GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, July 21, 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
	Assistant City Manager John Baker
	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 Jim Bookhout to approve the Consent Agenda as presented, with the exception of Item 3C, which was pulled by Don Phillips, citizen, for individual consideration. Motion carried:

Vote: 9 - 0

1. Consider approval of the minutes of the June 29 Special and July 7 Regular Meetings.

2. Consider approval of the following bids:

a. E-Book Platform and Materials **Bid No. 1005-20**

Overdrive, Inc.	**$382,000.00**

This request is for the libraries to continue offering downloadable books and audiobooks to patrons. This approval is for a Term Agreement with four optional renewals.

b. Dent Road Switch Station Grading Construction **Bid No. 0306-19**

Mann Robinson & Son	**$64,266.80**

This request is to approve Change Order #3 for Dent Road Switch Station Grading Services.

c. Engineering Services for Parking Lot Improvements at Various Park Locations **Bid No. 1073-20**

R-Delta Engineers, Inc.	**$380,000.00**
Optional Contingency	**40,000.00**
TOTAL:	**$420,000.00**

This request is to obtain professional services for the design and construction administration of parking lot paving at eight park sites. An Optional Contingency is included for any additional services that may be required. This project is part of the 2019 Bond Program and approved in the 2020 CIP.

d. **Saturn Springs Estates Drainage Improvements Study** **Bid No. 1074-20**

O'Brien Engineering, Inc.	**$108,225.00**
Optional Contingency	**15,000.00**
TOTAL:	**$123,225.00**

This request is to obtain professional services for the preparation of a drainage study in the Ashwood, Overhill and Sycamore Streets area of Saturn Springs Estates subdivision. An Optional Contingency is included for any additional services that may be required. This project is part of the 2019 Bond Program and approved in the 2020 CIP.

e. **Duck Creek Wastewater Treatment Plant Odor and ASAB Aeration Improvements Project** **Bid No. 0854-20**

Gracon Construction, Inc.	**$12,724,045.35**

This request is to provide construction services for Phase One of the Odor Control Project at the Duck Creek Wastewater Treatment Plant.

f. **Keele Drive Wastewater Main Replacement** **Bid No. 0893-20**

Aushill Construction, LLC	**$270,048.20**
Optional Contingency	**27,004.82**
TOTAL:	**$297,053.20**

This request is to provide wastewater main improvements on Keele Drive. An Optional Contingency is included for any additional work that may be required.

g. **GP&L Olinger to Wylie 138kv Transmission Line Construction - Lake Lavon Crossing Foundations** **Bid No. 0945-20**

DynaGrid Construction Group, LLC	**$1,999,219.36**
Optional Contingency	**399,843.00**
TOTAL:	**$2,399,062.36**

This request is to provide labor and equipment necessary to construct and place twelve concrete shaft anchor bolt foundations and four embedment pole foundations. An Optional Contingency is included for any additional work that may be required.

3. **Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.**

a. Zoning File No. Z 19-21, Kirkman Engineering (District 2)

Ordinance No. 7155 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change of Zoning from Industrial (IN) District to a Planned Development (PD) District for Industrial Uses including Food Processing & Storage, and Outdoor Storage and Tank Battery; and 2) a Detail Plan on a 4.00-acre tract of land zoned Industrial (IN) District and located at 515 Mills 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.

b. Zoning File No. Z 19-39, Geoffrey Bossiere (District 7)

Ordinance No. 7156 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Neighborhood Services (NS) District to a Planned Development (PD) District for Neighborhood Services (NS) District to add uses currently not permitted and 2) a Detail Plan on a 1.834-acre tract of land zoned Neighborhood Services (NS) District and located at 3630 North Shiloh 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.

d. Zoning File No. Z 20-11, Vincent Gerard & Associates, Inc. (District 3)

Ordinance No. 7158 amending the Garland Development Code of the City of Garland, Texas, by approving an amendment of Specific Use Provision S 96-19 to allow additional Commercial Antennae on a property zoned Community Retail (CR) District and located at 3200 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; a Savings Clause, and a Severability Clause; and providing an effective date.

e. Zoning File No. Z 20-12, BGE, Inc. (District 1)

Ordinance No. 7159 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision and 2) a Detail Plan for a Restaurant, Drive-Through [Take-Out Window] on a property zoned Planned Development (PD) District 19-18 for Community Retail (CR) Uses (Town Center Styled Regional Shopping Mall and Complementary Peripheral Development) on a 2.007-acre tract of land zoned Planned Development (PD) District 19-18 and located at 270 Town Center 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; a Savings Clause, and a Severability Clause; and providing an effective date.

4. **Resolution No. 10446** approving the Fiscal Year 2021 generation budget of TMPA pursuant to the Joint Operating Agreement between the Texas Municipal Power Agency and the City of Bryan, Texas, City of Denton, Texas, City of Garland, Texas, and City of Greenville, Texas.

At the July 6, 2020 Work Session, Council considered approval of the TMPA Fiscal Year 2021 Generation Budget.

5. **Resolution No. 10447** approving the City of Garland Housing Agency Administrative Plan for the Housing Choice Voucher Program and providing an effective date.

The U.S. Department of Housing and Urban Development (HUD) requires each Housing Agency to develop and adopt an Administrative Plan that identifies the policies the agency will follow to administer the Housing Choice Voucher Program Funds (better known as Section 8). At the July 06, 2020 Work Session, Council considered adopting the updated Administrative Plan.

6. **Resolution No. 10448** adopting and approving the Garland Housing Agency's 2020-2024 Five-Year Plan and 2020 Annual Plan; and providing an effective date.

As part of the Quality Housing and Work Responsibility Act of 1998, the City of Garland Housing Agency (GHA) is required by the U.S. Department of Housing and Urban Development (HUD) to submit a Five-Year Plan every five years and an Annual Plan yearly. At the July 06, 2020 Work Session, Council considered adopting the 2020-2024 Five-Year Plan and the 2020 Annual Plan for submission to HUD.

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.

3c. Zoning File No. Z 20-10, Haskell (District 5)

Ordinance No. 7157 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a High Risk Use on a property zoned Industrial (IN) District and located at 2305 Sherwin 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; a Savings Clause, and a Severability Clause; and providing an effective date.

Mayor LeMay checked the attendee list and Mr. Don Phillips, who requested the item be pulled, was not in the queue to speak and there was no phone number listed for him.

Deputy Mayor Pro Tem Vera made a motion to approve, seconded by Council Member Bookhout. There was discussion by the Council.

Mr. Phillips came online in the queue and Mayor LeMay allowed him to speak.

There was additional discussion by the Council. Council Member Bookhout withdrew his second to the main motion and suggested Deputy Mayor Pro Tem Vera withdraw the motion. Deputy Mayor Pro Tem Vera withdrew his motion.

James Allen, applicant, answered questions from the Council. John Baker presented staff information to the Council. Mayor LeMay reminded the Council that the purpose tonight is to approve or deny the item, not a review similar to a Plan Commission hearing. Mr. Neighbor clarified the approval of the zoning change was made; any other details or decisions would be venturing outside of a land-use decision, which is the issue before the Council tonight.

Deputy Mayor Pro Tem Vera asked for the Plan Commission vote on this item. Will Guerin, Director of Planning, confirmed the vote was 9 - 0 for approval.

Council Member Bookhout asked if the item could be postponed for further review. Mayor LeMay explained that the applicant is meeting the requirements.

Motion was made by Council Member Gibbons to approve Item 3c as presented, seconded by Council Member Aubin. Motion carried:

Vote: 8 - 1

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.

Council Members presented their nominees for appointment to boards and commissions; nominees for Mayor LeMay were presented by Mayor Pro Tem Smith. A single vote was cast with 9 ayes, 0 nays, appointing all who were placed in nomination.

Mayor Scott LeMay

- Ariella Colunga - Garland Youth Council
- Victoria Penick - Garland Youth Council

Council Member David Gibbons

- Serene Haroon - Garland Youth Council
- Anna Ngo - Garland Youth Council

Council Member Deborah Morris

- Marione Ogboi - Garland Youth Council
- Medina Yasin - Garland Youth Council

Council Member Jerry Nickerson

- Loi Anh Nguyen - Garland Youth Council
- Anne-Marie Schlueter - Garland Youth Council

Council Member Rich Aubin

- Sarah Cox - Garland Youth Council
- Nia Pellegrin - Garland Youth Council

Deputy Mayor Pro Tem Robert Vera

- Joanne Gonzalez - Garland Youth Council
- Daniyal Salem - Garland Youth Council

Council Member Dylan Hedrick

- Liz Harling - Community Multicultural Commission
- Homaera Mahmood - Garland Youth Council
- Heather Moody - Garland Youth Council

Mayor Pro Tem Robert John Smith

- Timilaa Radhakrishnan - Garland Youth Council
- Saul Sanchez - Garland Youth Council

8. **Citizen comments:** Holli Sanborn, Don Phillips, Roxanne Seibert, comment read into the record by Mayor LeMay, and Karen Ebner.

9. **Adjourn:** There being no additional business to come before the City Council, Mayor LeMay adjourned the meeting at 8:23 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary