GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, February 23, 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.

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 B. J. Williams, and seconded by Council Member Ricky McNeal to approve the Consent Agenda as presented. Motion carried:

Vote: 9 - 0

1. APPROVED Consider approval of the minutes of the February 2, 2021 Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED Duck Creek Pedestrian and Bike Bridges **Bid No. 0236-21**

Home Run Construction, LLC **$443,648.31**

This request is to reconstruct two low-water crossings and the associated trail segments in the Duck Creek Greenbelt.

b. APPROVED Skatepark Construction in Rick Oden Park **Bid No. 1113-17**

SPA Skateparks **$1,830,000.00**

This request is to construct a 40,000-square-foot skatepark in Rick Oden Park in accordance with the concept plan previously approved by Council at the November 19, 2019 Regular City Council Meeting.

c. APPROVED GP&L Overhead Distribution Line Construction Services for Apollo Road **Bid No. 0067-21**

The L.E. Myers Co.	**$196,576.85**
Optional Contingency	**10,900.00**
TOTAL:	**$207,476.85**

This request is to provide labor and equipment needed to replace six wood poles with self-supporting steel poles, conductor and neutral along Apollo Road. An Optional Contingency is included for any additional work that may be required.

d. APPROVED GP&L Overhead Distribution Line Construction Services for Belt Line Road **Bid No. 0173-21**

The L.E. Myers Co.	**$316,610.62**
Optional Contingency	**32,245.00**
TOTAL:	**$348,855.62**

This request is to provide labor and equipment needed to install or replace self-supporting overhead facilities located at Belt Line Road and Glenbrook. An Optional Contingency is included for any additional work that may be required.

e. APPROVED GP&L Overhead Distribution Relocations for Naaman School Road Surveying and Engineering Services **Bid No. 0450-21**

R-Delta	**$169,900.00**

This request is to obtain surveying, electrical, civil and structural engineering services for the relocation of approximately 3,810 LF of overhead electrical distribution line and the installation of approximately fifteen tubular steel distribution structures in conjunction with the reconstruction of Naaman School Road.

f. APPROVED GP&L Newman Substation Modification Construction Services **Bid No. 1362-20**

Primoris T&D Services, LLC	**$484,974.83**
Optional Contingency	**96,994.97**
TOTAL:	**$581,969.80**

This request is to provide construction services for the upgrade of the GP&L Newman 69kV Substation. An Optional Contingency is included for any additional work that may be required.

g. **APPROVED** **2018 Paving, Water and Sanitary Sewer Replacement Project - Phase Two** **Bid No. 0947-20**

XIT Paving and Construction, Inc.	**$253,049.99**

This request is to approve a Change Order for the 2018 Paving, Water and Sanitary Sewer Replacement Project - Phase Two.

h. **APPROVED** **Duck Creek Wastewater Standby Generators Project** **Bid No. 0140-21**

Gracon Construction, Inc.	**$7,548,300.00**

This request is to provide services for construction and installation of new centralized standby generators at the Duck Creek Wastewater Treatment Plant.

i. **APPROVED** **Meadowcreek Park Paving and Drainage Improvements Construction** **Bid No. 0240-21**

New World Contracting, LLC	**$1,539,740.00**

This request is to provide pavement and drainage improvements to the Meadowcreek Park Subdivision.

j. **APPROVED** **Police Ammunition Purchase 2020-2021** **Bid No. 0502-21**

GT Distributers	**$80,801.88**
Precision Delta Corp.	**60,900.00**
TOTAL:	**$141,701.88**

This request is to purchase ammunition for the training of Garland Police Officers in the use of firearms to perform their duties.

k. **APPROVED** **Spencer Cooling Tower 5 Rebuild** **Bid No. 0518-21**

MasterTech Services, Inc.	**$3,836,369.00**
Optional Contingency	**383,636.90**
TOTAL:	**$4,220,005.90**

This request is for the removal and replacement of Cooling Tower # 5 at the Spencer Plant. An optional contingency is included for any additional work that may be required.

3. **APPROVED** **Resolution No. 10474** of the City Council of the City of Garland, Texas, adopting the 2021 Trails and Bikeways Master Plan; and providing an effective date.

Council adopted a resolution approving the Trails and Bikeways Master Plan.

4. **APPROVED** **Resolution No. 10475** of the City Council of the City of Garland, Texas, requesting an increase in the allocation of COVID-19 vaccine doses for distribution by the Garland/Rowlett/Sachse Vaccination Hub; and providing an effective date.

Council adopted a resolution to the appropriate State officials/agency requesting an increase in the COVID-19 vaccine doses of 1000, currently being allocated for the Garland/Rowlett/Sachse Vaccination Hub administered at Homer B. Jones Stadium, Garland, Texas.

5. **APPROVED** **Minute action approving the Naaman School Road R.O.W. and Land Acquisitions**

Naaman School Road (from Brand to S.H. 78 / Lavon Drive) is currently a two-lane asphalt street. It is being reconstructed to a four-lane divided roadway with curbs, which requires additional land/right-of-way. The Council reviewed and discussed several purchase agreements in Executive Session on February 1, 2021.

6. **APPROVED** **Council authorized the City Manager to execute a Wholesale Wastewater Contract with the City of Sachse**

Since 1994, the City has partnered with the City of Sachse to provide wastewater treatment services. The City of Sachse has requested a renewal to continue these services. This new contract renewal supersedes the existing Wastewater Treatment Contract dated June 8, 1994 and will provide treatment services for twenty years from the 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.

7. 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 has been 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 7:05 p.m. There were no speakers on this item. Mayor LeMay closed the public hearing at 7:06 p.m.

8. APPROVED Consider an ordinance adopting the 2021 Capital Improvement Program

An ordinance reflecting the 2021 CIP for the City of Garland, as proposed by the City Manager and as amended by the City Council, was prepared based on direction received at the Monday, February 22, 2021 City Council Work Session.

Motion was made by Council Member Williams to adopt the 2021 Capital Improvement Program as amended.

Council Member Aubin opened the discussion regarding clarification on offering amendments to the Capital Improvement Program. Brad Neighbor, City Attorney confirmed that amendments should be stated. Council Member Smith did not offer his amendments at this meeting; City Manager Bradford explained the ordinance could be adopted before final amendments are brought forward by Council Member Smith.

Council Member Aubin offered two amendments:

1. Replacing references to the baseball field at Rick Oden Park to the Marion D. Williams, IV Field
2. Replacing references to the Tennis Center at Tuckerville Park to the Bob Day Tennis Center.

Allyson Bell, Sr. Budget Analyst, presented four amendments to the 2021 Capital Improvement Program:

1. Increase the Production CIP Program by $4,277,000 for the Replacement of Spencer Unit 5 Cooling Tower project.
2. Shift $676,000 in the Residential Program from Current Funds to Revenue Bond/Commercial Paper in 2021.
3. Shift $2,299,000 in the Relocation of Facilities Program from Current Funds to Revenue Bond/Commercial Paper in 2021.
4. Shift $1,302,000 in the Distribution Lines - Overhead Program from Current Funds to Revenue Bond/Commercial Paper in 2021.
5. The Electric 2021 Project Costs increasing by $4,277,000 to $144,850,000.
6. The 2021 CIP Expenditures increasing by $4,277,000 to $431,350,000.
7. The Electric 2021 Debt Issuance increasing by $4,277,000 to $98,797,000.

8. The 2021 CIP Debt Issuance increasing by $4,277,000 to $125,631,000.
9. Increase Project Costs for the Playground Replacement Program in 2022 by $250,000 for Yarborough Park playground replacement. 2022 Tax Note Issuance will be earmarked for this project.
10. Staff received direction to design the Tuckerville Park Development – Tennis Complex for option 3, but to phase construction based on the funding available from the 2004 Bond Program.

Council Member Williams confirmed his motion stands, concurred and seconded by Council Member Aubin. Motion carried:

Vote: 9 ayes, 0 nays adopting Ordinance No. 7198

9. Consider resolutions of Support for Low Income Housing 9% Tax Credit Projects

Council is approved and authorized staff to prepare Resolutions of Support for multifamily developers seeking to apply for 9% Low Income Housing Tax Credit Program administered by the Texas Department of Housing and Community Affairs. Discussions were held during the February 22, 2021 Work Session regarding this item.

Mayor LeMay explained that each project would be considered individually. There was Council discussion on support, opposition or no opposition. Council Members opined on their support or opposition to have more multi-family housing developments.

Speakers on this item were: Jennifer Ernst (citizen), Thomas Huth, Jason Lain, Darren Smith, Brett Johnson and Avis Chaisson (applicants)

Council Member Smith requested Mr. Huth provide information on the auditing process for the developments.

Motion was made by Council Member Smith offering a resolution of support for 1102 N. Shiloh, MVAH Development, seconded by Council Member McNeal. Motion carried:

Vote: 7 ayes, 2 nays (Council Members Aubin and Vera)

Motion was made by Council Member Smith to deny the application for 2301 Forest Lane, Generation Housing, seconded by Council Member Williams. Motion carried:

Vote: 9 ayes, 0 nays

Motion was made by Deputy Mayor Pro Tem Morris offering a resolution of support for 1010 Highway 66, Palladium, seconded by Council Member McNeal. Motion carried:

Vote: 8 ayes, 1 nay (Council Member Aubin)

Motion was made by Deputy Mayor Pro Tem Morris to offer a resolution of support for 701 Dairy Road, Overland Property, seconded by Council Member McNeal. Motion carried:

Vote: 7 ayes, 2 nays (Council Members Williams and Vera)

Motion was made by Council Member Smith to deny the application for 1700-1800 Avenue B, OM Housing, seconded by Deputy Mayor Pro Tem Morris. Motion carried:

Vote: 9 ayes, 0 nays adopted Resolution No. 10475

10. Hold public hearings on:

a. APPROVED

Consider a Specific Use Provision request by Ephriem Mengstab to operate a truck storage establishment. The property is located at 2430 Lonnecker Drive in District 5.

Consideration of the application of Ephriem Mengstab, requesting approval of a Specific Use Provision for 20 years to allow a Truck/Bus Storage Use on a property zoned Industrial (IN) District. (File No. Z 20-28, District 5)

Mayor LeMay requested to take action on the two related items with one vote; Council Member Aubin concurred.

The staff report was presented by Will Guerin, Director of Planning. Speaker on this item was Ephreim Mengstab, applicant.

There was discussion by the Council.

Motion was made by Council Member Aubin to approve the combined items as presented, seconded by Council Member Vera. Motion carried:

Vote: 9 ayes, 0 nays

b. APPROVED

Consider a Site Plan request by Ephriem Mengstab to operate a truck storage establishment. The property is located at 2430 Lonnecker Drive in District 5.

Consideration of the application of Ephriem Mengstab, requesting approval of a Site Plan to allow a Truck/Bus Storage Use on a property zoned Industrial (IN) District. (File No. Z 20-28, District 5)

c. **APPROVED** **Consider a Zoning request by Jack Birdsong to allow a Reception Facility from an existing building. The property is located at 354 East Interstate Highway 30 in District 3.**

Consideration of the application of Jack Birdsong, requesting of an amendment to Planned Development (PD) District 11-26 for Community Office and Watercraft Sales and Service Uses to add Reception Facility Use. (File No. Z 20-40, District 3)

Mayor LeMay requested to take action on all three items with one vote; Mayor Pro Tem Nickerson concurred.

The staff report was presented by Will Guerin, Director of Planning. Speaker on this item was Jack Birdsong.

There was discussion by the Council and background information on the project provided by Mayor Pro Tem Nickerson.

Motion was made by Mayor Pro Tem Nickerson to approve the Zoning request, Specific Use Provision and Detail Plan, seconded by Council Member Williams. Motion carried:

Vote: 9 ayes, 0 nays

d. **APPROVED** **Consider a Specific Use Provision request by Jack Birdsong to allow a Reception Facility from an existing building. The property is located at 354 East Interstate Highway 30 in District 3.**

Consideration of the application of Jack Birdsong, requesting approval of a Specific Use Provision to allow a Reception Facility Use for 20 years on a property zoned Planned Development (PD) District 11-26 for Community Office and Watercraft Sales and Service Uses. (File No. Z 20-40, District 3)

e. **APPROVED** **Consider a Detail Plan request by Jack Birdsong to allow a Reception Facility from an existing building. The property is located at 354 East Interstate Highway 30 in District 3.**

Consideration of the application of Jack Birdsong, requesting approval of a Detail Plan for Reception Facility Use on a property zoned Planned Development (PD) District 11-26 for Community Office and Watercraft Sales and Service Uses. (File No. Z 20-40, District 3)

11. **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.

APPOINTMENTS: **Council Member B.J. Williams**

- Christine Lumpkin-Bell - Property Standards Board

Council Member presented his appointment; a vote was cast approving the appointment:

Vote: 9 ayes, 0 nays

12. **Citizen comments:** Carl Smith, Jennifer Ernst, Dorothy Brooks, Joshua Garcia, Sandra Martin, Janine Barta and Jason Lain.

13. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:36 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary