GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, February 2, pursuant to Section 551.045, by telephone or internet in Garland, Texas, with the following members present:

Present:	Mayor Scott LeMay
	Mayor Pro Tem Jerry A. Nickerson
	Deputy Mayor Pro Tem Deborah Morris
	Council Member Ricky McNeal
	Council Member B. J. Williams
	Council Member Rich Aubin
	Council Member Robert Vera
	Council Member Dylan Hedrick
	Council Member Robert John Smith
Staff Present:	City Manager Bryan Bradford
	Deputy City Manager Mitch Bates
	Assistant City Manager John Baker
	Assistant City Manager Judson Rex
	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.

Amy Dunphy, Community Outreach Coordinator, presented the Pet of the Month.

Mayor LeMay presented the Achievement of Excellence in Libraries Award to the staff and board.

Council Member Williams announced his upcoming Town Hall on February 4 at 6 p.m.

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 Jerry A. Nickerson, and seconded by Council Member Ricky McNeal to approve the Consent Agenda with the exception of Items 3a and 5, which were pulled by Council Member Aubin for individual consideration. Motion carried:

Vote: 9 - 0

1. APPROVED Consider approval of the minutes of the January 12 Regular Meeting and January 19 Special CIP Work Session.

2. Consider approval of the following bids:

a. APPROVED Street Sweepers **Bid No. 0432-21**

Freightliner of Austin	**$517,768.00**

This request is for the purchase of two replacement street sweepers for the Stormwater Management Department.

b. APPROVED Water & Wastewater Operations Building Architectural Services **Bid No. 0417-21**

MPI Architects	**$679,100.00**

This request is to obtain professional architectural services for the design of a new Water & Wastewater Operations B*uilding.*

c. APPROVED Sanitary Sewer Manhole Rehabilitation on Bardfield Drive **Bid No. 0339-21**

Insituform Technologies, LLC	**$127,495.25**

This request is to provide rehabilitation of twenty-nine (29) sanitary sewer manholes located on Bardfield Drive.

d. APPROVED 5.0 MG Lavon Groundwater Storage Tank Rehabilitation **Bid No. 0153-21**

DN Tanks, Inc.	**$783,000.00**
Optional Contingency	**78,300.00**
TOTAL:	**$861,300.00**

This request is to provide rehabilitation to the 5.0 MG Lavon groundwater storage tank. An Optional Contingency is included for any additional work that may be required.

e. APPROVED Lyons Road Alignment Study Services **Bid No. 0420-21**

Criado & Associates, Inc.	**$276,450.00**

This request is to obtain professional services for an alignment study of Lyons Road from I.H. 30 to Guthrie Road.

f. **APPROVED** **Peripheral Equipment for Police Patrol Vehicles** **Bid No. 0422-21**

GT Distributors, Inc.	**$234,432.55**
Plastix Plus, LLC	**76,545.00**
Kustom Signals, Inc.	**31,228.91**
Stop Stick, Ltd.	**12,249.63**
PVP Communications	**4,389.00**
Stalker Radar, Inc.	**3,505.00**
TOTAL:	**$362,350.09**

This request is to purchase the equipment necessary to upfit the new Police Department Chevrolet Tahoes to make them fully functioning patrol vehicles.

g. **APPROVED** **Upgrade of Police Department E911 Equipment** **Bid No. 0424-21**

Vesta Solutions, Inc. **$320,439.84**

The Garland Police Department's current Public Safety Answering Point E911 equipment has been placed on product discontinuation notice and will, therefore, be at end-of-life.

h. **APPROVED** **TMPA Keith Switch to Steep Hollow Transmission Line Rebuild Materials** **Bid No. 0003-21**

Texas Electric Cooperatives, Inc. **$1,487,075.00**

This request is for the purchase of two steel dead-end structures and 105 concrete structures with associated materials for the TMPA Keith Switch to Steep Hollow Transmission Line Rebuild CIP project.

i. **APPROVED** **Playground Replacement Program - Package 1 Construction** **Bid No. 1106-20**

Dean Construction **$1,179,978.00**

This request is for site improvement construction for the nine playgrounds in Package 1 of the Playground Replacement Program.

j. **APPROVED** **TMPA Ben Davis to Royse SW 345kV Transmission Line Tower Replacement Engineering Services** **Bid No. 0434-21**

Black & Veatch **$205,481.00**

This request is to obtain electrical, civil and design engineering services to mitigate erosion on transmission structure 2/5 on the existing TMPA Royse to Ben Davis 345kV Transmission Line.

k. APPROVED GP&L Overhead Distribution Line Relocations for TxDOT **Bid No. 0281-21**

JW Powerline	**$673,283.84**
Optional Contingency	**30,000.00**
TOTAL:	**$703,283.84**

This request is to provide labor and equipment needed to relocate GP&L overhead facilities to eliminate conflicts with the Texas Department of Transportation (TxDOT) widening of I.H. 635. An Optional Contingency is included for any additional work that may be required.

l. APPROVED Switchgears for Warehouse Inventory **Bid No. 0219-21**

Texas Electric Cooperatives	**$108,132.00**

This request is to purchase six switchgears for Warehouse inventory.

3. APPROVED Minute action approving the East Garland State Highway 66 Project Development Agreement as well as the Mutual Aid and Master Development Agreement between the City of Garland and the Garland Foundation for Development.

The Garland Foundation for Development considered and authorized these agreements on December 15, 2020.

4. APPROVED Resolution No. 10471 authorizing Texpool Participation and Designating Amegy Bank as Authorized Representatives of TWDB Escrow Accounts.

Council approved a resolution authorizing Zions Bancorporation, National Association, Amegy Bank Division (Amegy Bank) to participate in TexPool Investment Pools and designating Authorized Representatives of Amegy Bank to perform and inquire on two Texpool escrow accounts established by the City of Garland to earn interest on Texas Water Development bond proceeds and grant proceeds associated with the multi-year Radio Read Water Meter Retrofit project approved in the 2020 CIP.

5. APPROVED Resolution No. 10472 providing for the redemption of certain outstanding City of Garland, Texas, Tax Notes, Series 2020; and resolving other matters incident and related to the redemption of such obligations.

When Council approved the issuance of $24,860,000 Tax Notes, Series 2020 on September 15, 2020, it was contemplated that the City would exercise the call provision to redeem the notes prior to the scheduled maturity date of November 15, 2021. Staff requests Council consider approving a resolution to redeem the Tax Notes, Series 2020 as contemplated.

6. **APPROVED** **Resolution No. 10473** of the City Council of the City of Garland, Texas, adopting a Strategic Master Libraries Plan; and providing an effective date.

At the January 11, 2021 Work Session, Council considered the Library Master Plan Draft which provides analysis, recommendations and action plans for the Library Department in the following areas: Strategic Plan, Technology Plan, Staffing Plan and Facilities Plan.

7. **APPROVED** **Ordinance No. 7194** authorizing the issuance of “City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2021”, pledging net revenues of the City’s Water and Sewer System to the security of and the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement; and providing an effective date.

At the November 16, 2020 Work Session, Council considered refunding approximately $23.4 million of Water and Sewer System Commercial Paper Notes, Series 2015 and approximately $14.4 million Water and Sewer System Revenue Bonds, Series 2011 with Water and Sewer System Revenue Refunding Bonds, Series 2021. The purpose of this transaction is to refund a portion of variable rate commercial paper notes with fixed rate long-term debt and to generate debt service savings.

8. **APPROVED** **Ordinance No. 7195** authorizing the issuance of “City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2021”, pledging the net revenues of the City’s electric utility system to the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement; and providing an effective date.

At the November 16, 2020 Work Session, Council considered authorizing the refunding of approximately $55 million of Electric Utility System Commercial Paper Notes, Series 2018 and approximately $5.4 million of Electric Utility System Revenue Bonds, Series 2011 with Electric System Revenue Refunding Bonds, Series 2021. The purpose of this transaction is to refund a portion of variable rate commercial paper notes with fixed rate long-term debt and to generate savings in debt service.

9. **APPROVED** **Ordinance No. 7196** amending Chapter 1, Article 2 “Universal Procedures” and Chapter 4, Article 5 “Signs” of the Garland Development Code.

Council approved an amendment to the Garland Development Code (GDC) regarding on-premise and off-premise signage, and digital displays. Also included in the draft ordinance are necessary changes to expand notification recipients for zoning cases to the physical addresses and increase the notification distance to 1,000 feet for High Risk Use cases, as directed by the City Council.

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. **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.**

11. APPROVED **Zoning File No. Z 19-27, Kimley-Horn and Associates, Inc. (District 5) (Formerly Item 3a, pulled from Consent Agenda)**

Ordinance No. 7193 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Planned Development (PD) District 93-11 to a Planned Development (PD) District for Industrial (IN) uses and 2) a Detail Plan for a Truck/Bus Repair Use on a 9.615-acre tract of land zoned Planned Development (PD) District 93-11 and located at 2700-2816 McCree 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 Savings Clause and a Severability Clause; and providing an effective date.

There were comments by Council Member Aubin. Brad Neighbor, City Attorney, presented the staff report, explaining the timing for this approval and related conditions.

Motion was made by Council Member Rich Aubin, and seconded by Mayor Pro Tem Jerry A. Nickerson to approve the item as presented. Motion carried:

Vote: 9 - 0

12. APPROVED **Resolution No. 10470** ratifying the approval and the execution of a settlement agreement and a first amendment to the North Texas Municipal Water District Regional Water Supply Facilities Amendatory Contract; and providing an effective date. (**Formerly Item 5 on the Consent Agenda)**

At the February 1, 2021 Work Session, Council considered approving a resolution ratifying the approval and the execution of a settlement agreement and a first amendment to the North Texas Municipal Water District Regional

Water Supply Facilities Amendatory Contract.

There were comments by Council Member Aubin, City Manager Bradford and Brad Neighbor, City Attorney.

Motion was made by Mayor Pro Tem Jerry A. Nickerson, and seconded by Council Member Rich Aubin to approve the resolution to ratify, approval and execution of the settlement agreement with the North Texas Municipal Water District. Motion carried:

Vote: 9 - 0

13. APPROVED **Ordinance No. 7197** ordering a General Election for the City of Garland, Texas to be held on the 1st day of May, 2021 for the purpose of electing a Mayor and for electing Council Members to Districts 3, 6, 7 and 8 ordering a special election for electing a Council Member to the unexpired term of District 1; providing for the conduct of the election; providing a date for a run-off election; providing for a process to determine position of names on ballots; providing for locations of polling places; providing for early voting; providing for notice, publication, and posting of this order; and providing an effective date.

Council approved an ordinance ordering and providing notice of a General Election for the City of Garland to be held on the 1st day of May 2021.

Motion was made by Mayor Pro Tem Jerry A. Nickerson, and seconded by Deputy Mayor Pro Tem Deborah Morris to approve the ordinance ordering a General Election on May 1 for the offices of Mayor and Council Districts 3, 6, 7 and 8 and for a special election to elect a Council Member to the unexpired term of District 1. Motion carried:

Vote: 9 - 0

14. PUBLIC HEARING HELD: **Hold a Public Hearing for the Trails and Bikeways Master Plan**

Staff is requesting to hear public input prior to formal Council consideration for adoption of the Plan. Unless otherwise directed by Council, this item will be considered for formal consideration at the February 16, 2021 Regular Meeting.

Mayor LeMay opened the public hearing at 7:33 p.m..

Ziad Zharrat presented the staff report. Speakers on this item were: Jeff Lucado, Jack Sparks and Jennifer Reeder.

Mayor LeMay closed the public hearing at 7:45 p.m.

15. PUBLIC HEARING HELD: **Hold a Public Hearing on the 2021 Proposed CIP**

A public hearing will be held on the 2021 Proposed Capital Improvement Program (CIP). At the public hearing, all interested persons will be given the opportunity to be heard for or against the Proposed CIP Program. The 2021 Proposed CIP is available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since January 13, 2021.

Mayor LeMay opened the public hearing at 7:46 p.m.

Speaker on this item was Joshua Garcia.

Mayor LeMay closed the public hearing at 7:50 p.m.

16. **Citizen comments:** Joshua Garcia

17. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:55 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary