



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, August 3, 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 Dylan Hedrick
Deputy Mayor Pro Tem B. J. Williams
Council Member Jeff Bass
Council Member Deborah Morris
Council Member Ed Moore
Council Member Rich Aubin
Council Member Robert Vera
Council Member Robert John Smith

Staff Present: City Manager Bryan Bradford
Deputy City Manager Mitch Bates
Assistant City Manager Judson Rex
Interim City Attorney Brian England
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, Animal Services, presented the Pet of the Month.

Mayor LeMay and Council Member Aubin presented recognitions to high school graduates, Sarah Cox and Homaera Mahmood for their service and participation in the Garland Youth Council. Mayor LeMay also recognized Joanne Gonzalez, Anna Ngo and Timilaa Radhakrishna, who were not in attendance.

Mayor LeMay, along with Mayor Pro Tem Hedrick, Council Member Morris and Council Member Aubin, presented Neighborhood USA recognitions to: Travis College Hill for the drama, "Becoming Garland", Shirley Walker-King for winning the National Whose Who in America's Neighborhoods, Forest Oliver, Finalist for Whose Who in America's Neighborhoods, Orchard Hills Neighborhood Association, for their quarterly newsletter and Camelot, second place National Neighborhood of the Year Award for their drive-through canned food drive and ice cream social supporting Good Samaritans of Garland.

Mayor LeMay recognized Boy Scout Troop 100 members who were in attendance to fulfill a requirement to earn the Citizenship in the Community badge.

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 Dylan Hedrick, and seconded by Council Member Robert Vera to approve the Consent Agenda as presented:

Vote: 8 - 0

1. **APPROVED** Consider approval of the minutes of the July 20, 2021 Regular Meeting.

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

a. **APPROVED** **Duck Creek 18"-36" Interceptor Main Rehabilitation - Phase II** **Bid No. 1060-21**

Insituform Technologies, LLC	\$1,578,539.25
Optional Contingency	50,000.00
TOTAL:	\$1,628,539.25

This request is for Phase II of the Duck Creek 18"-36" Wastewater Interceptor Rehabilitation Project. This phase will reline approximately 761 feet of 18" line, 805 feet of 30" line, and 2,814 feet of 36" interceptor line from just north of Buckingham Road to 1306 N. Shiloh Road in Duck Creek. An optional contingency is included for any additional work that may be required.

b. **APPROVED** **Avenue A, Second through Fifth Street, & Haskel Drive Water & Wastewater Mains Replacement** **Bid No. 0941-21**

GRod Construction, LLC	\$1,443,285.50
Optional Contingency	180,000.00
TOTAL:	\$1,623,285.50

This request is to provide construction services to replace existing water and sewer mains on Avenue A, including Second through Fifth Street, and Haskell Drive. This project also includes replacement of existing street, driveways, and sidewalks. An Optional Contingency is included for any additional work that may be required.

c. **APPROVED** **Water Main Replacement on Plantation Road Including Hanover and Richland Drive** **Bid No. 1089-21**

Lam Consulting Engineering	\$167,180.00
TOTAL:	\$167,180.00

This request is to provide Professional Services for replacing approximately 4,000 linear feet of water mains on Plantation Road including Hanover and Richland Drive.

d. **APPROVED** **Spencer Cooling Tower Repair** **Bid No. 0671-21**

Master Tech Services, Inc.	\$173,395.00
TOTAL:	\$173,395.00

This request is to approve a Change Order for the Spencer Plant Unit #4 Cooling Tower Repairs. Once all exterior louvers and the fill from Cells 1 and 2 were removed, the inner members were inspected. Several additional lines and ties have been identified for replacement as well as eliminator panels and supports for all cells. Repairs are needed to correct these issues and to ensure the unit is in working order to be available to safely meet service demands.

e. APPROVED GP&L Phase 1 Transmission Line As-Built Modeling and Clearance Verification Bid No. 1097-21

Burns and McDonnell	\$311,300.00
TOTAL:	\$311,300.00

This request is to obtain as-built PLS-CADD models of the Garland Power & Light (GP&L) transmission system. These models will be used to verify and document line-to-ground clearances to support GP&L's response to Texas House Bill 4150 relating to safety and inspection reporting requirements for certain utilities.

f. APPROVED GP&L Queen BESS Terminal at King Mountain Switch Construction Services Bid No. 0955-21

Primoris T&D Services, LLC	\$576,744.73
Optional Contingency	57,674.00
TOTAL:	\$634,418.73

This request is to provide above and below-grade construction of the Queen BESS terminal at the King Mountain Switch Station. This is part of the approved King Mountain Switch to Queen BESS CIP project. An Optional Contingency is included for any additional work that may be required.

g. APPROVED College Manors Wastewater & Alley Paving Improvements Bid No. 0995-21

Excel Trenching	\$595,997.00
Optional Contingency	60,000.00
TOTAL:	\$655,997.00

This request is to provide construction services to replace 2,309 linear feet of 6" wastewater mains including manholes and service laterals. The wastewater mains are primarily located within existing alleys at Betty Jo Lane and Muriel Drive, Stanton and Rita and Cliff Drive. This project will also replace approximately 968 square yards of concrete paving and incidentals. An Optional Contingency is included for any additional work that may be required.

h. APPROVED Network Cabling for Animal Shelter & Adoption Center

Bid No. 1100-21

Nouveau Technology Services LP

\$107,413.73

TOTAL:

\$107,413.73

This request is for the purchase and installation of network cable at the new Animal Shelter & Adoption Facility. Construction of the building is underway, and this system will be installed prior to completion of construction. This project is part of the 2019 Bond Program and approved in the 2021 CIP.

3. 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 Z 21-20 Beau Durham (District 6)

Ordinance No. 7239 amending the Garland Development Code of the City of Garland, Texas by approving an Amendment to Planned Development (PD) District 95-34 and Planned Development (PD) District 20-03 to allow a Pylon Sign for a Restaurant, Drive-Through Use on a 0.598-acre tract of land located at 3428 West Buckingham 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 Z 18-19 Pankaj Patel (District 1)

Ordinance No. 7240 amending the Garland Development Code of the City of Garland, Texas by approving 1) an amendment to Planned Development (PD) District 03-53; 2) a Specific Use Provision for a Hotel/Motel, Limited Service Use and 3) a Detail Plan for a Hotel/Motel, Limited Service Use on a 0.327-acre tract of land located at 565 Town Center 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 Z 21-11 PM Design (District 1)

Ordinance No. 7241 amending the Garland Development Code of the City of Garland, Texas by approving 1) an amendment to Planned Development (PD) District 19-07 for Community Retail Uses and 2) a Detail Plan for a Restaurant, Drive-Through Use on a 1.152-acre tract of land located at 5345 North President George Bush Turnpike; 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.

d. APPROVED Ordinance No. 7242 amending Section 32 and 33 of the Code of Ordinances Parking Enforcement Near Construction

Council approved an amendment to Section 32 and 33 of the Code of Ordinances providing that certain parking ordinances are inapplicable if violation of the ordinance is necessitated by City construction projects.

4. APPROVED Resolution No. 10498 adopting The Medical District Plan.

Council adopted a resolution and the final report and appendix of the Medical District Area Plan. The Council was briefed on the plan during the July 12, 2021 retreat, and a briefing item has been scheduled for the August 2 Work Session as well. In addition, staff and consultant Ninigret Partners have engaged representatives of the VA Hospital and received feedback from the Plan Commission.

5. APPROVED Minute action approving the Neighborhood Vitality Matching Grant Spring 2021 Applications

Council is approved by minute action the Spring 2021 Neighborhood Vitality Matching Grant applications for Heron's Bay Estates and Northlake Estates.

6. Minute action approving the Trails Recreation Club Neighborhood Vitality Matching Grant Applications

Council approved the Trails Recreation Club Neighborhood Vitality Matching Grant Applications.

7. APPROVED Ordinance No. 7243 for Electric Utility Direct Purchase Notes

Council adopted an ordinance for termination of the Electric Utility Tax-Exempt Commercial Paper Program, Series 2018 and establishing a 2021 Electric Utility System Commercial Paper Notes Program, Series A.

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 Regarding the 2021-22 Proposed Budget

In accordance with the City Charter and state law, the City Manager shall submit the City Council Proposed Budget for the coming fiscal year. The City Manager will formally present his Proposed Budget which will be placed in each City Library, in the Office of the City Secretary, and on the City's website for public review and inspection.

City Manager Bryan Bradford presented his 2021-22 Proposed Budget.

Mayor LeMay opened the floor to speakers for the public hearing. There were no speakers on this item.

9. APPROVED Submission of Appraisal Roll & Rates for FY 2021-22 and Call for Future Public Hearings

Council provided a proposed tax rate hearing date in accordance with state law. Council will officially receive the 2021 appraisal rolls, the certification of collection rate, and calculation of the "no new tax rate" and "voter approved tax rate". The Council established dates for public hearings and a proposed tax rate.

Motion was made by Mayor Pro Tem Dylan Hedrick, and seconded by Council Member Robert John Smith to approve that the proposed 2021 tax rate of 75.6965 cents per \$100 of valuation be discussed at two public hearings. The public is encouraged to provide comment at the first public hearing to be held on August 26, at 7 p.m. at the Garland City Hall located at 200 N. Fifth St. in Garland.

An additional opportunity for public comment will be scheduled at a public hearing to adopt the 2021 tax rate. The second hearing and rate adoption will be held on September 14, at 7 p.m. at the Garland City Hall located at 200 N. Fifth St. in Garland.

Vote: 8 - 0

10. Hold public hearings on:

a. APPROVED Consider an amended Specific Use Provision (SUP) request by Tewelde Abreham to add parking spaces for semi-truck trailers. This site is located at 3877 Miller Park Drive in District 6.

Consideration of the application of Tewelde Abreham, requesting approval of a Specific Use Provision amendment to allow a Truck/Bus Storage Use on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck / Bus Storage. This property is located at 3877 Miller Park Drive. (File Z 21-15, District 6)

The staff report was presented by William Guerin, Director of Planning.

One motion was made to consider Items 10a and 10b.

Motion to approve the Specific Use Provision and Site Plan was made by Council Member Vera, seconded by Council Member Aubin. Motion carried:

Vote: 8-0

- b. **APPROVED** Consider a Site Plan request by Tewelde Abreham to add parking spaces for semi-truck trailers. This site is located at 3877 Miller Park Drive in District 6.

Consideration of the application of Tewelde Abreham, requesting approval of a Plan for Truck/Bus Storage Use. This property is located at 3877 Miller Park Drive. (File Z 21-15, District 6)

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.

Mayor Pro Tem Hedrick presented the nominees for Mayor LeMay. Council Members presented their nominations to boards and commissions. A vote was cast appointing the following persons to respective boards and commissions:

Vote: 8 - 0

Mayor Scott LeMay

- John Kaiwi - Board of Adjustment
- Jennifer Nguyen - Community Multicultural Commission
- Charles Pickitt - Community Multicultural Commission
- Elvia Flores - Community Multicultural Commission
- Bashir Ashimi - Community Multicultural Commission
- Tiffany Lam - Community Multicultural Commission
- Trayc Claybrook - Cultural Arts Commission
- Ken Risser - Environmental Community Advisory Board
- Bettye Haynes - Library Board
- Don Koerner - Parks and Recreation Board
- Wayne Dalton - Plan Commission
- David Perry - Property Standards Board
- Shirley Robnett - Senior Citizens Advisory Board
- Allan Stafford - Tax Increment Finance #1 Downtown Board
- Patrick Abell - Tax Increment Finance #3 Board
- Mark Tyler - Unified Building Standards Board

Council Member Deborah Morris

- Isaac Abu - Community Multicultural Commission
- Felecia Fuller - Cultural Arts Commission
- Daphne Dean - Environmental Community Advisory Board
- John Ball - Tax Increment Finance #2 South Board

- 12. Citizen comments:** Robert Whitworth and Joshua Garcia were speakers on this item.

- 13. Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:48 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary