



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, April 6, 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.

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 Hedrick to approve the Consent agenda as presented, seconded by Deputy Mayor Pro Tem Morris. Council Member Aubin was present for this meeting, but not present at the time the vote. Motion carried:

Vote 8 - 0

1. **APPROVED** Consider approval of the minutes of the Mach 16, 2021 Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** GP&L As-Needed Emergency Spill Response Bid No. 0667-21

TAS Environmental Services (Primary)	\$195,000.00
Spur Environmental Services (Secondary)	<u>40,000.00</u>
TOTAL:	\$235,000.00

This request is for emergency spill response services for GP&L Production, Distribution, Transmission and Substations. This approval is for a Term Agreement with two optional renewals.

- b. APPROVED First Street/Southwood Water and Rilla Drive Alley Wastewater Main Replacements Bid No. 0397-21**

Tri-Con Services, Inc.	\$1,046,515.00
Optional Contingency	<u>104,651.50</u>
TOTAL:	\$1,151,166.50

This request is to provide construction services for the replacement of approximately 1,760 linear feet of water lines along First Street from Miller to Southwood and 960 linear feet of sanitary sewer lines in the Rilla Drive alley from Broadway to Keen. An Optional Contingency is included for any additional work that may be required.

- c. APPROVED Modification of Single Stream Recyclable Materials Transport, Processing and Marketing Agreement Bid No. 1268-19**

Formento De Construcciones Y Contratas, Inc. (FCC)	\$290,000.00
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This request is to approve a Change Order to extend our current recycling contract through September 30, 2021.

- d. APPROVED McCree Substation Autotransformer Bid No. 1058-19**

Texas Electric Cooperatives, Inc.	\$77,750.00
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This request is to approve a Change Order for the additional cost of mobilization and storage fees resulting from delays in delivery of the McCree Substation Autotransformer.

- e. APPROVED Term Agreement for Traffic Loops Bid No. 0401-21**

Durable Specialties, Inc.	\$150,325.00
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This request is to provide services required to install, repair, or replace vehicle detection loops for traffic signals on an as-needed basis. This approval is for a Term Agreement with four optional renewals.

- f. **APPROVED GP&L 200-Amp Underground Loop Replacements** **Bid No. 0452-21**

Infratech Corporation **\$694,637.33**

This request is for the replacement of four underground loops on the GP&L Distribution system.

- g. **APPROVED GP&L Shiloh Road to McCree Transmission Line Underbuild Reconstruction Engineering Services** **Bid No. 0587-21**

R-Delta Engineers **\$132,500.00**
Optional Contingency **13,200.00**
TOTAL: **\$145,700.00**

This request is to obtain surveying, electrical, civil and structural engineering services for the reconstruction of the GP&L Shiloh Road to McCree Transmission Line underbuild. An Optional Contingency is included for any additional services that may be required.

- h. **APPROVED GP&L and TMPA Substation Utility Equipment Maintenance** **Bid No. 0529-21**

National Field Services **\$150,000.00**

This request is to provide as-needed substation utility equipment maintenance, testing, inspection and repair services for the GP&L and TMPA substations. This approval is for a Term Agreement with four optional renewals.

- i. **APPROVED Engineering Consulting Services for Landfill Permit Amendment** **Bid No. 1305-20**

Weaver Consultants Group **\$500,00.00**

This request is to obtain professional engineering consulting services to assist the City with TCEQ permit modifications to expand the Hinton Landfill site boundary.

- j. **APPROVED Microsoft Solutions Services** **Bid No. 0245-21**

Planet Technologies, Inc. **\$1,000,000.00**

This request is to procure comprehensive Microsoft solutions services for the purpose of developing and enhancing digital services on the Microsoft platform. This approval is for a Term Agreement with four optional renewals.

- k. **APPROVED Forest Ridge Water & Wastewater Mains Replacement** **Bid No. 0387-21**

GRod Construction, LLC	\$1,383,477.25
Optional Contingency	<u>138,347.73</u>
TOTAL:	\$1,521,824.98

This request is to provide construction services to replace approximately 6,740 linear feet of sanitary sewer and 1,150 linear feet of water lines among various alleyways and streets in the Forest Ridge subdivision. An Optional Contingency is included for any additional work that may be required.

- l. **APPROVED Design Services for Lon Wynne Park Improvements** **Bid No. 0633-21**

MHS Planning & Design	\$115,620.00
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This request is to obtain professional services for the design and construction administration of improvements at Lon Wynne Park.

- m. **APPROVED Single Stream Recyclable Materials Transport, Processing and Marketing Agreement** **Bid No. 0212-20**

Formento De Construcciones Y Contratas, \$2,850,000.00 Inc. (FCC)

This request is to provide transportation, processing and marketing of recyclable materials that are gathered through typical citywide EWS routes. This approval is for a three year fixed-rate Term Agreement with two optional one year renewals.

- n. **APPROVED Replacement Equipment for Parks Department** **Bid No. 0641-21**

Kubota Tractor Corporation	\$127,585.85
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This request is for the replacement purchase of various tractors and mowers to be utilized by the Parks Department.

- o. **APPROVED Replacement Buses for Parks & Recreation** **Bid No. 0642-21**

Creative Bus Sales	\$146,671.22
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This request is for the replacement purchase of two buses to be utilized by the Senior Activity Center.

- p. **APPROVED Various Replacement Equipment for Parks Department** **Bid No. 0644-21**

Professional Turf Products, LP \$169,064.22

This request is for the replacement purchase of aerators, mowers and sprayers to be utilized by the Parks Department.

- q. **APPROVED Side-Loader Cab and Chassis** **Bid No. 0645-21**

Bond Equipment Company, Inc. \$1,297,804.00

This request is for the purchase of seven replacement side-loader cab and chassis for EWS.

- r. **APPROVED Replacement Front-Loader Chassis for EWS** **Bid No. 0648-21**

Chastang Enterprises, Inc. \$380,224.00

This request is for the purchase of two replacement front-loader chassis to be used by EWS.

- s. **APPROVED Side-Loader and Front-Loader Bodies** **Bid No. 0646-21**

Reliance Truck And Equipment \$1,400,686.69

This request is for the purchase of nine (9) replacement side-loader and front-loader bodies for EWS.

- t. **APPROVED Heavy Duty Trucks** **Bid No. 0643-21**

Freightliner of Austin \$317,683.00

This request is for the purchase of two Heavy Duty Trucks to be utilized by the EWS and Water Departments.

- u. **APPROVED ADA Transition Plan** **Bid No. 0606-21**

Kimley-Horn & Associates, Inc. \$120,000.00

This request is to obtain engineering services to expand the ADA Transition Plan for the City in order to recognize the efforts that the City has made and is making with regard to accessibility for all citizens and in order to be in compliance with federal law.

v. APPROVED Landfill Equipment **Bid No. 0649-21**

Caterpillar, Inc. **\$1,456,568.75**

This request is for the purchase of one replacement excavator and one new bulldozer to be used at the Hinton Landfill.

w. APPROVED GP&L Newman Substation Phase II **Bid No. 0478-21**
Distribution Feeder Duct Line Installation

Kiewit Infrastructure South Co. **\$323,332.00**
Optional Contingency **57,970.76**
TOTAL: **\$381,302.76**

This request is for the labor and equipment needed for the installation of new feeder duct bank facilities at the Newman 138kv Substation. An optional contingency is included for any additional work that may be required.

x. APPROVED Roll-Off Trucks **Bid No. 0664-21**

Lonestar Freightliner Group, LLC **\$335,372.00**

This request is for the purchase of one replacement and one new roll-off truck to be used by EWS.

y. APPROVED Spencer Cooling Tower #4 Repair **Bid No. 0671-21**

MasterTech Services, Inc. **\$329,644.00**
Optional Contingency **32,964.00**
TOTAL: **\$362,608.40**

This request is to provide emergency repair of the Spencer Plant Unit #4 cooling tower. An Optional Contingency is included for any additional work that may be required.

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. Z 20-29, Masterplan (District 2)

Ordinance No. 7209 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 14-23 for Downtown District Uses and Mixed Uses; 2) a Specific Use Provision to allow a Drive-Through Service; and 3) a Detail Plan for Downtown District Uses and Mixed Uses on a 4.646-acre property located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and

1413 Rodando Drive; 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. Z 20-41, Armando Palacios (District 4)

Ordinance No. 7210 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 80-42 for Community Retail Uses; 2) a Specific Use Provision to allow a Restaurant, Drive-Through Use and 3) a Detail Plan on a property located at 5621 Broadway Boulevard; 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. Z 20-46, JDJR Engineers & Consultants, Inc. / Jim Dewey, Jr. (District 3)

Ordinance No. 7211 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 deviations for an existing pole sign and a new pylon sign; 2) a Specific Use Provision renewal to continue a Restaurant, Drive-Through Use and a Fuel Pumps, Retail Use and 3) a Detail Plan for Community Retail Uses on a property located at 801 East Interstate 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.

4. APPROVED Ordinance No. 7212 amending Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas, repealing Article VI, "Sign Regulations," of the Garland Code of Ordinances; providing a Savings Clause; providing a penalty under the provision of Section 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Severability Clause; and setting an effective date.

At the March 15, 2021 Work Session, Council considered approving the repeal of Article VI, Chapter 30, "Sign Regulations," of the Code of Ordinances. Article VI, Chapter 30 of the Code of Ordinances is a duplication of the sign ordinance provisions for the GDC under which the City has been operating.

5. **APPROVED Ordinance No. 7213** amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland, Texas to provide a parking offense for certain parking on public property; 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.

At the March 1, 2021 Work Session, Council considered an ordinance to prohibit the parking of a vehicle on public property, other than a roadway, in a place other than in a designated parking place.

6. **APPROVED Resolution No. 10483** of the City of Garland, Texas, authorizing the City Manager to enter into a Master Agreement for Major Capital Improvement Program Projects with Dallas County; and providing an effective date.

Council approved a resolution authorizing the City Manager to execute the attached Master Agreement with the County for MCIP projects.

7. **APPROVED Resolution No. 10482** approving and authorizing publication of Notice of Intention to Issue Certificates of Obligation

At the April 5, 2021 Work Session, Council considered authorizing the publication of a Notice of Intent to Issue Certificates of Obligation in an amount of approximately \$24 million to fund a portion of the CIP.

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.

8. **PUBLIC HEARING HELD:** **Hold a Public Hearing Related to the 2021-2022 CDBG, HOME and ESG Grants**

At the April 5, 2021 Work Session, Council considered background information regarding anticipated 2021-2022 Community Development Block Grant (CDBG), HOME Infill Partnership Grant (HOME) and Emergency Solutions Grant (ESG) entitlement funding, along with summaries of submitted applications.

Mayor LeMay opened the public hearing at 7:10 p.m.

Mona Woodard, Neighborhood Services Administrator, gave the staff presentation.

Speakers on this item were: Cheryl Jones Jobe, VNA Meals on Wheels,

Christina Coultas, Hopes Door-New Beginnings Center, Suzanna Sulfstede, Senior Source, Susan Hennum, Counseling Institute of Texas, Mark King, Hope Clinic, Andrew Mlcak, Achievement Center of Texas, Captain Shelley Hood, Salvation Army of Garland and Pastor Robert Shepherd, Restoration Community Fellowship Church.

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

9. Hold public hearings on:

- a. APPROVED Consider a Zoning request by II Stephens Development, LLC to re-zone property to allow for 74 single-family homes with trails and open spaces. This property is located at 2040 West Miller Road in District 5.**

Consideration of the application of II Stephens Development, LLC, requesting approval of a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses. This property is located at 2040 West Miller Road. (File No. Z 20-42, District 5)

Mayor LeMay requested to consider all related items in one action, Council Member Aubin concurred.

The staff report was presented by Will Guerin, Director of Planning. Council Member Aubin requested Brad Neighbor, City Attorney, explain the authority on the property and the effect on the City; he confirmed it is not the City's role to adjudicate the ownership issue. Also presenting staff reports were: Paul Luedtke, Director of Transportation, Andy Hesser, Managing Director, Parks and Recreation and Michael Polocek, Director of Engineering. Applicants speaking on this item were: Casey McGinnis, Eugene Middleton and Rick Ellis.

There was discussion by the Council.

Other speakers on this item were: Mathukutty Geevarughese and Anita George.

Motion was made by Council Member Aubin to approve the Zoning Request (9a), Detail Plan (9b) and Development Agreement (9c), seconded by Council Member McNeal. Additionally, Council Member Aubin presented comments on the item. Motion carried:

Vote 9 - 0

- b. APPROVED Consider a Detail Plan request by II Stephens Development, LLC to allow the construction of 74 single-family homes with trails and open spaces. This property is located at 2040 West Miller Road in District 5.**

Consideration of the application of II Stephens Development, LLC, requesting approval of a Detail Plan for Single-Family Detached Homes. This property is located at 2040 West Miller Road. (File No. Z 20-42, District 5)

c. APPROVED Consider a Development Agreement regarding Zoning File No. Z 20-42.

Consider a Development Agreement between II Stephens Development, LLC and the City of Garland. This Development Agreement relates to Zoning Case Z 20-42 for a proposed single-family development at 2040 West Miller Road. The agreement addresses the dedication of parks and trails, tree mitigation fees, and building materials.

10. Citizen comments: Jennifer Ernst

11. 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