council meeting. Texas Department of Housing and Community Affairs has requested an amended Resolution of No Objection containing the required language.

10602

Vote: 9 - 0

4. APPROVED Ordinance amendment concerning ice cream trucks

Ordinance No. 7492 of the Garland City Ordinance prohibiting ice cream trucks from at least 2007 until June 2023. On June 6, 2023, City Council passed an amendment to repeal Section 228.231 of GCO Section 22.26, thus removing the prohibition, effective immediately. While rules to regulate ice cream trucks were being developed, state law changed. House Bill 2878 delegated Dallas County as the permitting authority for all municipalities within the county, effective September 1, 2023.

7492

Vote: 9 - 0

5. APPROVED Neighborhood Vitality Matching Grant Fall 2023 Applications

Consider and take action to approve Pecan Grove Neighborhood Association's application as submitted. At the December 4, 2023, Work Session, Council considered the Neighborhood Vitality Matching Grant Fall 2023 Applications.

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.

6. Hold public hearings on:

a. APPROVED Hold a Public Hearing to expand the boundaries of TIF #1, extend the term of TIF #1, and revise the TIF #1 Project and Financing Plan

At the November 13, 2023, and December 4, 2023, Work Sessions, Council requested that staff bring forward a recommendation to the Board of Directors of the Tax Increment Financing (TIF) Zone #1 to expand the boundaries of TIF #1, extend the term of TIF #1, and revise the TIF #1 Project and Financing Plan. The Board of Directors held a meeting on October 18, 2023, and November 29, 2023, and unanimously approved moving forward with this recommendation.

Sec. 311.003. of the Texas Tax Code specifies the procedure for expanding the boundaries and modifying the Project and Financing Plans of reinvestment zones. A public hearing is required to obtain comments from interested parties regarding its boundaries or the concept of tax increment financing. Following the public hearing, Council will formally consider an ordinance to expand the boundaries of the TIF zone and amend the Project and Financing Plan.

The speaker on this item was Joseph Schroeder, Chair of the Tax Increment Finance Board for the Downtown|Forest Jupiter Zone (TIF#1), applicant.

The motion was made by Council Member Ott to approve the request as present, seconded by Council Member Dutton. The motion carried:

Vote: 9 - 0

b. APPROVED Z 23-46 City of Garland (District 1)

Consider a request by City of Garland, proposing an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process through Plan Commission and City Council, where Data Centers are already allowed by right and meet technical requirements. This area is generally northeast of North President George Bush Turnpike, west of Holford Road, and south of the city limits line in District 1.

Consider and take appropriate action of the application of City of Garland, requesting approval of an amendment to Planned Development (PD) District 20-17 regarding removing the Detail Plan requirement for Data Center Uses when a Data Center is allowed by right and meets applicable requirements. This area is generally located northeast of North President George Bush Turnpike, west of Holford Road, and south of the city limits line. (File Z 23-46, District 1)

The staff report was presented by William Guerin, Director of Planning.

There was discussion by the Council.

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

Vote: 9 - 0

c. APPROVED Z 23-40 1901 W Northwest Hwy, LLC (District 5)

Consider a request by 1901 Northwest Hwy, LLC., proposing an amendment to the Planned Development (PD) Conditions to allow the following uses: Pet Care/Play Facility (indoor), Learning Center, Specialized; Health & Fitness Gym (Indoor); Studio, Fitness or Performing Arts; and Veterinary Clinic, Small Animal (indoors only). The site is located at 1901 Northwest Highway in District 5.

Consider and take appropriate action of the application of 1901 Northwest Hwy, LLC., requesting approval of an Amendment of Conditions to Planned Development (PD) District 94-35 for Community Retail Uses to allow a Pet Care/Play Facility (indoor); Learning Center, Specialized; Health & Fitness Gym (Indoor); Studio, Fitness or Performing Arts, and Veterinary Clinic, Small Animal (indoors only) use. This property is located at 1901 Northwest Highway. (File Z 23-40, District 5)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Cody Perlmeter, applicant.

There was discussion by the Council.

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

Vote: 9 - 0

7. Citizen comments.

Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.

Theree were no speakers on this item.

8. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Frontier FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at www.garlandtx.gov. Copies of the meetings can be purchased through the City Secretary's Office -- audio CD's are \$1 each and DVD's are \$3 each.

There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:30 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce Rene Dowl, City Secretary