GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, June 2, 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 Jerry A. Nickerson, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the Consent Agenda as presented. Motion carried:

Vote: 9 - 0

1. APPROVED Consider approval of the minutes of the May 12 Special Session and May 19 Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED Engineering Design Services for Callejo Road Paving, Water, Wastewater and Drainage Improvements **Bid No. 0922-20**

CP&Y, Inc. **$1,026,471.00**

This request is to provide professional design services for paving, water, wastewater and drainage improvements on Callejo Road between Campbell Road (west) and Botello Road.

b. APPROVED Ambulance Replacement **Bid No. 0916-20**

Mac Haik Dodge Chrysler Jeep **$806,875.00**

This request is to purchase three replacement ambulances to be used by the Garland Fire Department.

c. APPROVED Heavy Duty Trucks **Bid No. 0919-20**

Freightliner of Austin **$822,077.00**

This request is for the purchase of six heavy duty replacement trucks for the EWS and Water Departments.

d. APPROVED **Construction of Garland Pedestrian Path** **Bid No. 0634-20**

Tri-Con Services, Inc.	**$866,000.00**
Optional Contingency	**87,000.00**
TOTAL:	**$953,000.00**

This request is to provide for the construction of approximately 1.66 miles of 6-foot-wide sidewalk, pedestrian curb ramps, driveways, bus stop pads, road marking and related utility improvements. An Optional Contingency is included for any additional work that may be required.

e. APPROVED **Wastewater Improvements in Nine Alleys** **Bid No. 1117-19**

Grantham and Associates, Inc.	**$91,050.00**

This request is to approve Change Order No. 1 for additional engineering design services for water and wastewater line design at four (4) of the locations and the replacement of 1,000 linear feet of water line.

f. APPROVED **Streetscape Design Standards Professional Services** **Bid No. 0923-20**

JBI Partners, Inc.	**$110,000.00**

This request is to provide professional services to develop design specifications, standard construction details and typical sections for landscape, hardscape, irrigation, lighting, multiuse paths and various associated accessories.

g. APPROVED **GP&L Nevill Road Switch Station Construction Materials** **Bid No. 0845-20**

KBS Electrical Distributors, Inc.	**$987,165.05**
Optional Contingency	**98,716.00**
TOTAL:	**$1,085,881.05**

This request is for the purchase of construction materials for the Nevill Road Switch Station as part of the approved GP&L Nevill Road Switch CIP project. An Optional Contingency is included for any additional materials that may be required.

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 20-03 4B2D - DFW Tea Co, LLC (District 6)

Ordinance No. 7147 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a restaurant, drive-through and 2) a Detail Plan for a restaurant, drive-through on a 0.598-acre tract of land zoned Planned Development (PD) District 17-18 for Community Retail (CR) District uses and located at 3428 West Buckingham 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 Savings Clause and a Severability Clause; and providing an effective date.

4. APPROVED Minute action approving the appointment of a City of Garland representative to the North Texas Municipal Water District Board

Council appointed Mr. Jack May as a representative to the North Texas Municipal Water District Board for a two-year term beginning June 1, 2020.

5. APPROVED Minute action approving the TMPA office lease agreeement for GP&L crews in Bryan, Texas.

At the May 18, 2020 Work Session, staff presented a proposal for an office lease agreement for TMPA. With the closure of the TMPA Gibbons Creek generation plant and the pending decommissioning of the generation facilities, office space and covered storage will need to be leased for the GPL crews in Bryan, Texas.

6. APPROVED Resolution No. 10439 authorizing the City Manager to execute an Interlocal Agreement with Dallas County relating to the Dallas County CARES Act Funding; and providing an effective date.

At the June 1, 2020 Work Session, Council considered the federal CARES Act funding the City is receiving through Dallas County and the options for potential COVID related programs.

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.

7. APPROVED Council directed the City Manager and the City Attorney to Negotiate Definitive Settlement Documents Relating to the North Texas Municipal Water District Rate Appeals Litigation

Council authorized and directed the City Manager and the City Attorney to negotiate final, definitive forms of settlement documents relating to the City's participation in the appeal of water rates charged by the North Texas Municipal Water District.

Motion was made by Council Member Nickerson and seconded by Council Member Aubin to authorize and direct the City Manager and our City Attorney to negotiate definitive agreements, including a settlement agreement and an amendment to our current Amendatory Contract with the North Texas Municipal Water District, to be presented to this Council at a later date for final approval as discussed in closed session. Motion carried:

Vote: 9 - 0

8. Hold public hearings on:

a. Consider the application of Pulte Group, requesting approval of a Change in Zoning from Planned Development (PD) District 18-05 for Community Retail (CR) Uses to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses. This property is located at 5001 Zion Road. (File No. Z 20-04, District 3) (The applicant requests postponement to the June 16, 2020 Regular City Council meeting.)

The applicant proposes to build a subdivision consisting of detached single-family homes. The previous development proposed was for a church. This item serves as the applicant's Planned Development (PD) amendment request.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Mayor Pro Tem Robert John Smith to approve the request to postpone to June 16. Motion carried:

Vote: 9 - 0

b. Consider the application of Pulte Group, requesting approval of a Detail Plan for Single-Family-5 (SF-5) Uses. This property is located at 5001 Zion Road. (File No. Z 20-04, District 3) (The applicant requests postponement to the June 16, 2020 Regular City Council meeting.)

The applicant proposes to build a subdivision consisting of detached single-family homes. The previous development proposed was for a church. This item serves as the applicant's Detail Plan request.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Mayor Pro Tem Robert John Smith to approve the request to postpone the case to June 16. Motion carried:

Vote: 9 - 0

c. **Consider a Development Agreement regarding Zoning File No. Z 20-04. (The applicant requests postponement to the June 16, 2020 Regular City Council meeting.)**

Consider a Development Agreement between Pulte Group and the City of Garland. This Development Agreement relates to Zoning Case Z 20-04 for a proposed single-family development at 5001 Zion Road. It is recommended that a development agreement accompany Zoning Case Z 20-04 regarding specific standards to the building elevations and materials of the homes as presented by the applicant.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Mayor Pro Tem Robert John Smith to approve the request to postpone the case to June 16.
Motion carried:

Vote: 9 - 0

d. **Consider the application of Garland Senior Living, Ltd., requesting approval of an Amendment to Planned Development (PD) District 07-33 for Single-Family-7 (SF-7) Uses to add Multi-Family Dwelling Uses [Elder Care – Independent Living Use]. This property is located at 502 Belt Line Road, 301 Tina Drive and 2222 Monarch Drive. (File No. Z 20-07, District 8)**

The applicant proposes to build a Senior Living Apartment community on an unimproved portion of a property that is developed with a church. This item serves as the applicant's Planned Development (PD) amendment request.

The staff report was presented by Kira Wauwie, Principal Planner. Speakers on this item were: Avis Chaisson, applicant, Kim Parker Schwimmer, applicant, Scott Johnson, applicant and Erik Earnshaw, architect. There was discussion by the Council.

Motion was made by Mayor Pro Tem Robert John Smith, and seconded by Council Member David Gibbons to postpone this case to June 16. Motion carried:

Vote: 9 - 0

e. **Consider the application of Garland Senior Living, Ltd., requesting approval of an Amended Detail Plan for Elder Care – Independent Living Use. This property is located at 502 Belt Line Road, 301 Tina Drive and 2222 Monarch Drive. (File No. Z 20-07, District 8)**

The applicant proposes to build a Senior Living Apartment community on an unimproved portion of a property that is developed with a church. This item serves as the applicant's Detail Plan request.

Motion was made by Mayor Pro Tem Robert John Smith, and seconded by Council Member David Gibbons to postpone this case to June 16. Motion carried:

Vote: 9 - 0

9. **Citizen comments:** Lisa Dribben

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.

10. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 9:13 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary