



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, August 18, 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 Mayor Pro Tem Robert John Smith, 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 August 4, 2020 Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** Fire Stations Programming and Design Services **Bid No. 0754-20**

Brown Reynolds Watford Architects, Inc.	\$639,950.00
Optional Contingency	<u>50,000.00</u>
TOTAL:	\$689,950.00

This request is to obtain professional services for the architectural programming of three new replacement fire stations (Stations No. 1, No. 6, and No. 7) along with architectural and engineering design services for Fire Station No. 6. An Optional Contingency is included for any additional unforeseen services.

b. **APPROVED** Garland-Freeman Heights Drainage Study **Bid No. 1178-20**

Birkhoff, Hendricks & Carter, L.L.P.	\$141,112.82
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This request is to provide professional services for a Drainage Analysis of the Garland Heights and Freeman Heights area generally bounded by West Walnut Street on the south, North Garland Avenue on the west, North Glenbrook Drive on the east and Crockett Street on the north.

c. **APPROVED** Engineering and Design for Chaha Road from I.H. 30 to Lake Ray Hubbard Parkway **Bid No. 1185-20**

Cobb, Fendley & Associates, Inc.	\$461,242.00
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This request is to provide professional engineering and design services to reconstruct approximately 1,800 linear feet of the existing asphalt road at Chaha Road from Lake Hubbard Parkway to Bass Pro Drive.

- d. **APPROVED** **Design Services for Street Department Building** **Bid No. 1187-20**

MPI Architects	\$195,150.00
Optional Contingency	<u>19,515.00</u>
TOTAL:	\$214,665.00

This request is to obtain professional services for the design and construction administration for the new building. An Optional Contingency is included for any additional unforeseen services.

- e. **APPROVED** **Replacement Toughbook Computers for City Departments** **Bid No. 1194-20**

GTS Technology Solutions	\$209,129.44
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This request is to purchase forty-two replacement Latitude 5420 Toughbooks and twenty-two Latitude 5420 Toughbooks with cellular for Engineering, Water and Facilities.

- f. **APPROVED** **GP&L Nevill Road Switch Station Site Grading** **Bid No. 0186-20**

Kwest Group, LLC	\$1,028,572.63
Optional Contingency	<u>159,765.00</u>
TOTAL:	\$1,188,337.63

This request is to approve a Change Order that will allow for construction of an access road approximately one mile in length from the switch station to the public access road. An Optional Contingency is included for any additional work that may be required.

- g. **APPROVED** **Replacement Aerial Bucket Truck** **Bid No. 1171-20**

Altec Industries, Inc.	\$162,816.00
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This request is to purchase a replacement Aerial Bucket Truck for Garland Power & Light.

- h. **APPROVED** **Heavy Haul Semi-Truck** **Bid No. 1175-20**

Freightliner of Austin	\$184,112.00
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This request is to purchase a replacement Heavy Haul Semi-Truck for Garland Power & Light.

- i. **APPROVED 2018 Paving, Water, and Sanitary Sewer Replacement Project, Phase Two** **Bid No. 0947-20**

XIT Paving and Construction, Inc. \$2,671,713.00

This request is for the reconstruction associated with the 2018 Paving, Water and Sanitary Sewer Replacement Project, Phase Two.

- j. **APPROVED Asphalt Milling on Pleasant Valley Road and Elm Grove Road** **Bid No. 1170-20**

Dustrol, Inc. \$155,846.85

This request is to provide asphalt milling on Pleasant Valley Road and Elm Grove Road.

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. **APPROVED Zoning File No. Z 20-15, Tilson Custom Homes (District 1)**

Ordinance No. 7161 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Guest House on a 1.797-acre tract of land zoned Agriculture (AG) District and located at 1620 Pleasant Valley 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. **APPROVED Zoning File No. Z 20-17, City of Garland (District 1)**

Ordinance No. 7162 amending the Garland Development Code of the City of Garland, Texas, by approving an amendment to Planned Development (PD) District 17-35 for Mixed Use to 1) Amend Table 5-1 (Schedule of Uses) to remove Dwelling, Multi-Family Use and Elder Care - Independent Living Use from several Character Zones; 2) Change the Character Zones of certain properties; and 3) Remove Concept Plan requirements and require Detail Plans through a public hearing process on a 276.99-acre tract of land generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line; 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 Ordinance No. 7163** of the City of Garland, Texas, establishing prevailing wage rates for public works projects, pursuant to Chapter 2258 of the Texas Government Code; and setting an effective date.

At the August 3, 2020 Work Session, Council considered approving an ordinance to determine the general prevailing rate of per diem wages in which public works projects within the City of Garland are to be performed.

5. **APPROVED Resolution No. 10451** authorizing the submission and acceptance of an application to the Bureau of Justice Assistance for grant under the 2020 Edward Byrne Memorial Justice Assistance Grant program; and providing an effective date.

At the August 17, 2020 Work Session, Council considered a request from the Police Department to apply for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) program for reducing crime and improving public safety.

6. **APPROVED Resolution No. 10452** authorizing a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) - Single Year - 2021 Comprehensive Grant in the amount of \$179,029.16; and providing an effective date.

At the August 17, 2020 Work Session, Council considered a resolution authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant in the amount of \$179,029.16.

7. **APPROVED Ordinance No. 7164** amending Chapter 33, "Transportation" 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.

At the August 3, 2020 Work Session, Council considered an ordinance amending certain miscellaneous parking provisions of Chapter 33 of the Code of Ordinances. The current ordinance makes it unlawful to park a vehicle within 30 feet on the approach to traffic control devices or intersections. The proposed amendment will make it unlawful to park a vehicle within 30 feet in any direction of traffic control devices or intersections.

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. Reconsideration Request of a Previously Denied Zoning Application (File No. Z 20-08, District 6)

Darin Norman of Urbanworth LLC who represents 4040 Forest Lane Partners LLC has submitted a written request to the City Council to reconsider the previously denied Zoning Case Z 20-08 (AllState Carriers LLC). This property is located at 4030 and 4040 Forest Lane. The City Council previously considered and denied this application on May 19, 2020. Approval of the reconsideration request would allow the applicant to submit a new zoning application in less than the Garland Development Code's required one-year waiting period for denied cases.

The staff report was presented by Will Guerin, Director of Planning. Speakers on this item were: Corey Price and Darin Norman, applicants.

There were comments by Deputy Mayor Pro Tem Vera.

Motion was made by Deputy Mayor Pro Tem Robert Vera, and seconded by Council Member Jim Bookhout to approve the application for reconsideration based on staff recommendation. Motion carried:

Vote: 9 - 0

9. Hold a public hearing on:

a. Consider the application of RaceTrac Petroleum, Inc., requesting approval of a Change of Zoning from Community Retail (CR) District with Specific Use Provision S 06-65 for Fuel Pumps, Retail, to Heavy Commercial (HC) District. This property is located at 4214 Forest Lane. (File No. Z 20-20, District 6)

The applicant proposes a zoning change of the existing RaceTrac gas station and convenience store located at 4214 Forest Lane. The applicant proposes renovation of the building exterior and pavement; no new buildings or structures are proposed.

The staff report was presented by Kimberly Hopkins, Development Planner. Speakers on this item were: Brad Williams and Andrew Malzer, applicants.

There was discussion by the Council.

Motion was made by Deputy Mayor Pro Tem Robert Vera, and seconded by Council Member Jerry A. Nickerson to approve the request based on staff recommendation. Motion carried:

Vote: 9 - 0

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.

Mayor LeMay turned the floor over to Mayor Pro Tem Smith, who presented the Mayor's nominee. The remaining nominations were presented by each Council Member.

Mayor Scott LeMay

- Stephanie Paris - Community Multicultural Commission

Council Member David Gibbons

- James VanDyke - Board of Adjustment
- Christopher Alvarez - Community Multicultural Commission
- Merrill Balanciere - Cultural Arts Commission
- James Dobbins - Environmental and Community Advisory Board
- Nazly Haroon - Library Board
- Ed Seghers - Parks and Recreation Board
- Scott Roberts - Plan Commission
- Eric Scholl - Property Standards Board
- Mark Hasson - Senior Citizens Advisory Board
- Aaron Miller - Unified Building Standards Commission

Council Member Jerry Nickerson

- Jason Rodriguez - Library Board

A single vote was cast to appoint all nominees:

Vote: 9-0

11. Citizen comments.

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 7:29 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary