GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, November 10, 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
	Council Member Deborah Morris
	Council Member Jerry A. Nickerson
	Council Member Jim Bookhout
	Council Member Rich Aubin
	Council Member Dylan Hedrick
Absent:	Deputy Mayor Pro Tem Robert Vera
Also Present:	Deputy City Manager Mitch Bates
	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.

1. APPROVED Consider approval of the minutes of the October 20, 2020 Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED Replacement Ruggedized Mobile Stations — Bid No. 0137-21

GTS Technology Solutions	**$500,000.00**

This request is for the scheduled replacement of ruggedized mobile workstations that have reached end-of-life. Routine replacement of outdated and end-of-life equipment is necessary to maintain reliability, operate modern software and provide current technology. This approval is for a Term Agreement that will be renewed annually as long as funding is approved in the budget and the designated vendor is on the Cooperative Purchasing Contract.

b. APPROVED GP&L Nevill Road to Greasewood 345kV Transmission Line Construction Services — Bid No. 0525-20

NorthStar Energy Solutions	**$69,532.36**

This request is to approve a Change Order to provide additional funding for expenses associated with the mobilization/demobilization of four additional construction crews.

c. APPROVED GP&L Substation Connectors & Fittings — Bid No. 1230-20

DMC Power, Inc.	**$1,000,000.00**

This request is to purchase bus, cable, ground grid fittings and tools on an as-needed basis for Substation construction and maintenance. This approval is for a Term Agreement with four optional renewals.

d. APPROVED GP&L Limestone to Gibbons Creek Transmission Line Structures — Bid No. 1272-20

Texas Electric Cooperatives, Inc.	**$407,075.00**
Optional Contingency	**40,707.00**
TOTAL:	**$447,782.00**

This request is for the purchase of steel structures for transmission line relocations on the 345kV Gibbons Creek/Limestone 345kV Transmission Line as part of the TxDOT widening of Texas Highway 121. An Optional Contingency is included for any additional work that may be required.

e. APPROVED GP&L/TMPA McCree Substation Construction **Bid No. 1288-20**

Primoris T&D Services, LLC	**$5,369,195.00**
Optional Contingency	**490,633.70**
TOTAL:	**$5,859,828.70**

This request is to provide GP&L and TMPA above and below grade construction services for the McCree Substation. An Optional Contingency is included for any additional work that may be required.

f. APPROVED Audubon Recreation Center Fitness Equipment **Bid No. 0104-21**

Marathon Fitness	**$144,823.83**

This request is for the purchase of new fitness equipment for Audubon Recreation Center.

g. APPROVED Arterial Pavement Maintenance - Minor Repairs V **Bid No. 0106-21**

Jerusalem Corporation	**$2,080,933.00**

This request is to provide concrete repairs for arterial roadways throughout the city.

h. APPROVED Police Pursuit Vehicles **Bid No. 0117-21**

Reliable Chevrolet	**$975,293.00**

This request is to purchase twenty-seven (27) replacement Chevrolet Tahoe Police Pursuit vehicles.

i. APPROVED State Highway 78 Conceptual Landscape Master Plan **Bid No. 0432-19**

BW2 Engineers, Inc.	**$8,500.00**

This request is to approve a Change Order for a State Highway 78 project.

j. **APPROVED** **Playground Program Equipment** **Bid No. 0110-21**

Gametime (Total Recreation Products, Inc.)	**$302,744.02**
Optional Contingency	**30,000.00**
TOTAL:	**$332,744.02**

This request is for the purchase of playground equipment in support of the Playground Replacement Program. An Optional Contingency is included for any additional services that may be required.

k. **APPROVED** **GP&L Newman 69kV Substation Feeder Duct Line Installation, Phase I** **Bid No. 1398-20**

Tri-Con Services, Inc.	**$103,000.00**
Optional Contingency	**5,000.00**
TOTAL:	**$108,000.00**

This request is for the installation of new duct bank facilities at the Newman 69kV Substation. An Optional Contingency is included for any additional work that may be required.

l. **APPROVED** **Rowlett Creek Wastewater Treatment Plant Sewer Line Rehabilitation** **Bid No. 0129-21**

Insituform Technologies, LLC	**$848,280.00**
Optional Contingency	**84,828.00**
TOTAL:	**$933,108.00**

This request is to provide labor, material, equipment, supervision and plans to rehabilitate approximately 750 linear feet of 54-inch sanitary sewer line by means of cured-in-place pipe. An Optional Contingency is included for any additional work that may be required.

m. **APPROVED** **Carroll Drive Paving, Water and Wastewater Replacement** **Bid No. 1365-20**

GRod Construction, LLC **$1,942,577.61**

This request is to provide approximately 0.51 miles of paving, water and wastewater main replacement on Carroll Drive from Douglas Drive to Glenbrook Drive.

n. **APPROVED** **Concrete Sawing Services** **Bid No. 0492-18**

Xtreeme Sawing and Sealing **$38,937.50**

This request is to approve a Change Order to add additional funding for concrete sawing services due to the increasing number of street, alley, water and sanitary sewer construction projects.

o. APPROVED Ambulance Cots, Loaders and Stair Chairs Bid No. 0098-21

Stryker Sales Corp. $137,284.59

This request is to provide ambulance equipment including three powered cots with compatible auto loaders and three stair chairs used for patient handling and transporting.

3. APPROVED Minute action authorizing the City Manager to execute the Contract of Sale (Contract) for the property and authorize the Mayor to execute a Deed Without Warranty conveying the 3.0 ac. parcel of land to Rayburn Electric Cooperative for the amount of $300,100, once the terms of the Contract have been met.

The City Council previously authorized staff to proceed with the sale of a 3.0 ac. parcel of land on Vinson Road, through the City's standard processes and procedures, for fair market value. As determined by a certified land appraiser, a fair market value of $300,000 was established for the property and set as the minimum bid value.

4. 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 19-22, QuikTrip Corporation and Glenn Engineering Corporation (District 3)

Ordinance No. 7178 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change of Zoning from Community Retail (CR) District to a Planned Development (PD) District to allow a Travel Center Use; 2) a Detail Plan for a Travel Center Use and Fuel Pumps, Retail Use and; 3) a Specific Use Provision for a Fuel Pumps, Retail Use and located at 524 East Interstate Highway 30; 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.

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 to Obtain Input Regarding Additional ESG-CV and CDBG-CV Funding Authorized by the CARES Act**

At the November 9, 2020 Work Session, Council was provided information regarding $2,004,381 in additional Emergency Solutions Grant funding and $1,693,708 in additional Community Development Block Grant funding provided through the Coronavirus Aid, Relief and Economic Security Act to implement projects to be used for response and recovery as a result of COVID-19. As part of the process, a public hearing is required to solicit comments from any interested parties relating to this issue.

Mayor LeMay opened the public hearing at 7:06 p.m. There were no speakers on this item and the hearing was closed at 7:07 p.m.

6. **Hold public hearings on:**

a. **DENIED** **Consider a Specific Use Provision (SUP) request by Jerry DeFeo to add outdoor used car sales at an existing automobile repair facility at 4301 Action Street in District 6.**

Consideration of the application of Jerry DeFeo, requesting approval of Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District. This property is located at 4301 Action Street. This item serves as the applicant's Zoning request. (File No. Z 20-27, District 6)

The staff report was presented by Kimberly Hopkins, Development Planner. Speaker on this item was Jerry DeFeo, applicant.

There was discussion by the Council.

Motion was made by Mayor Pro Tem Robert John Smith, and seconded by Council Member Jim Bookhout to approve Items 6a and 6b for the permit request of a 10-year SUP with improvements in the detail plan. Motion failed:

Vote 2 ayes - 5 nays

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

b. **DENIED** **Consider a Plan request by Jerry DeFeo to add outdoor used car sales at an existing automobile repair facility at 4301 Action Street in District 6.**

Consideration of the application of Jerry DeFeo, requesting approval of a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District, subject to the above Specific Use Provision request for Case Z 20-27. This property is located at 4301 Action Street. This item serves as the applicant's Plan request. (File No. Z 20-27, District 6)

c. APPROVED **Consider a Variance request by Lucky Market, LLC to allow alcoholic beverages (beer & wine) to be sold at an existing convenience store at 3405 Broadway Boulevard in District 4, closer than the required distance of 300 feet to a public school.**

Consideration of the application of a variance to Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code regarding the distance to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages. This property is located at 3405 Broadway Boulevard. (File No. BW 20-01, District 4)

The staff report was presented by Will Guerin, Planning Director. Speaker on this item was Pinky Herao, applicant.

There was discussion by the Council.

Motion was made by Council Member Deborah Morris, and seconded by Mayor Pro Tem Robert John Smith to approve the variance request as presented. Motion carried:

Vote: 6 ayes - 1 nay

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

7. **Citizen comments:** Joshua Garcia

8. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:42 p.m.

Submitted By:

____

Scott LeMay, Mayor

____

Eloyce René Dowl, City Secretary