GARLAND

# MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, December 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 Vacant |
| | Council Member Deborah Morris |
| | Council Member Jerry A. Nickerson |
| | Council Member B. J. Williams |
| | Council Member Rich Aubin |
| | Council Member Dylan Hedrick |
| Also Present: | City Manager Bryan Bradford |
| | 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 Dylan Hedrick, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the Consent Agenda as presented. Motion carried:

**Vote:** 8 - 0

**1. APPROVED Consider approval of the minutes of the November 17, 2020 Regular Meeting.**

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

**a. APPROVED Replacement Pursuit Interceptors for Garland Police Department** — **Bid No. 2020-21**

**Sam Pack's Five-Star Ford** — **$267,525.00**

This request is for the purchase of five (5) replacement Ford Explorer Hybrid Police Interceptor Vehicles to be used by the Garland Police Department in their daily operations.

**b. APPROVED GP&L and TMPA SCADA/EMS Remote Terminal Units and Meters** — **Bid No. 0189-216**

**Schweitzer Engineering Laboratories, Inc.** — **$147,400.50**

This request is for the as-needed purchase of remote terminal units and meters for GP&L and TMPA SCADA/EMS systems. All TMPA-related expenses will be reimbursed at 100%.

**c. APPROVED Annual Software Maintenance for GP&L Computer Systems** — **Bid No. 0190-21**

**SHI Government Solutions Inc.** — **$393,220.57**

This request is for the renewal of annual maintenance and support for Microsoft EA, backup application, anti-virus and other security and malware applications, data replication application, monitoring and reporting applications, and mail archiving applications on GP&L systems.

d. **APPROVED** **GP&L Pump Repair and Reconditioning Service** **Bid No. 0930-18**

**C I E** **$343,898.61**

This request is to approve a Change Order for additional funding for GP&L pump repair and reconditioning services.

e. **APPROVED** **Security Cameras and Access Control Systems** **Bid No. 0254-21**

**Preferred Technology Solutions** **$160,000.00**

This request is to provide security camera and access control system replacements and maintenance for GP&L substations on an as-needed-basis. This approval is for a Term Agreement with four (4) optional renewals.

f. **APPROVED** **GP&L Construction Oversight & Field Project Management Services** **Bid No. 1110-20**

**TechServ Consulting & Training, LTD** **$300,000.00**

This request is to obtain construction oversight and field project management services for GP&L Transmission and Distribution CIP projects. This approval is for a Term Agreement with four (4) optional renewals.

g. **APPROVED** **GP&L Substation Disconnect Switches** **Bid No. 1389-206**

**Pascor Atlantic** **$1,000,000.00**

This request is to provide 138kV and 345kV disconnect switches on an as-needed basis to be used in GP&L and TMPA Substations. This will allow for the continuity of switch types installed in the field as well as a standardized inventory of replacement parts. This approval is for a Term Agreement with four (4) optional renewals.

h. **APPROVED** **Oakland to McCree OPGW Construction** **Bid No. 1434-20**

| | |
|---|---|
| **Utility Construction Services, LLC** | **$376,589.06** |
| **Optional Contingency** | **56,488.35** |
| **TOTAL:** | **$433,077.41** |

This request is to obtain construction services for the installation of optical ground wire (OPGW) on the existing Oakland to McCree 69kV Transmission Line. Services also include the modification of transmission structures and substation dead ends to accommodate a single 138kV three-phase circuit of ACSS/TW 1929.6 conductor and underbuild. This is part of the McCree to Oakland Transmission Line Fiber CIP project. An Optional Contingency is included for additional work that may be required.

**i. APPROVED Rowlett Creek Wastewater Treatment Plant Secondary Clarifiers and Trickling Filters Evaluation Project** — **Bid No. 0243-21**

| | |
|---|---|
| **Arcadis U.S., Inc.** | **$103,514.00** |
| **Optional Contingency** | **10,000.00** |
| **TOTAL:** | **$113,514.00** |

This request is to obtain engineering services for evaluation of the secondary clarifiers and trickling filters at the Rowlett Creek Wastewater Treatment Plant. Services include assessment of the physical condition of the trickling filters and secondary clarifiers, determination of the trickling filter media remaining service life, evaluation of the mechanical equipment, and evaluation of the return activated sludge pump station hydraulics. This was included as part of the 2016 Wastewater Treatment Master Plan. An Optional Contingency is included for any additional work that may be required.

**j. APPROVED Design Services for Ridgewood, Vista, Celeste Alley, and Forestbrook Wastewater Main Replacement** — **Bid No. 0169-21**

| | |
|---|---|
| **Lam Consulting Engineering** | **$232,080.00** |

This request is to obtain professional engineering services for replacing wastewater lines at the following locations: the alley between E. Ridgewood Drive and Vista Drive from Cumberland Drive to Dairy Road, the alley between Vista Drive and E. Celeste Drive from Cumberland Drive to Dairy Road, and Forestbrook Drive from Pleasant Valley Road to the cul-de-sac.

**k. APPROVED Design Services for Ford and Belmont Alley Wastewater Main Replacement** — **Bid No. 0210-21**

| | |
|---|---|
| **Kimley-Horn and Associates, Inc.** | **$135,700.00** |

This request is to obtain the design of approximately 3,000 linear feet of 6" wastewater main replacement, including manholes and service laterals. The wastewater mains are primarily located within existing alleys at the following locations: Clark and Ford Street, Oak and Hiland Street, and Belmont Drive and Hiland Street.

**l. APPROVED GP&L Olinger to Wylie East 138kV Transmission Line Upgrade** — **Bid No. 0009-21**

| | |
|---|---|
| **Maslonka Powerline Services** | **$2,971,850.75** |
| **Optional Contingency** | **297,185.00** |
| **TOTAL:** | **$3,269,035.75** |

This request is to obtain all construction, labor, and equipment necessary for upgrades to the Olinger to Wylie 138kV Transmission Line. This project will cross Lake Lavon and includes the installation of sixteen (16) new steel structures, conductor, and hardware. This is part of the approved Olinger to Wylie East Circuit CIP project. An Optional Contingency is included for additional work that may be required.

**3. APPROVED Purchase of Real Property for Fire Station No. 7**

Minute action ratifying a real property contract for the purchase of land for the future site of fire station no. 7 in the amount of $745,626.00. Council was provided a written briefing on this item during the November 30, 2020 work session.

**4. Public hearing(s) were previously conducted for the following zoning case(s). Council approved the request(s) and instructed staff to bring forth the following ordinance(s) for consideration.**

**a. APPROVED Zoning File No. Z 20-21, Development Engineering Consultants, LLC (District 3)**

**Ordinance No. 7181** amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change of Zoning from Agricultural (AG) District to a Planned Development (PD) District for Single-Family Detached Units, 2) an Alley Waiver, and 3) a Detail Plan for Single-Family Detached Units on a 1.00-acre tract of land located at 4926 Locust Grove 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.

## 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. Hold public hearing(s) on:**

**a. PUBLIC HEARING HELD: Public Hearing to expand the boundaries of TIF #1 and revise the Project and Financing Plan**

At the August 31, 2020, Work Session, Council requested that staff bring forward a recommendation to the Board of Directors of the Tax Increment Financing (TIF) Zone #1 to expand the boundaries of the Forest/Jupiter area of the TIF to include Montgomery Park. In addition, Council requested that a portion of the tax increment be dedicated toward projects in the Forest/Jupiter area (specifically Montgomery Park). The Board of Directors held a meeting on October 14, 2020 and unanimously approved moving forward with this recommendation.

Sec. 311.003. of the Texas Tax Code specifies the procedure for expanding the boundaries and modifying the Project and Financing Plans of reinvestment zones. A public hearing is required to obtain comments from interested parties regarding its boundaries or the concept of tax increment financing. Following the public hearing, Council will formally consider an ordinance to expand the boundaries of the TIF zone and amend the Project and Financing Plan.

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.

**b. APPROVED** **Ordinance No. 7182** expanding the boundaries of TIF #1 and revising the Project and Financing Plan.

At the November 16, 2020, Work Session, Council directed Staff to proceed with expanding the boundaries and modifying the Project and Financing Plan for Tax Increment Financing Reinvestment Zone #1.

Motion was made by Council Member Dylan Hedrick, and seconded by Council Member Deborah Morris to approve the ordinance expanding the boundaries of TIF #1 and revise the financing plan. Motion carried:

**Vote:** 8 - 0

**c. APPROVED**

**Consider a Zoning request by Monk Consulting Engineers to build a church at 2201 East Miller Road and 2214 East Centerville Road in District 2.**

Consideration of the application of Monk Consulting Engineers, requesting approval of a Planned Development (PD) District to allow a Church or Place of Worship on a property zoned Planned Development (PD) 13-01 for Single Family-7 Uses. This property is located at 2201 East Miller Road and 2214 East Centerville Road. (File No. Z 19-40, District 2)

The staff report was presented by Nabiha Ahmed, Development Planner. Speaker on this item was Jerry Monk, applicant.

There was discussion by the Council.

Motion was made by Council Member Deborah Morris, and seconded by Council Member B. J. Williams to approve the Zoning request (Item 5c) and Detail Plan (5d) based on Plan Commission modifications. Motion carried:

**Vote:** 8 - 0

**d. APPROVED**

**Consider a Detail Plan request by Monk Consulting Engineers to build a church at 2201 East Miller Road and 2214 East Centerville Road in District 2.**

Consideration of the application of Monk Consulting Engineers, requesting approval of a Detail Plan for a Church or Place of Worship. This property is located at 2201 East Miller Road and 2214 East Centerville Road. (File No. Z 19-40, District 2)

**e. APPROVED Consider a Zoning request by Spiars Engineering to modify an existing pylon sign at 3414 Broadway Boulevard in District 3.**

Consideration of the application of Spiars Engineering, requesting approval of a Change in Zoning from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses to allow deviations for the existing nonconforming Pylon Sign. This property is located at 3414 Broadway Boulevard. (File No. Z 20-30, District 3)

The staff report was presented by Nabiha Ahmed, Development Planner and Will Guerin, Diretor of Planning. Speakers on this item were: Mark Ewing, applicant, Megan Voissem and Adam Cockerill.

There was discussion by the Council. Brad Neighbor, City Attorney was asked by Council Member Aubin to explain changes to the law as it relates to conforming and non-conforming signs.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Deborah Morris to approve the Zoning (5e) and Detail Plan (5f) in one motion. Motion carried:

**Vote:** 8 - 0

**f. APPROVED Consider a Detail Plan request by Spiars Engineering to modify an existing pylon sign at 3414 Broadway Boulevard in District 3.**

Consideration of the application of Spiars Engineering, requesting approval of a Detail Plan to allow deviations for the existing nonconforming Pylon Sign. This property is located at 3414 Broadway Boulevard. (File No. Z 20-30, District 3)

**g. APPROVED**

**Consider a Zoning request by Masterplan to build an apartment complex with forty-eight (48) dwelling units at 5751 Marvin Loving Drive in District 3.**

Consideration of the application of Masterplan, requesting approval of a Change in Zoning from Multi-Family (MF) District to a Planned Development (PD) District for Multi-Family Use. This property is located at 5751 Marvin Loving Drive. (File No. Z 19-31, District 3)

The staff report was presented by Nabiha Ahmed, Development Planner and Will Guerin, Director of Planning. Speakers on this item were: Maxwell Fisher, for the applicant and Daniyal Awan, Developer.

There was discussion by the Council, Deputy Mayor Pro Tem Vera, inquiring about installation of fencing, Council Member Williams on amenities, rates, visitor parking and Mayor LeMay on signage.

Council Member Aubin requested clarification from Brad Neighbor, City Attorney, on permissions allowed Council under current law, when considering zoning cases.

Council Member Nickerson made a motion to approve the Zoning (5g) and related Detail (5h) plans, to include the Plan Commission amendments; with an amendment by Council Member Williams to include a requirement for designated visitor parking, seconded by Deputy Mayor Pro Tem Vera. Council

Member Nickerson agreed to include the parking request, if it is not in conflict with Mr. Guerin's direction on signage.

Council Member Aubin expressed he could not support the request as the motion is currently stated. Brad Neighbor, City Attorney, asked applicant to if he could be responsible for visitor parking and/or signage; the applicant was in agreement. There was additional discussion on the parking by Council Member Hedrick.

Council Member Nickerson restated his motion to approve the Zoning and Detail Plans with Plan Commission recommendations, Deputy Mayor Pro Tem Vera concurred, as the second on the motion.

Council Member Williams withdrew his parking amendment and/or recommendation.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Deputy Mayor Pro Tem Robert Vera

**Vote:** 8 - 0

**h. APPROVED**

**Consider a Detail Plan request by Masterplan to build an apartment complex with forty-eight (48) dwelling units at 5751 Marvin Loving Drive in District 3.**

Consideration of the application of Masterplan, requesting approval of a Detail Plan for Multi-Family Use. This property is located at 5751 Marvin Loving Drive. (File No. Z 19-31, District 3)

**i. APPROVED Consider a Zoning request by Nationwide Construction to build a church at 1706, 1710, and 1714 Pleasant Valley Road in District 1.**

Consideration of the application of Nationwide Construction, requesting approval of an Amendment to Planned Development (PD) District 07-42 to add a Church/Place of Worship. This property is located at 1706, 1710, and 1714 Pleasant Valley Road. (File No. Z 20-25, District 1)

The staff report was presented by Kimberly Hopkins, Development Planner and Will Guerin, Director of Planning. Speakers on this item were: Joi John, applicant and Gina McLean, Nationwide Construction.

There was discussion by the Council.

Motion was made by Council Member Deborah Morris, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the Zoning (5i) and Detail Plan (5j) to include all recommendations from the Plan Commission. Motion carried:

**Vote:** 8 - 0

j. **APPROVED** **Consider a Detail Plan request by Nationwide Construction to build a church at 1706, 1710, and 1714 Pleasant Valley Road in District 1.**

Consideration of the application of Nationwide Construction, requesting approval of a Detail Plan for a Church/Place of Worship. This property is located at 1706, 1710, and 1714 Pleasant Valley Road. (File No. Z 20-25, District 1)

6. **Citizen comments:** Joshua Garcia

7. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:51 p.m.

**Submitted By:**

____________________________________

**Scott LeMay, Mayor**

____________________________________

**Eloyce René Dowl, City Secretary**