GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, March 17, 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.

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 Deputy Mayor Pro Tem Robert Vera, and seconded by Council Member Dylan Hedrick to approve the Consent Agenda as presented: Motion carried:

Vote: 9 - 0

1. APPROVED **Consider approval of the minutes of the March 3, 2020 Regular Meeting.**

2. **Consider approval of the following bids:**

a. APPROVED **Roll-Off Truck for Wastewater Department** **Bid No. 0608-20**

Grande Truck Center **$ 196,995.00**

This request is for the purchase of a replacement roll-off truck for thre Wastewater Department.

b. APPROVED **Telephone Equipment** **Bid No. 0606-20**

Black Box Network Services **$ 253,556.75**

This request is for the purchase of new Voice Over IP (VoIP) telephone desk sets and conference room sets that will be deployed throughout the organization.

c. APPROVED **GP&L 138kV Transmisson Line Monopoles** **Bid No. 0210-20**

Techline, Inc. **$ 412,099.00**

This request is to purchase thirteen (13) steel monopoles for the Wynn Joyce to Miller Road Lake Crossing Project.

d. APPROVED **Naaman School Road Engineering and Construction Management Services** **Bid No. 0618-20**

Teague Nall and Perkins, Inc. **$ 2,273,800.00**

This request is to obtain engineering services associated with the Naaman School Road project between East Brand Road and State Highway 78.

e. **APPROVED** **Replacement Vehicles for Various Departments** **Bid No. 0607-20**

Sam Pack's Five Star Ford	**$ 862,092.46**

This request is for the purchase of twenty-one (21) replacement vehicles for various City departments.

f. **APPROVED** **GP&L Shiloh Road to McCree 138kV Transmission Line Reconstruction Engineering Services** **Bid No. 0601-20**

R-Delta Engineers, Inc.	**$ 442,000.00**

This request is to obtain engineering services associated with the Shiloh Road to McCree 138kV transmission reconstruction project.

g. **APPROVED** **GP&L College to Brand Road 138 kV Transmission Line Reconstruction Engineering Services** **Bid No. 0600-20**

R-Delta Engineers, Inc.	**$ 958,000.00**

This request is to obtain engineering services associated with the College to Brand Road 138kV transmission line reconstruction project.

h. **APPROVED** **GP&L Nevill Road Switch Steel Structures** **Bid No. 0457-20**

SAE Towers, Ltd.	**$ 1,156,485.64**

This request is to purchase steel structures for the Nevill Road Switch Station. An Optional Contingency is included for any additional material that may be required.

i. **APPROVED** **Asphalt Road Materials** **Bid No. 0204-18**

Oldcastle Materials Texas, Inc./TexasBit	**$ 1,564,750.00**
Austin Asphalt LP	**1,564,750.00**
TOTAL:	**$ 3,129,500.00**

This request is for the purchase of asphalt road surfacing products for patching potholes and overlaying throughout the city.

3. **APPROVED** **IH 635 Project Traffic Signal Equipment Reimbursement and Maintenance Agreement with TxDOT**

Authorized the City Manager to execute an agreement with TxDOT regarding the IH 635 Project Traffic Signal Equipment Reimbursement and Maintenance Agreement. The agreement details how TxDOT will reimburse the City of Garland for these costs up to $636,562.00.

4. APPROVED **Minute Action approving the Use of Narcotic Seizure Funding for Rifle Replacement Program**

At the March 2, 2020 Work Session, Council considered authorizing the use of narcotic seizure funds for the replacement of patrol rifles. Council is requested to consider approving the use of narcotic seizure funds for the replacement of patrol rifles.

5. APPROVED **Resolution No. 10431 Authorizing Publication of a Notice of Intent to Issue Certificates of Obligation**

At the March 2, 2020 Work Session, Council considered authorizing the publication of a Notice of Intent to Issue Certificates of Obligation in an amount approximately $20 million to fund a portion of the CIP and pay related issuance costs of approximately $150,000. Council is requested to approve a Resolution authorizing publication of a Notice of Intent to Issue Certificates of Obligation.

6. APPROVED **Resolution No. 10432 of the City of Garland, Texas, authorizing the Chief of Police to submit a grant application for a crime scene and forensics lab equipment project for FY-2021; and providing an effective date.**

Council approved a resolution authorizing the Chief of Police to submit a grant application for a crime scene and forensics lab equipment project for FY-2021.

7. APPROVED **Ordinance No. 7130 amending Chapter 24, "Municipal Court and Administrative Adjudication" of the Code of Ordinances of the City of Garland, Texas; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a savings clause and a severability clause; and providing an effective date.**

Council approved an amendment to Sec. 24.49 (I) of the Code of Ordinances.

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 the application of Weir and Associates, Inc.; requesting approval of an amendment to Planned Development (PD) District 05-22 for Community Office (CO) Uses. This property is located at 5500 North Shiloh Road. (File No. Z 19-33, District 7) (formerly Item 9a)**

The applicant requests to build five (5) office buildings. This item serves as the applicant's Planned Development (PD) amendment request.

Will Guerin, Director of Planning, presented the staff report. Speaker on this item was Randall Eardley, applicant. There was discussion by the Council.

Motion was made by Council Member Dylan Hedrick, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the item with the condition to require a property ownership agreement. Motion carried:

Vote: 9 - 0

b. APPROVED Consider the application of Wier and Associates, Inc.; requesting approval of a Detail Plan for Community Office (CO) Uses. This property is located at 5500 North Shiloh Road. (File No. Z 19-33, District 7) (formerly Item 9b)

The applicant reqeusts to build five (5) office buildings. This item serves as the applicant's Detail Plan request.

Motion was made by Council Member Dylan Hedrick, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the item with the condition to require a property ownership agreement. Motion carried:

Vote: 9 - 0

9. APPROVED Ordinance No. 7131 declaring a state of disaster and emergency because of the impact of COVID-19, confirming and ratifying an emergency proclamation, and adopting, approving and ratifying certain rules to protect the health of persons in the City.

Council considered formal action with respect to responding to the COVID-19 emergency.

The staff report was presented by Jason Chessher,Health Director, presenting an update on COVID-19.

Speakers on this item were: Cary Hodson, President, Downtown Business Association, Jim Griffin; Jerry DeFeo, David Harris, Bleachers Sports Grill; Patti Craft, Texas Skatium; Randi Johnson, Texas Skatium; Darren Luna, Darren's American Grill; Leslie Luna, Luna 23; Jeff Bass, Dickie's Barbecue; Oliver Valdez, Chips& Salsa; Ashley Weaver, Millhouse Pizza; Sam Parks, Parks Place; and Dr. Heather Bass, Baylor Scott & White (McKinney). David Nerdyke did not speak, but submitted a position to mandate closures and declaring a state of emergency. There was discussion by the Council.

Mayor LeMay opened the floor for Council Members to relay information that was delivered to them from constituents. Council Member Aubin read constituent comments into the record.

Mayor LeMay requested Brad Neighbor, City Attorney, provide an overview of the Dallas County order and its authority as it relates to home-rule cities. He explained the jurisdictional authority provided to the Council when the Ordinance declaring a state of disaster and emergency, confirming and ratifying the emergency proclamation, (signed by Mayor LeMay on March 16, 2020) is adopted. He further explained how jurisdictional conflicts are resolved based on the State Constitution. He informed the Council the ordinance could be amended at its discretion.

Mr. Chessher provided additional information to Council on dine-in and carryout from a health perspective. He was not aware of any specific health requirements that are necessary, absent physical changes of adding a drive-thru window. He explained which COVID-19 tests are sent to the Garland Health Department. He further stated that he is unaware of any private tests that were performed on Garland residents; laboratories are required by law to notify the City of positive diagnoses. His staff is researching other metrics, beyond testing, to determine the number of cases.

Mayor LeMay read the staff recommendation to adopt the declaration of a state of disaster and emergency issued on Monday, March 16, 2020, be amended to be consistent with the restrictions issued by Dallas County on Monday, March 16, 2020.

Mayor LeMay announced the Council's Special Meeting on Tuesday, March 24, 2020 at 6 p.m. with the ability to respond earlier if necessary. Council Members presented suggestions for edits to the ordinance.

Mayor LeMay called for a recess at 8:57 p.m.

Mayor LeMay reconvened the meeting at 9:10 p.m.

Council Member Aubin played a video by Dr. Mike Ryan, World Health Organization, Director of Emergency Response. There was additional discussion by the Council regarding appropriate actions to take and those enacted by other jurisdictions.

Motion was made by Council Member David Gibbons, and seconded by Council Member Rich Aubin to adopt the Dallas County model with provisions and restrictions given by Judge Jenkins. Other provisions for gathering limits, long-term care facilities, exclusion of sick persons and anti-hoarding provisions would remain as stated in the current document. Motion carried:

Vote: 5 - 4

10. 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.

Council Member Morris presented the nomination of Kymberlaine Banks for the Community Multicultural Commission. A vote was cast and Ms. Banks was confirmed 9 ayes, 0 nays.

<u>Council Member Deborah Morris</u>

- Kymberlaine Banks - Community Multicultural Commission

Vote: 9 - 0

11. Citizen comments: There were speakers on this item.

12. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 9:44 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary