GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, May 19, pursuant to Section 551.045, by telephone or internet in 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
	Assistant City Manager John Baker
	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 Council Member Deborah Morris, and seconded by Council Member David Gibbons to approve the Consent Agenda as presented. Motion carried:

Vote: 9 - 0

1. APPROVED **Consider approval of the minutes of the April 18 Special Session and May 5 Regular Meeting.**

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

a. APPROVED **GP&L Valve Maintenance and Repair Services** **Bid No. 0747-20**

Total Valve Systems **$200,000.00**

This request is to provide as-needed maintenance, certification, and emergency repairs to all GP&L Olinger and Spencer Plant valves including boiler safety valves. This approval is for a Term Agreement with four optional renewals.

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 Z 20-06 Westwood Professional Services (District 5)**

Ordinance No. 7143 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 13-40 for Community Retail (CR) Uses and 2) a Detail Plan for an Office/Retail Building on 1.258-acre tract of land located at 1122 West Centerville 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; a Savings Clause, and a Severability Clause; and providing an effective date.

4. APPROVED **Resolution No. 10437 authorizing the submission and acceptance of an application to the Bureau of Justice Assistance for grant under the FY 2020 Coronavirus Emergency Supplemental Grant Funding Program; and providing an effective date.**

At the May 18, 2020 Work Session, Council considered a request from the Police Department to apply for funding under the Justice Assistance Grant program for the purpose of Coronavirus Emergency Supplemental Funding. The funding will be used to purchase equipment and supplies that will be utilized to prevent, prepare for and respond to the coronavirus. Funds will be shared between the Fire Department, Health Department, Office of Emergency Management and the Police Department.

5. APPROVED **Resolution No. 10438 to amend the Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the company; find that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel; providing a repealing clause; and providing an effective date.**

At the May 18, 2020 Work Session, Council was asked to consider approving a resolution denying the DCRF amendment proposed by Oncor.

6. APPROVED **Ordinance No. 7144 authorizing the issuance of "City of Garland, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2020," providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues derived from the operation of the City's Water and Sewer System; providing the terms and conditions of such certificates of obligation and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said certificates of obligation, including the approval and execution of a Paying Agent/Registrar Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement pertaining thereto; and providing an effective date.**

At the March 2, 2020 Work Session, Council considered authorizing the sale of Certificates of Obligation in the approximate amount of $20 million to fund a portion of the approved 2020 CIP.

7. APPROVED **Ordinance No. 7145 authorizing the issuance of "City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2020", pledging the net revenues of the City's electric utility system to the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement; and providing an effective date.**

At the March 2, 2020 Work Session, Council considered authorizing the refunding of approximately $40 million of Electric Utility System Commercial Paper Notes, Series 2018 with Electric System Revenue Refunding Bonds, Series 2020. The purpose of this transaction is to refund a portion of variable rate commercial paper notes with fixed rate long-term debt.

8. APPROVED **Ordinance No. 7146 temporarily amending Sec. 25.15(D) of Chapter 25, "Parks and Recreation" to provide a temporary limit on the number of persons allowed to be present in Windsurf Bay Park; 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 and a Reverter Clause.**

At the May 18, 2020 Work Session, Council considered adopting an ordinance to temporarily amend Section 25.15(D) of Chapter 25, "Parks and Recreation" to provide a temporary limit on the number of persons allowed to be present at Windsurf Bay Park on three major holiday weekends.

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.

9. PUBLIC HEARING HELD: **Hold a Public Hearing to Receive Comment on the 2020-2021 CDBG, HOME and ESG Federal Grant Allocation**

A public hearing will be held to solicit comments from any interested parties relating to 2020-2021 CDBG, HOME and ESG grants.

Mayor LeMay opened the public hearing and called for speakers. There were no speakers on this item.

10. **Hold public hearings on:**

a. DENIED **Consider the application of John Paul Khoury, requesting approval of a Specific Use Provision for Automobile Sales, New or Used on a property zoned Light Commercial (LC) District. This property is located at 1414 Forest Lane. (File No. Z 20-01, District 2)**

The applicant proposes used car sales.

The staff report was presented by Kimberly Hopkins, Development Planner. Speaker on this item was John Paul Khoury, applicant. There was discussion by the Council.

Motion was made by Council Member Deborah Morris, and seconded by Mayor Pro Tem Robert John Smith to deny the application. Motion to deny carried:

Vote: 9 - 0

b. APPROVED **Consider the application of 4B2D – DFW Tea Co., LLC, requesting approval of 1) a Specific Use Provision and 2) a Detail Plan for a Restaurant, Drive-Through on a property zoned Planned Development (PD) District 17-18 for Community Retail (CR) Uses. Approval of this item may include amendments to Planned Development (PD) District 17-18. This property is located at 3428 West Buckingham Road. (File No. Z 20-03, District 6)**

The applicant proposes the operation of an approximate 2,500 square-foot "HTeaO" (Tea) Restaurant, Drive-Through.

The staff report was presented by Kimberly Hopkins, Development Planner. Speakers on this item were: Beau Durham and Brad Williamson, applicants. There was discussion by the Council.

Motion was made by Deputy Mayor Pro Tem Robert Vera, and seconded by Council Member Rich Aubin to approve as recommended by staff and Plan Commission. Motion carried:

Vote: 9 - 0

c. DENIED **Consider the application of Allstate Carriers LLC, requesting approval of 1) a Specific Use Provision for Truck and Bus Repair, 2) a Specific Use Provision for Truck Sales/Leasing/Rental, and 3) a Specific Use Provision for Truck/Bus Storage. This property is located at 4030 and 4040 Forest Lane. (File No. Z 20-08, District 6) (This item was postponed from the May 5, 2020 Regular City Council meeting.)**

The applicant proposes a five (5) year operation of a warehouse/storage distribution use with truck and bus repair, truck sales/leasing/rental, and truck bus storage on a property developed for industrial uses.

The staff report was presented by Kira Wauwie, Principal Planner and Will Guerin, Director of Planning. Speakers on this item were: Darin Norman, architect and Correy Price, applicant. There was discussion by the Council.

Motion was made by Deputy Mayor Pro Tem Robert Vera, and seconded by Council Member Jim Bookhout to deny the request based on staff and Plan Commission recommendation. Motion to deny carried:

Vote: 9 - 0

11. **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.

12. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:49 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary