



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, March 16, 2021, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, 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
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.

Mayor LeMay presented a proclamation to Danielle Blanco, Volunteer and Community Outreach Manager and A Frye, President of Jonathan's House, proclaiming March 21-27 to be National Safe Place Week in Garland.

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 Vera to approved the Consent Agenda as presented, seconded by Deputy Mayor Pro Tem Morris. Motion carried:

Vote: 9 - 0

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

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

a. **APPROVED** GP&L Joint Use Management Services **Bid No. 0396-21**

TRC Solutions	\$220,000.00
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This request is for the continuation of the Joint Use Management Service Program to manage GP&L's foreign pole attachment processes for existing and future pole attaching entities.

- b. **APPROVED** **TMPA 345/138kV Gibbons Creek Switchyard Phase 1 Plant Disconnection Engineering Services** **Bid No. 0539-21**

Black & Veatch **\$117,161.00**

This request is to obtain electrical design engineering services to support the first stage of the disconnect of the TMPA Gibbons Creek Switchyard from the adjacent power plant.

- c. **APPROVED** **GP&L Server, Storage and Network Gear Replacement Equipment** **Bid No. 0559-21**

Dell Marketing LLP **\$283,087.23**

This request is for the purchase of FY 2020-21 GP&L IT Replacement Fund (ITRF) equipment including corporate server, storage and network equipment in the GP&L primary data center.

- d. **APPROVED** **Replacement Vehicles** **Bid No. 0570-21**

Caldwell Country Ford **\$549,995.00**

This request is for the purchase of seventeen replacement vehicles to be utilized by various City departments.

- e. **APPROVED** **GP&L Substation Instrument Transformers & Surge Arrestors** **Bid No. 0443-21**

Keasler Sales, LLC **\$900,000.00**

This request is for the purchase of instrument transformers and surge arrestors on an as-needed basis for GP&L Substations. This approval is for a Term Agreement with four optional renewals.

3. **Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.**

- a. **APPROVED** **Zoning File No. 20-35, JM Civil Engineering (District 7)**

Ordinance No. 7204 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 18-47 for Neighborhood Office and Limited Community Retail Uses; 2) a Specific Use Provision to allow Fuel Pumps, Retail Use; and 3) a Detail Plan for Fuel Pumps, Retail Use on a 4.684-acre property located at 4680 North Shiloh 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.

b. APPROVED Zoning File No. 20-43, Baldwin Associates (District 7)

Ordinance No. 7205 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Charter School on a 2.33-acre tract of land zoned Single-Family-7 (SF-7) District and located at 2266 Arapaho 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.

c. APPROVED Zoning File No. 20-47, R-Delta Engineers, Inc. (District 1)

Ordinance No. 7206 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for an Electric Substation Use on a 3.00-acre tract of land zoned Agricultural (AG) District and located at 2900 Elm 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.

4. APPROVED Resolution No. 10480 of the City Council of the City of Garland, Texas, authorizing the City Manager to take the necessary action to provide relief measures for Garland residents impacted by the winter storm and providing an effective date.

At the March 1, 2021 Work Session, Council considered a one-time 2,000-gallon water drip credit for single and multi-family residents, including omitting the month of February from the annual History Base Consumption (HBC) in the calculation of the winter months average for wastewater. This one-time calculation would use December, January and March to calculate the HBC for sewer service volume charge.

5. APPROVED Resolution No. 10481 authorizing the submission of a Grant Application to the Office of the Governor of the State of Texas for certain public safety, law enforcement and Homeland Security projects; and providing an effective date.

At the March 15, 2021 Work Session, Council considered a resolution to support the 2019 Homeland Security Grant Program (HSGP) additional allocation application.

6. APPROVED Minute action approving of the proposed lease agreement with Garland Emergency Corps Lease

At the March 1, 2021 Work Session, Council considered authorizing the execution of a ground lease for the Garland Emergency Corps to continue operations at 401 Rescue St., a building located within the City of Garland Water Department complex, commonly addressed as 2434 Forest Lane.

7. APPROVED Minute action approving a Child Care Group Lease

At the March 1, 2021 Work Session, Council considered authorizing execution of a ground lease for Child Care Group to continue operations at a City owned facility located at 625 E. Avenue B.

8. APPROVED Minute action approving a Head Start Lease Renewal

At the March 1, 2021 Work Session, Council considered authorizing execution of a lease for Head Start of Greater Dallas, Inc. to continue operations at a City owned facility located at 3709 West Walnut.

9. APPROVED Minute action approving a Specific Use Provision (SUP) Time Period Policy Guide

City Council approved by Minute action the SUP Time Period Guide, as recommended by the Development Services Committee, to be used as a Council-recommended guide for SUP applicants. This item was discussed during the March 1, 2021 City Council Work Session.

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 Hold a Public Hearing and Adopt an Ordinance Related to Youth Programs Standards of Care Ordinance

Mayor LeMay opened the public hearing on the Youth Programs Standards of Care at 7:15 p.m.; there were no speakers on this item and the hearing was closed at 7:16 p.m.

Motion was made by Council Member Vera to approve the ordinance as presented, seconded by Council Member Smith. Motion carried:

Vote: 9 - 0 Adopting **Ordinance No. 7207** the Youth Programs Standards of Care.

11. APPROVED Consider Amendments to Chapter 2, Section 2.61 of the Garland Development Code regarding Home Occupations

At the March 1st and 15th Work Sessions, Council considered amendments to Chapter 2, Section 2.61 of the Garland Development Code regarding Home Occupations.

Mayor LeMay opened the public hearing at 7:17 p.m. Speakers on this item were: Sean Davis. City Attorney Brad Neighbor was asked to address concerns presented by Mr. Davis.

There was discussion by the Council.

Mayor LeMay closed the public hearing at 7:30 p.m.

Motion was made by Deputy Mayor Pro Tem Morris to approve the ordinance as presented, seconded by Council Member Vera. Motion carried:

Vote: 9 - 0 Adopting **Ordinance No. 7208** amending Chapter 2, Section 2.61 of the Garland Development Code for Home Occupations.

12. Hold public hearings on:

- a. APPROVED Consider a Zoning request by Masterplan to develop a mixed-use community. Three buildings would be constructed for apartment dwelling units in Phase 1. An existing Chase Bank building would be repurposed to add upper-floor apartment units in Phase 2. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive in District 2.**

Consideration of the application of Masterplan, requesting approval of an Amendment to Planned Development (PD) District 14-23 for Downtown District Uses and Mixed Uses. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive. (File No. Z 20-29, District 2)

Mayor LeMay requested to take action on the three related items in one vote; Deputy Mayor Pro Tem Morris concurred.

The staff report was presented by Will Guerin, Director of Planning. Speaker on this item: Maxwell Fisher, Masterplan.

There was discussion by the Council.

Motion was made by Deputy Mayor Pro Tem Morris to approve the Zoning request, Specific Use Provision and Detail Plan request by Masterplan as amended by the Plan Commission with the exception of the post construction, five year parking study to develop a mixed use community, seconded by Council Member McNeal. Motion carried:

Vote: 9 - 0

- b. APPROVED Consider a Specific Use Provision request by Masterplan to allow the continuation of a drive-through lane for a bank for a period of fifteen (15) years. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive in District 2.**

Consideration of the application of Masterplan, requesting approval of a Specific Use Provision to allow a Drive-Through Service on a property zoned Planned Development (PD) District 14-23 for Downtown District Uses and

Mixed Uses. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive. (File No. Z 20-29, District 2)

- c. APPROVED Consider a Detail Plan request by Masterplan to develop a mixed-use community. Three buildings would be constructed for apartment dwelling units in Phase 1. An existing Chase Bank building would be repurposed to add upper-floor apartment units in Phase 2. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive in District 2.**

Consideration of the application of Masterplan, requesting approval of a Detail Plan for Multi-Family (MF) Uses on a property zoned Planned Development (PD) 14-23 for Downtown Uses. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive. (File No. Z 20-29, District 2)

- d. APPROVED Consider a Zoning request by Armando Palacios to allow the reconstruction of a restaurant with a drive-through. This property is located at 5621 Broadway Boulevard in District 4.**

Consideration of the application of Armando Palacios, requesting approval of an Amendment to Planned Development (PD) District 80-42 for Community Retail Uses to reconstruct an existing drive-through restaurant. This property is located at 5621 Broadway Boulevard. (File No. Z 20-41, District 4)

Mayor LeMay requested the action on the three related items be taken in one vote; Council Member Williams concurred:

The staff report was presented by Will Guerin, Director of Planning. Speakers on this item were Armando Palacios, applicant and Josh Garcia.

There was discussion by the Council.

Motion was made by Council Member Williams to approve the Zoning Request, Specific Use Provision and Detail Plan as presented, seconded by Council Member Nickerson. Motion carried:

Vote: 9 - 0

- e. APPROVED Consider a Specific Use Provision request by Armando Palacios to allow the reconstruction of a restaurant with a drive-through for a period of thirty (30) years. This property is located at 5621 Broadway Boulevard in District 4.**

Consideration of the application of Armando Palacios, requesting approval of a Specific Use Provision for a drive-through restaurant. This property is located at 5621 Broadway Boulevard. (File No. Z 20-41, District 4)

- f. APPROVED Consider a Detail Plan request by Armando Palacios for the reconstruction of a restaurant with a drive-through. This property is located at 5621 Broadway Boulevard in District 4.**

Consideration of the application of Armando Palacios, requesting approval of a Detail Plan for a drive-through restaurant. This property is located at 5621 Broadway Boulevard. (File No. Z 20-41, District 4)

- g. APPROVED Consider a Zoning request by JDJR Engineers & Consultants, Inc. / Jim Dewey Jr. to improve an existing pole sign and reconstruct a new pylon sign. Additionally, the applicant requests to continue the gas station (including gas pumps for trucks) and drive-through restaurant uses. This property is located at 801 East Interstate Highway 30 in District 3.**

Consideration of the application of JDJR Engineers & Consultants, Inc., Jim Dewey Jr., requesting approval of a Change of Zoning from Community Retail (CR) District to a Planned Development (PD) District to allow deviations for an existing pole sign and a new pylon sign. This property is located at 801 East Interstate Highway 30. (File No. Z 20-46, District 3)

Mayor LeMay requested the action on the three related items be taken in one vote; Mayor Pro Tem Nickerson concurred:

The staff report was presented by Will Guerin, Director of Planning. Speakers on this item were: Sean Davis, Mohamed Sharaf and Melinda Nelson, applicant and Deputy City Attorney Betz, providing a response to the a question on signage.

There was discussion by the Council.

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

Vote: 9 - 0

- h. APPROVED Consider a Specific Use Provision request by JDJR Engineers & Consultants, Inc. / Jim Dewey Jr. to continue a drive-through restaurant use and a gas station (including gas pumps for trucks) use for a period of thirty (30) years. This property is located at 801 East Interstate Highway 30 in District 3.**

Consideration of the application of JDJR Engineers & Consultants, Inc., Jim Dewey Jr., requesting approval of a Specific Use Provision renewal to continue the Drive-Through, Restaurant Use and Fuel Pumps, Retail Use. This property is located at 801 East Interstate Highway 30. (File No. Z 20-46, District 3)

- i. APPROVED Consider a Detail Plan request by JDJR Engineers & Consultants, Inc. / Jim Dewey Jr. to improve an existing pole sign and reconstruct a new pylon sign. Additionally, the applicant requests to continue the gas station (including gas pumps for trucks) and drive-through restaurant uses. This property is located at 801 East Interstate Highway 30 in District 3.**

Consideration of the application of JDJR Engineers & Consultants, Inc., Jim Dewey Jr., requesting approval of a Detail Plan for Community Retail Uses. This property is located at 801 East Interstate Highway 30. (File No. Z 20-46, District 3)

13. **Citizen comments:** Kristal Berry, Josh Garcia, Stephanie Anne, Pastor Robby Green, Lindsey Fiegelman, Kristen Guerra, and Jennifer Ernst.
14. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 9:31 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary