GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, September 1, 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 Council Member David Gibbons, and seconded by Mayor Pro Tem Robert John Smith to approve the Consent Agenda as presented. Motion carried:

Vote: 9 - 0

1. APPROVED Consider approval of the minutes of the August 18, 2020 Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED TMPA Gibbons Creek TRV Capacitor Installation — **Bid No. 0905-20**

Frontline Power Construction, LLC — $281,417.00

This request is for the installation of transient recovery voltage (TRV) capacitors at the TMPA Gibbons Creek Substation.

b. **APPROVED** **GP&L 138kV Brand to College Terminal Upgrade Engineering Services** **Bid No. 1200-20**

Power Engineers, Inc. **$259,931.00**

This request is to obtain design engineering services related to the upgrade of the GP&L 138kV Brand Substation to meet or exceed 3000 amps.

c. **APPROVED** **GP&L McCree Substation Cable Trench** **Bid No. 1109-20**

Trenwa, Inc. **$237,402.00**

This request is for the purchase of a precast concrete underground electric cable trench.

d. **APPROVED** **GP&L McCree Substation Upgrade for Autotransformer Addition** **Bid No. 0877-19**

Black & Veatch **$686,500.00**

This request is to approve a Change Order to provide additional engineering and support services for GP&L substation upgrades.

e. **APPROVED** **TMPA McCree Substation Upgrade for Autotransformer** **Bid No. 1203-19**

Black & Veatch **$143,600.00**

This request is to approve a Change Order to provide additional engineering and support services for TMPA substation upgrades.

f. **APPROVED** **GP&L Ben Davis Substation Control Redirection Engineering Services** **Bid No. 0876-19**

Black & Veatch **$48,300.00**

This request is to approve a Change Order for additional engineering services in conjunction with the new Control House at the TMPA Ben Davis Substation.

g. **APPROVED** **GP&L 138kV College to Brand Terminal Upgrade Engineering Services** **Bid No. 1206-20**

Power Engineers, Inc. **$575,956.00**

This request is to provide design engineering services related to the upgrade of the GP&L 138kV College Substation to meet or exceed 3,000 amps.

h. **APPROVED** **GP&L Underground Distribution Loop Replacement** **Bid No. 1013-20**

MasTec North America, Inc.	**$565,955.00**
Optional Contingency	**36,212.97**
TOTAL:	**$602,167.97**

This request is for the replacement of three loops in the GP&L underground distribution system. An Optional Contingency is included for any additional work that may be required.

i. **APPROVED** **Transmission and Substation Maintenance & Repair Service** **Bid No. 5675-15**

Primoris T&D Services, LLC **$696,762.05**

This request is to approve a Change Order for the Transmission and Substation Maintenance and Repair Services Agreement.

j. **APPROVED** **GP&L Lookout Substation Static VAR System and Substation Integration Engineering Services** **Bid No. 1226-20**

Power Engineers, Inc. **$1,890,339.00**

This request is to obtain engineering and project management services related to the mitigation of both steady-state and dynamic voltage stability issues in the North Garland area.

k. **APPROVED** **Debris Removal and Securing of the Spencer 5 Cooling Tower** **Bid No. 1247-20**

MasterTech Services, Inc. **$159,420.00**

This request is to provide emergency repair of the Spencer Plant Unit # 5 cooling tower which experienced an extensive failure rendering the unit inoperable.

l. **APPROVED** **Landfill Bulldozer Rebuild** **Bid No. 1248-20**

Holt Cat **$650,000.00**

This request is to provide emergency repair services to a D8 bulldozer used at the Landfill.

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 No. Z 20-20, RaceTrac Petroleum, Inc. (District 6)**

Ordinance No. 7165 amending the Garland Development Code of the City of Garland, Texas, by approving a Change of Zoning from Community Retail (CR) District with a Specific Use Provision S 06-65 to Heavy Commercial (HC) District on a 2.088-acre tract of land located at 4214 Forest Lane; 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. 7166** authorizing an amendment to the 2020 Capital Improvement Program (2020 CIP Amendment No. 1), providing for the supplemental appropriation of funds in the Hinton Landfill Acquisition Project, Trail Development Program, Shiloh Road – Miller Road to Forest Lane and Shiloh Road – Forest Lane to Westwood Drive projects, Girvin Switch Station Project, Queen Bess Project, Lookout SVC Project, Nevill Road Switch Station Project, Mccree-Oakland Fiber Replacement Project, and Wynn Joyce to Miller Road and Wynn Joyce to Ben Davis 138kv Transmission Line Projects; and providing an effective date.

At the August 17, 2020 Work Session, Council considered approving the amendment of the 2020 Adopted Capital Improvement Program (CIP).

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.

5. **PUBLIC HEARING HELD:** **Hold a Public Hearing Regarding the 2020-21 Proposed Budget**

Section 5, Article VIII, of the City Charter requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be given an opportunity to be heard for or against any item contained in the Proposed Budget. The Proposed Budget for 2020-21 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 5, 2020. A second Public Hearing on the Proposed Budget is scheduled for Tuesday, September 15, 2020.

Mayor LeMay opened the public hearing at 7:07 p.m. There were no speakers on this item; Mayor LeMay closed the hearing at 7:08 p.m.

6. APPROVED Consider Proposing a Tax Rate to be Considered During the Budget Approval and Tax Rate Setting Process for FY 2020/2021

The tax rate setting and budget approval processes (the two being both legally and practically intertwined) are triggered by the receipt of an appraisal roll from appraisal districts. The appraisal roll, together with a certification of a collection rate and a calculation of the no new tax rate and voter approval rate (generally known as a “truth in taxation” form), is then submitted to the City Council. A notice of a proposed tax rate (actually a notice of public hearing on a proposed tax rate) is then issued and hearings are set. A public hearing will be held both in persona and virtually during the September 15, 2020 Regular Meeting on the proposed ad valorem tax rate of 76.96 cents per $100 of valuation.

Mayor LeMay read the following into the record: "I call for a Public Hearing to be held on the proposed advalorem tax rate of 76.96 cents per $100 of valuaton, which is scheduled for adoption on September 15, 2020 at 7 p.m. at the City Council Regular Meeting.

The hearing will be held on: Tuesday, September 15, 2020 at 7 p.m., City Council Regular Meeting at Garland City Hall, 200 N. Fifth Street, Garland, Texas 75040. Citizens may also participate virtually. Please visit the website at www.garlandtx.gov for vieweing and participant information.

Motion was made by Council Member Rich Aubin, and seconded by Council Member Jerry A. Nickerson to consider establishing a tax rate on September 15, 2020 as presented in the agenda. Motion carried:

Vote: 9 - 0

7. Hold public hearings on:

a. APPROVED Consider the application of Eric L. Davis Engineering, Inc., requesting approval of a Detail Plan for Recreational Vehicle Park Phase II Cabins on a site zoned Planned Development (PD) District 18-36 for Light Commercial (LC) District Uses Limited to Recreational Vehicle Park. Approval of this item may include amendments to Planned Development (PD) District 18-36. The site is located at 3926 Zion Road. (File No. Z 20-13, District 3)

The applicant proposes to build Phase 2 of a Recreational Vehicle (RV) Park with eighteen (18) cabins.

The staff report was presented by Kira Wauwie, Principal Planner. Speakers on this item were Craig Turner, applicant and Sean Davis.

There was discussion by the Council.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the application as presented with an amendment to provide a ten foot setback along the east property line. Motion carried:

Vote: 9 - 0

b. APPROVED Consider the application of Kimley-Horn and Associates, Inc., requesting to 1) Amend Planned Development (PD) District 12-56 to add Car Wash, Automated/Rollover and Automobile Repair, Minor Uses; and 2) a Specific Use Provision for Car Wash, Automated/Rollover. The site is located at 5243 Naaman Forest Boulevard. (File No. Z 20-16, District 1)

The applicant proposes the development of a car wash and a minor automobile repair facility. This item serves as the applicant's Planned Development amendment and Specific Use Provision request.

The staff report was presented by Kimberly Hopkins, Develoment Planner. Speakers on this item were: Nathan Forney, Kimley-Horn and Tarek Kadowr, owner.

There was discussion by the Council.

Motion was made by Council Member David Gibbons, and seconded by Council Member Deborah Morris to approve the item as presented.

Council Member Bookhout presented additional comments for discussion and or response.

Mayor LeMay restated the main motion. Motion carried:

Vote: 8 - 1

c. APPROVED Consider the application of Kimley-Horn and Associates, Inc., requesting a Detail Plan for Car Wash, Automated/Rollover and Automobile Repair, Minor on a property zoned Planned Development (PD) District 12-56. The site is located at 5243 Naaman Forest Boulevard. (File No. Z 20-16, District 1)

The applicant proposes the development of a car wash and a minor automobile repair facility. This item serves as the applicant's Detail Plan request.

Motion was made by Council Member David Gibbons, and seconded by Council Member Deborah Morris to approve the Detail Plan as presented. Motion carried:

Vote: 8 - 1

d. APPROVED **Consider the application of COSMAX NBT USA, requesting a Specific Use Provision to allow a High Risk Use on a property zoned Industrial (IN) District. The site is located at 3350 Marquis Drive. (File No. Z 20-18, District 6)**

The applicant proposes storage and bottling of ethyl alcohol-based hand sanitizer in an existing building.

The staff report was presented by Kimberly Hopkins, Development Planner. Speakers on this item were: Assistant Fire Chief Eric Lovett, Garland Fire Department and Chad Brumit, 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 approve as presented. Motion carried:

Vote: 9 - 0

8. **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.

APPROVED <u>**Council Member Jim Bookhout**</u>

- Bruce Bishop - Board of Adjustment
- CorSharra Jackson - Community Multicultural Commission
- Blanca Sanchez - Cultural Arts Commission
- Dennis Garcia - Environmental and Community Advisory Board
- Linda Waters - Library Board
- Molly Bishop - Parks and Recreation Board
- John O'Hara - Plan Commission
- Michael Sferra - Property Standards Board
- Hal Peterson - Senior Citizens Advisory Board
- Kathleen Handsrote - Tax Increment Finance District - Downtown
- Sal Liberto - Tax Increment Finance #3 - Medical District
- Kim Thiehoff - Tax Increment Finance - South
- James Hall Jr. - Unified Building Standards Commission

Council Member Bookhout read his nominees into the record. A vote was cast to approve all nominations:

Vote 9 - 0

9. **Citizen comments:** Joshua Garcia

10. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:43 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary