GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, January 14, 2020, 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 Robert John Smith
	Deputy Mayor Pro Tem Robert Vera
	Council Member David Gibbons
	Council Member Deborah Morris
	Council Member Jerry A. Nickerson
	Council Member Jim Bookhout
	Council Member Rich Aubin
	Council Member Dylan Hedrick
Staff Present:	City Manager Bryan Bradford
	Deputy City Manager Mitch Bates
	City Attorney Brad Neighbor
	City Secretary Eloyce René 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.

Mayor LeMay presented comments before the swearing in ceremony for Presiding Judge John Sholden and Associate Judge Natalie Banuelos. Judges Sholden and Banuelos were sworn in by the Honorable Justice David J. Schenck, of the Fifth District Court of Appeals, after which, they presented comments and introduced their family members in attendance.

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.

Motion was made by Council Member Deborah Morris, and seconded by Council Member Jerry A. Nickerson to approve the Consent Agenda as presented. Motion carried:

Vote: 9 - 0

1. APPROVED Consider approval of the minutes of the January 7, 2020 Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED Caterpillar Loader Bid No. 0660-19

Caterpillar, Inc. $50,000.00

This request is to approve Change Order #1 due to a change in the Caterpillar Loader trade-in allowance.

b. APPROVED Landfill Gas to Energy Project Bid No. 0913-19

Morrow Renewables, LLC $509,130.06

This request is to approve the sale of landfill gas and to provide upgrades to a portion of the landfill gas collection and control system at the C.M. Hinton, Jr., Regional Landfill.

3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.

a. APPROVED Zoning File No. Z 19-37, Bill Swisher (District 3)

Ordinance No. 7120 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only); and Pawn Shop Use; and 2) a Detail Plan for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only); and Pawn Shop Use on a 2.8379-acre tract of land located at 484 West IH-30; 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; a Savings Clause, and a Severability Clause; and providing an effective date.

4. APPROVED Resolution No. 10424 authorizing the submission of an application to the North Central Texas Council of Governments' Solid Waste Implementation Grant Program to conduct a technical study relating to the City of Garland's Recycling Program in order to increase efficiency and long-term viability of the program and other actions; and providing an effective date.

At the January 6, 2020 Work Session, Council considered applying for the North Central Texas Council of Governments Grant to provide supplemental funding in a planned study to assess and evaluate the City of Garland's recycling program.

5. APPROVED Resolution No. 10425 and 10426 providing for the redemption of certain outstanding City of Garland, Texas, Tax Notes, Series 2019A and 2019B; and resolving other matters incident and related to the redemption of such obligations.

When Council approved the issuance of $9,530,000 Tax Notes, Series 2019A on May 15, 2019 and the issuance of $12,750,000 Tax Notes Series 2019B on September 3, 2019, it was contemplated that the City would exercise the call provision to redeem the notes prior to the scheduled maturity dates of August 15, 2020 and November 15, 2020, respectively. Staff requests Council consider approving a resolution to redeem the Tax Notes, Series 2019A and 2019B as contemplated.

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. APPROVED Resolution No. 10427 of the City of Garland, Texas, finding and determining that the public necessity and convenience require the acquisition of property rights for the construction and operation of a high voltage transmission line in Garland, Dallas County, Texas for the upgrade and rerouting of the existing College Substation to Jupiter Substation transmission line; providing authorizations to acquire such property rights by condemnation and making certain findings pertaining thereto; providing further authorizations as may be necessary to carry out the purposes of the resolution; and providing an effective date.

This matter was submitted to the Council by written briefing on the December 16, 2019 Work Session agenda. Garland Power and Light is upgrading the College Substation to Jupiter Substation transmission line from 69kV to 138kV in recognition of increased load across GP&L's transmission system. A portion of the existing 69kV transmission line is located in an alley, which does not provide for accommodation of the new 138kV transmission line. This portion of the line will be rerouted along Walnut Street and Jupiter Road. As part of this rerouting, right-of-way acquisition is needed to accommodate the transmission line. The City has been able to successfully negotiate with most property owners along Walnut Street and Jupiter Road to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with the final three remaining property owners named in the proposed resolution. For the remaining tracts, public convenience and necessity require the acquisition of property rights by condemnation.

The staff report was presented by Darrell Cline, Electric Chief Financial Officer for Garland Power & Light.

Motion was made by Council Member Deborah Morris, and seconded by Council Member David Gibbons that the City Council of the City of Garland, Texas, acting by and through Garland Power and Light, authorize the use of the power of eminent domain to acquire the following properties located in the City of Garland, Dallas County, Texas:

- a 1,826 square foot tract of land in the J.W. Keen Survey, Abstract No. 744, City of Garland, Dallas County, Texas, and being part of a 49,517 square foot tract of land conveyed to Amar, LLC, Narches 3, LLC and Alexandria 3, LLC;
- a 2,472 square foot tract of land in the J.W. Keen Survey, Abstract No. 744, City of Garland, Dallas County, Texas. and being part of Lot 1, Block 3 of Garland Hospital & Clinic No.2;
- a 2,293- square-foot tract of land in the J.W. Keen Survey, Abstract No. 744, City of Garland, Dallas County, Texas, and being part of a 3.92 acre

tract of land conveyed to AN@Oak Creek, LLC;

for the relocation and upgrading of the College Substation to Jupiter Substation transmission line from 69 kV to 138kV. Motion carried:

Vote: 9 - 0

7. **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.

Mayor Pro Tem Smith

- Forrest Oliver - Senior Citizens Advisory Committee

Mayor Pro Tem Smith presented Forrest Oliver for appointment to the Senior Citizens Advisory Commission A vote was cast approving Mr. Oliver:

Vote: 9 - 0

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

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.

9. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:22 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary