GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, October 20, 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 Vacant
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
Deputy City Secretary Carma Potter

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 Jim Bookhout, and seconded by Council Member Jerry Nickerson to approve the Consent Agenda as presented. Motion carried:

Vote: 9-0

1. APPROVED **Consider approval of the minutes of the October 13, 2020 Regular Meeting.**

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

a. APPROVED **2.0 MG Lawler Elevated Water Storage Tank Rehabilitation** — **Bid No. 1094-20**

Tank Pro, Inc.	**$1,231,215.00**
Optional Contingency	**123,122.00**
TOTAL:	**$1,354,337.00**

This request is to rehabilitate the 2.0 MG Lawler Elevated Water Storage Tank.

b. APPROVED **Shelf-Ready Library Books and Audiovisual Materials** — **Bid No. 1338-20**

Brodart, Inc.	**$670,000.00**

This request is for the purchase of "shelf-ready" physical books and audiovisual materials for the use of Garland Library patrons. This approval is for a Term Agreement with four optional renewals.

c. APPROVED **Engineering Services for Zion Road and I.H. 30 Service Road Water System Improvements** — **Bid No. 1422-20**

Kimley-Horn and Associates, Inc.	**$305,300.00**
Optional Contingency	**20,000.00**
TOTAL:	**$325,300.00**

This request is to provide professional engineering services to upsize the existing 8" water lines to 12" along I.H. 30 Service Roads (east and west-bound) from Bobtown Road to Zion Road. An Optional Contingency is included for any additional work that may be required.

d. APPROVED **Rowlett Creek Wastewater Treatment Plant Maintenance Shop Renovation Project** — **Bid No. 1440-20**

Jones Carter, Inc.	**$289,000.00**
Optional Contingency	**17,300.00**
TOTAL:	**$306,300.00**

This request is to provide professional engineering services for the rehabilitation of the Gravity Belt Filter Press Room into a new Maintenance Shop at the Rowlett Creek Wastewater Treatment Plant. An Optional Contingency is included for any additional work that may be required.

e. APPROVED **King Mountain Switch - Queen BESS Terminal Addition Engineering Services** — **Bid No. 0010-21**

Burns & McDonnell	**$673,300.00**

This request is to obtain engineering, testing and commissioning, and construction support services for a terminal addition at the King Mountain 345 kV Switch in Upton County, Texas.

f. APPROVED **TMPA Ben Davis to McCree Reconductor Construction Services** — **Bid No. 1239-19**

Higher Power Electrical, LLC	**$97,758.90**

This request is to provide additional conductor and matting services for transmission structure access related to the TMPA Ben Davis to McCree Reconductor CIP project.

g. APPROVED **GP&L McCree Substation Control House** **Bid No. 1231-20**

Electrical Power Products, Inc. **$840,270.00**

This request is for the purchase of a control house for the GP&L McCree Substation as part of the approved McCree Substation Autotransformer CIP project.

h. APPROVED **GP&L Overhead and Underground Distribution Relocations Engineering Services** **Bid No. 0887-20**

R-Delta Engineers, Inc. **$42,500.00**

This request is to provide surveying necessary to address additional relocations requested by the Texas Department of Transportation (TxDOT).

i. APPROVED **GP&L Apollo Substation Reconstruction Engineering Services** **Bid No. 0932-17**

R-Delta Engineers, Inc. **$281,000.00**

This request is to provide additional surveying and engineering services for the construction of the GP&L Apollo Substation facilities and associated transmission line improvements.

j. APPROVED **Cooper and Southern Gardens Drainage Improvements Design** **Bid No. 0556-20**

R-Delta Engineers, Inc. **$127,195.00**

This request is to provide additional drainage and wastewater improvements for the Cooper and Southern Gardens Drainage Improvements project.

k. APPROVED **GP&L Distribution Line Relocation Materials** **Bid No. 1144-20**

Techline, Inc. **$195,505.71**

This request is for the purchase of steel structures and associated materials to be used for distribution line relocations as a result of the TxDOT I.H. 635 Widening project.

l. APPROVED **Single-Family New Home Construction - 500 Kaiser Street** **Bid No. 1273-20**

MG Luxury Homes **$154,600.00**

This request is for the construction of a new single-family home using the HOME Infill Federal Grant Funding.

3. APPROVED **Approved by minute action the 2020-2021 GCACI budget, the sub-grant recipients, and authorize the City Manager to execute the "Hotel Occupancy Tax Program Management Agreement" between the City and Garland Cultural Arts Commission, Inc.**

At the October 19, 2020 Work Session, Council considered approving the 2020-2021 budget of the Garland Cultural Arts Commission, Inc., sub-grant recipients and authorization of the City Manager's execution of the "Hotel Occupancy Tax Program Management Agreement" between the City of Garland and the Garland Cultural Arts Commission, Inc.

4. APPROVED **Resolution No. 10456** of the City of Garland, Texas, authorizing the City Manager to enter

into an agreement for the adjustment of Municipal Utilities in connection with the IH-635 LBJ East Project with the Texas Department of Transportation; and providing an effective date.

At the October 12, 2020 Work Session, Council considered authorizing the City Manager to execute an Agreement for Adjustment of Municipal Utilities with TxDOT for the relocation and betterment of City water and wastewater facilities within and outside of the IH-635 LBJ corridor.

5. **APPROVED** **Resolution No. 10457** acknowledging the Kansas City Southern Railway Company's continued rights, title and interest to and upon that certain spur railroad crossing on N. First Street north of Castle Drive and granting permission to reinstall crossing facilities in the future; and providing an effective date.

At the October 12, 2020 Work Session, Council considered a resolution in which KCS agrees to allow the City to pave the area with reinforced concrete pavement, while acknowledging their continued rights, title and interest to act upon this spur crossing and retaining their ability to reinstall crossing facilities in the future.

6. **APPROVED** **Resolution No. 10458** accepting a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization (IDM) Grant in the amount of $14,985.04; and providing an effective date.

At the October 19, 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) -- Impaired Driving Mobilization (IDM) Grant related to Driving While Intoxicated (DWI) enforcement in the amount of $14,985.04 for FY 2020-2021.

7. **APPROVED** **Resolution No. 10459** authorizing the acceptance of a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) - Click It or Ticket (CIOT) Grant in the amount of $6,201.30; and providing an effective date.

At the October 19, 2020 Work Session, Council considered a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Click It or Ticket Grant for November 13, 2020 to December 2, 2020 in the amount of $6,201.30.

8. **APPROVED** **Resolution No. 10460** approving a schedule for meetings of the City Council to be held in Calendar Year 2021; and providing an effective date.

At the October 12 and October 19 Work Sessions, Council considered the meeting dates for the 2021 calendar year.

9. **APPROVED** **Resolution No. 10461** of the City Council of the City of Garland, Texas, adopting the 2020 Garland Aquatics Master Plan; and providing an effective date.

Council adopted the Aquatics Master Plan as presented which includes the incorporation of all appropriate and applicable data and feedback received throughout the development of the plan.

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.

10. **APPROVED** **Request for Development Assistance from The Draper Garland LLC**

Council considered a development incentive request from The Draper Garland LLC for a partial rebate of the applicable Roadway Impact Fee required of a proposed new redevelopment project up to a maximum amount.

David Gwin, Director of Economic Development gave the staff presentation.

Motion was made by Council Member Deborah Morris, and seconded by Council Member Rich Aubin to approve the request as presented. Motion carried:

AYE: Mayor Scott LeMay, Mayor Pro Tem Robert John Smith, Deputy Mayor Pro Tem Robert Vera, Council Member Vacant, Council Member Deborah Morris, Council Member Jerry A. Nickerson, Council Member Jim Bookhout, Council Member Rich Aubin, Council Member Dylan Hedrick

9 - 0 Passed

11. **Hold public hearings on:**

a. **TABLED** **Consider a Zoning request by Development Engineering Consultants, LLC to construct seven (7) single-family detached homes at 4926 Locust Grove Road in District 3.**

Consideration of the application of Development Engineering Consultants, LLC, requesting approval of 1) a Change in Zoning from Agriculture (AG) District to a Planned Development (PD) District for Single-Family Detached Units and 2) an Alley Waiver. This property is located at 4926 Locust Grove Road. This item serves as the applicants Zoning request. (File No. Z 20-21, District 3) (The applicant requests postponement to the November 10, 2020 Regular City Council Meeting.)

The Mayor announced the Council will grant the request to postpone Item 11a to the November 17 meeting.

b. **TABLED** **Consider a Detail Plan request by Development Engineering Consultants, LLC to construct seven (7) single-family detached homes at 4926 Locust Grove Road in District 3.**

Consideration of the application of Development Engineering Consultants, LLC, requesting approval of a Detail Plan for Single-Family Detached Units. This property is located at 4926 Locust Grove Road. This item serves as the applicant's Detail Plan request. (File No. Z 20-21, District 3) (The applicant requests postponement to the November 10, 2020 Regular City Council Meeting.)

The Mayor announced the Council will grant the request to postpone Item 11b to the November 17 meeting.

c. DENIED **Consider a request by Bill Swisher for an electronic programmable sign at 484 West Interstate Highway 30 in District 3.**

Consideration of the application of Bill Swisher, requesting approval of an Amendment to Planned Development (PD) 19-37 District to convert an existing nonconforming pylon sign into a pylon sign with a programmable (electronic) sign face. This property is located at 484 West Interstate Highway 30. (File No. Z 20-26, District 3)

The applicant proposed an electronic programmable sign at 484 West Interstate Highway 30 in District 3.

The staff report was presented by Kimberly Hopkins, Development Planner and Will Guerin, Director of Planning.

The Mayor opened the public hearing at 7:21pm. Speakers on this item were: Bill Swisher, the applicant, and Jason Lain. There was discussion by Council. The hearing closed at 8:24pm.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Deborah Morris to approve the request based on the Plan Commission recommendation. Motion failed:

AYE: Mayor Scott LeMay, Deputy Mayor Pro Tem Robert Vera, Council Member Deborah Morris, Council Member Jerry A. Nickerson

NAY: Mayor Pro Tem Robert John Smith, Council Member Jim Bookhout, Council Member Rich Aubin, Council Member Dylan Hedrick

4 - 4 Failed

12. **Citizen comments:** There were no speakers on this item.

13. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:25 p.m.

Submitted By:

____

Scott LeMay, Mayor

____

Carma L. Potter, Deputy City Secretary