



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, January 23, 2024, 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 Dylan Hedrick
Council Member Chris Ott
Council Member Carissa Dutton

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 a custom and tradition of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of each Regular Meeting. Members of the audience are invited but not required to participate.

The decision to participate is strictly a matter of personal choice. It has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during this meeting.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations, recognize attendees or accomplishments, and make announcements regarding City events or other matters of interest to citizens including but not limited to listed items. There will be no Council discussion or votes on these matters.

Mayor LeMay introduced Staci Anaya who presented Kimberly Numi, Heritage Crossing Manager, the Texas Downtown Association President's Award (TRAPS) honoring the City of Garland's exhibit for Garland and Beyond.

Mayor LeMay announced the City of Garland Downtown Development Office's recognition for winning the Texas Downtown 2023 President's Award for Best Promotion of an event for a Population of more than 50,000. Winners of this award are announced in Nacodoches, Texas in conjunction with the Texas Downtown Annual Conference.

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 or his designee to execute each item. The Mayor will announce the

consent agenda and provide an opportunity for members of the audience, as well as Council, to request that any item be removed and considered separately.

The motion was made by Council Member Morris to approve the consent Agenda as presented, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 - 0

1. **APPROVED** Approve the minutes of the January 9, 2024, Regular Meeting

2. **Approve the following bids:**

a. **APPROVED** Change order to existing contract BL# 9364 **Bid No. 0485-19**

Qualicare Landscape Services **\$40,220.00**

This request is to provide downtown and plaza landscape maintenance.

b. **APPROVED** **2023 "Where The Heart Is" Sidewalk Replacement** **Bid No. 0106-24**

Tri-Con Services, Inc. **\$468,605.00**

This request is for the 2023 "Where the Heart Is" Sidewalk Replacement Program for the reconstruction of portions of concrete sidewalks in the following subdivisions: Williams Estates (District 6), The Oaks Estates (District 3), and Orchard Hills Estates (District 5). This project is funded with American Rescue Plan Act (ARPA) funding.

c. **APPROVED** **2023 Alley Paving & Wastewater Improvement Design** **Bid No. 0338-24**

Grantham & Associates, Inc. **\$361,438.00**

This request is to award a professional services contract to Grantham & Associates, Inc. in the amount of \$361,438.00 for the design of the 2023 Alley Improvement Project. This project includes pavement reconstruction for 19 alleys and 2,000 linear feet of sewer line replacement.

3. **A public hearing was previously conducted for the zoning case(s) below. Council approved the zoning request(s) and instructed staff to bring forth the following ordinances:**

a. **APPROVED** **Z 23-45 708 Studios, LLC / Clara M. Carlisle (District 5)**

Consider and take action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District on a 1.159-acre tract of land located at 2930 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.

Ordinance No. 7498 amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District on a 1.159-acre tract of land located at 2930 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.

Vote: 9 - 0

b. APPROVED Z 23-33 Jacobs Telecommunications / Christine Johnson (District 3)

Consider and take action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses and 2) a Detail Plan for an Antenna, Commercial use on a 0.0112-acre tract of land located at 4535 Bass Pro 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.

Ordinance No. 7499 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses and 2) a Detail Plan for an Antenna, Commercial use on a 0.0112-acre tract of land located at 4535 Bass Pro 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.

Vote: 9 - 0

c. APPROVED Z 23-36 Realty Investments C/o Maxwell Fisher (District 3)

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-family-2 (MF-2) and Live/Work uses and 2) a Detail Plan for a Multi-family and Live/Work development on a 9.8649-acre tract of land located at 630 East Interstate 30 Freeway and 5305 Zion 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.

Ordinance No. 7500 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-family-2 (MF-2) and Live/Work uses and 2) a Detail Plan for a Multi-family and Live/Work development on a 9.8649-acre tract of land located at 630 East Interstate 30 Freeway and 5305 Zion 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.

Vote: 9 - 0

d. APPROVED Z 23-42 Matt Drahos (District 2)

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for Automobile Sales, New or Used on a 1.585-acre tract of land located at 421 East Walnut 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.

Ordinance No. 7501 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for Automobile Sales, New or Used on a 1.585-acre tract of land located at 421 East Walnut 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.

Vote: 9 - 0

4. APPROVED Appointment of Municipal Judges

Approve an ordinance appointing John Sholden and Natalie Banuelos as municipal judges for a term of 2 years, as set by state law.

5. APPROVED Appointment of Associate Municipal Judges

Approve an ordinance appointing Sonja Galbraith, Rick Schimmel, and Donna Winfield as contract associate judges of the Municipal Court of the City of Garland.

ITEMS FOR INDIVIDUAL CONSIDERATION

Members of the audience may provide public comment in favor, in opposition or about any of the items for individual consideration. Anyone wishing to speak must fill out a speaker card (located at the entrance to the Council Chambers) and give it to the City Secretary in advance of the respective agenda item. Speakers are grouped by agenda item and will be called in the order of the agenda. All comments and testimony are to be presented from the podium. The Mayor may impose a time limit and may provide for rebuttal.

6. Hold public hearing(s) on:

a. APPROVED 2024 Proposed Capital Improvement Program

Proposed Capital Improvement Program (CIP). The 2024 Proposed CIP has been available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since January 9, 2024.

Mayor LeMay opened the public hearing at 7:20 p.m. there were no speakers on this item and the public hearing was closed at 7:21p.m.

b. WITHDRAWN Consider a Variance request by C&C Consulting and Licensing to allow the continuation of a convenience store to sell beer and wine closer than 300 feet to an existing church. The site is located at 2445 Goldfinch Lane in District 6.

Consider and take appropriate action on the application of C&C Consulting and Licensing, requesting approval of a Variance to reduce the minimum distance requirement between an establishment that sells alcoholic beverages and a church. This property is located at 2445 Goldfinch Lane. (File BW 23-02, District 6)

CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS

Terms are usually staggered whereby at least half of the membership has previous experience. Members are appointed based on qualifications.

7. APPROVED Mayor Scott LeMay

- Charles Leonard - Community Multicultural Commission

Motion was made by Mayor Pro Tem Jeff Bass, and seconded by Council Member B.J. Williams. Motion carried:

Vote: 9 - 0

8. APPROVED Council Member Chris Ott

- Richard Valle - Parks and Recreation Board

Motion was made by Council Member Chris Ott, and seconded by Council Member Margaret

Lucht. Motion carried:

Vote: 9 - 0

CITIZEN COMMENTS

Members of the audience wishing to address issues not on the meeting agenda may have three minutes to speak. However, according to the Texas Open Meetings Act, Council is prohibited from discussing any item not on the posted agenda.

There were no speakers for this item.

ADJOURN

All Regular Meetings of the Garland City Council are broadcast live on CGTV, Time Warner Cable Channel 16 and Frontier FIOS TV 44. Meetings are rebroadcast at 9 a.m. and 7 p.m. Wednesdays - Sundays. Live streaming and on-demand videos of the meetings are also available online at GarlandTX.tv. 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 7:22 p.m.

Submitted By:

Scott LeMay, Mayor

Tracy Allmendinger, Deputy City Secretary