GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, August 17, pursuant to Section 551.045, by telephone or internet in 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 Robert Vera
	Council Member Rich Aubin
	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.

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 Smith to approve the Consent Agenda as presented, seconded by Council Member Morris. Motion carried:

Vote: 9 - 0

1. **APPROVED** **Consider approval of the minutes of the August 3, 2021 Regular Meeting.**

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

a. **APPROVED** **Transportation Maintenance & Operations Facility Additional Design Services** **Bid No. 0698-20**

MPI Architects **$7,625.00**

This request is to approve Change Order #2 for design services for the Transportation Maintenance & Operations Facility.

b. **APPROVED** **Downtown Infrastructure and Intersection Improvements** **Bid No. 1002-20**

Hill & Wilkinson General Contractors **$219,920.00**

This request is for the purchase of reinforced concrete box materials in support of the storm drainage infrastructure improvements in Downtown along Fifth Street (between State and Main) and Main Street (between Fifth and Sixth).

c. **APPROVED** **ImageTrend - ePCR/FireRMS Software Suite** **Bid No. 1169-21**

ImageTrend, Inc.	**$156,816.00**
ImageTrend, Inc.	**18,505.00**
TOTAL:	**$175,321.00**

This request is for the purchase of a centralized, web-based system that offers fire and prehospital emergency data collection and analysis, locations/occupancy/inspections, checklists, reporting and analytics in one enterprise solution.

d. **APPROVED** **GP&L College to Jupiter 138kV Transmission Line Underbuild Engineering Services Agreement** **Bid No. 1113-21**

R-Delta Engineers	**$240,400.00**

This request is to obtain surveying and electrical and design engineering services to support the reconstruction of overhead distribution facilities as part of the GP&L College to Jupiter 138kV Transmission Line Reconstruction project.

e. **APPROVED** **GP&L King Mountain to Queen BESS 345kV Transmission Line Construction Services** **Bid No. 0963-21**

Primoris T&D Services, LLC	**$653,993.64**
Optional Contingency	**65,399.00**
TOTAL:	**$719,392.64**

This request is for the construction of the King Mountain to Queen BESS 345kV Transmission Line. An Optional Contingency is included for any additional work that may be required.

f. **APPROVED** **Engineering Services for Star Crest Alleys Wastewater Mains & Paving Improvements** **Bid No. 1122-21**

Metropolitan Infrastructure, PLLC	**$415,876.35**

This request is to obtain professional engineering design services for the replacement of approximately 7,220 linear feet of 8” wastewater main, including manholes and service laterals and approximately 8,435 square yards of concrete paving for alleys.

g. **APPROVED** **Kingsbridge Alley, Channel & Wastewater Mains Improvements** **Bid No. 1009-21**

Excel Trenching	**$3,020,893.00**
Optional Contingency	**300,000.00**
TOTAL:	**$3,320,893.00**

This request is to provide construction services to replace approximately 5,705 linear feet of sanitary sewer at the Kingsbridge channel including four (4) adjacent concrete alleys. An Optional Contingency is included for any additional work that may be required.

h. **APPROVED** **2022 Unimproved Alley Group Engineering Services Design** **Bid No. 1149-21**

BW2 Engineers, Inc. **$211,550.00**

This request is to obtain professional engineering services for the design of paving and wastewater improvements in various unimproved alleys located in Council Districts 2 and 5.

i. **APPROVED** **Engineering Services for TMPA Keith Switch to Steep Hollow 138kV Transmission Line Rebuild** **Bid No. 0479-20**

M&S Engineering, LLC **$159,000.00**

This request is to approve Change Order #2 to Engineering Services Agreement COG002 to M&S Engineering, LLC.

j. **APPROVED** **Sustainable Safety Processes** **Bid No. 0180-19**

Caterpillar Global Services, LLC **$118,290.00**

This request is to approve a Change Order for the continuation of the GP&L CAT safety process.

k. **APPROVED** **Playground Replacment Program - Package 2 Construction** **Bid No. 1106-20**

Dean Construction **$1,214,360.00**

This request is for site improvement construction for the seven (7) playgrounds in Package 2 of the Playground Replacement Program.

l. **APPROVED** **GP&L Lookout Substation Static VAR Design-Build Services** **Bid No. 0445-21**

Hitachi ABB Power Grids, c/o JH Davidson & Associates, LLC	**$16,594,744.00**
Optional Contingency	**829,737.00**
TOTAL:	**$17,424,481.00**

This request is for the design, procurement and construction of a Static VAR system at the Lookout Substation. An Optional Contingency is included for any additional services or materials that may be required.

m. **APPROVED** **Cyber Security Services** **Bid No. 1160-21**

Presidio Networked Solutions **$1,000,000.00**

This request is for the implementation of a comprehensive enterprise security program based upon an industry standard cybersecurity framework and the recommendations from a Network Security Audit performed by the City's Internal Audit Department in 2019. This approval is for a Term Agreement with four optional renewals.

3. **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.**

a. **APPROVED** **Zoning File No. Z 21-15, Tewelde Abreham (District 6)**

Ordinance No. 7244 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) district with a Specific Use Provision [S 18-43] for Truck/Bus Storage on a 3.421-acre tract of land located at 3877 Miller Park 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; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. **APPROVED** **Ordinance No. 7245** amending Section 32.56, "Parking on Unimproved Surface and Excessive Driveways," Chapter 32, Article II; Section 32.55, "Miscellaneous Parking Violations - Civil Offense," Chapter 33, Article IV of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause; providing a penalty under the provisions 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 July 19, 2021 Work Session, Council considered an amendment to Section 32 and 33 of the Code of Ordinances providing that certain parking ordinances be inapplicable if violation of the ordinance is necessitated by City construction projects.

5. **APPROVED** **Minute action approving two purchase agreements negotiated to date with the property owners in the aggregate amount of $318,625.**

Council has been briefed on previous occasions of the construction of a municipal fire complex in an area of east Garland commonly referred to as "the Triangle." Since the approval of the 2019 Bond Program, Staff has been working with its consultants to acquire the necessary real property to construct the fire complex. Two purchase agreements have been successfully negotiated with property owners for the acquisition of real property needed to move forward with the project.

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.

6. APPOINTMENTS: Appointment of the Garland Housing Finance Corporation

At the August 16, 2021 Work Session, Council interviewed the candidates interested in being appointed as the City of Garland's representative to the Garland Housing Finance Corporation for a six-year term beginning August 17, 2021.

Council Member Aubin nominated Delores Elder-Jones for the Garland Housing Finance Corporation board, there were no other nominations.

A vote was cast with the following result:

Vote: 9 - 0

7. PUBLIC HEARING HELD: Hold a Public Hearing Regarding the 2021-22 Proposed Budget

Section 5, Article VIII, of the City Charter requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be given an opportunity to be heard for or against any item contained in the Proposed Budget. The Proposed Budget for 2021-22 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 4, 2021. A second Public Hearing on the Proposed Budget is scheduled for Thursday, August 26, 2021. A third Public Hearing on the Proposed Budget is scheduled for Tuesday, September 14, 2021.

Mayor LeMay opened the public hearing at 7:08 p.m. There were no speakers on this item.

8. PUBLIC HEARING HELD: Hold a Public Hearing on Proposed 2021-22 Tax Rate

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the voter approval rate or the no new revenue tax rate until the governing body has held a public hearing on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065. The 2021-2022 proposed budget is based on a tax rate of $0.756965 cents per every $100 of valuation, which exceeds the no new revenue tax rate of $0.720713 cents per $100 of value.

Mayor LeMay opened the hearing at 7:09 p.m. for public comment. There were no speakers on this item.

9. Hold public hearings on:

a. APPROVED

Consider a Specific Use Provision request by Avalon Development and Kimley-Horn for a Drive-Through Restaurant/Coffee Shop. This property is located at 2128 North Jupiter Road in District 7.

Consideration of the application of Avalon Development and Kimley-Horn, requesting approval of a Specific Use Provision for a Restaurant, Drive-Through on a property zoned Community Retail (CR) District. This property is located 2128 North Jupiter Road. (File Z 21-21, District 7)

b. APPROVED

Consider a Site Plan request by Avalon Development and Kimley-Horn for a Drive-Through Restaurant/Coffee Shop. This property is located at 2128 North Jupiter Road in District 7.

Consideration of the application of Avalon Development and Kimley-Horn, requesting approval of a Plan for a Restaurant, Drive-Through on a property zoned Community Retail (CR) District. This property is located at 2128 North Jupiter Road. (File Z 21-21, District 7)

The staff report was presented by William Guerin, Director of Planning. Speaker on this item was Garrett Johnson, applicant.

There was Council discussion.

Motion was made by Mayor Pro Tem Hedrick to approve the application as presented, seconded by Council Member Moore. Motion carried:

Vote: 9 - 0

Items 9a and 9b were considered in one vote.

c. APPROVED

Consider a request by Randall T. Wilson to renew a Specific Use Provision (SUP) for an existing Recycling Salvage Yard for a time period of 25 years. This property is located at 1340 Hebron Drive in District 2.

Consideration of the application of Randall T. Wilson, requesting approval of a Specific Use Provision extension for a Recycling Salvage Yard (Unlimited Outside Storage) on a property zoned

11.

Industrial (IN) District. This property is located at 1340 Hebron Drive. (File Z 21-22, District 2)

The staff report was presented by William Guerin, Director of Planning. Speaker on this item was Randall T. Wilson, applicant.

There was Council discussion.

Motion was made by Council Member Morris to approve Items 9c and 9d as presented, seconded by Council Member Vera. Motion carried:

Vote: 9 - 0

d. APPROVED **Consider a Site Plan request by Randall T. Wilson for a Recycling Salvage Yard. This property is located at 1340 Hebron Drive in District 2.**

Consideration of the application of Randall T. Wilson, requesting approval of a Plan for a Recycling Salvage Yard (Unlimited Outside Storage) on a property zoned Industrial (IN) District. This property is located at 1340 Hebron Drive. (File Z 21-22, District 2)

10. **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.

Council Member Bass presented his nominations as follows:

Council Member Jeff Bass

- James VanDyke - Board of Adjustment
- Merrill Balanciere - Community Multicultural Commission
- Justice Dickson - Cultural Arts Commission
- James Dobbins - Environmental Community Advisory Board
- Charles Msewe - Library Board
- Ed Seghers - Parks and Recreation Board
- Scott Roberts - Plan Commission
- Eric Scholl - Property Standards Board
- Dominic Arzon - Tax Increment Finance #1 Downtown Board
- William "Bill" Swisher - Tax Increment Finance #2 South Board
- Rich Resser - Tax Increment Finance #3 Board
- Aaron Miller - Unified Building Standards Board

A vote was cast to appoint the nominees, with the following result:

Vote: 9 - 0

11. **Citizen comments:** Joshua Garcia

12. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:41 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary