MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, July 5, 2022, 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 Deborah Morris
	Deputy Mayor Pro Tem Robert John Smith
	Council Member Jeff Bass
	Council Member Ed Moore
	Council Member B.J. Williams
	Council Member Margaret Lucht
	Council Member Robert Vera
	Council Member Dylan Hedrick
Staff Present:	City Manager Bryan Bradford
	Deputy City Manager Mitch Bates
	Assistant City Manager Judson Rex
	City Attorney Brian England
	Deputy City Secretary Carma Potter

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.

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 approve the Consent Agenda as presented, seconded by Council Member Lucht. Motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** **Consider approval of the minutes of the June 21 and June 28, 2022, Regular and Special Meeting.**

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

   a. **APPROVED** **2022 Garland Alley & Wastewater Improvements - Group B** **Bid No. 0875-22**

   Grantham & Associates, Inc. **$271,500.00**

   This request is to provide engineering services for the design of paving and wastewater improvements in 12 alleys.

b. **APPROVED** **Spring Creek Erosion Repair Design Services** **Bid No. 0908-22**

Pacheco Koch Consulting Engineers, LLC $417,100.00

This request is to provide engineering design services to repair City-maintained gabion retaining walls to protect the stream bank stabilization.

c. **APPROVED** **Fire Station No. 1 - Design Services** **Bid No. 0905-22**

Martinez Architects, LP $1,097,500.00

This request is to provide professional architectural design and engineering services for the new Fire Station No. 1 facility, including master site planning; surveying; replatting; mechanical, electrical, and plumbing; structural engineering; landscape design; and civil engineering.

d. **APPROVED** **GP&L Overhead Transmission & Distribution Line Relocations for Naaman School Road** **Bid No. 1131-21**

JW Powerline, LLC. $75,477.77

This request is to approve a Change Order for Naaman School Road and Highway 78 distribution line reconstruction associated with the Naaman School Road street widening project.

e. **APPROVED** **Transformers for Warehouse Inventory** **Bid No. 0830-22**

Texas Electric Cooperatives, Inc. $167,480.00

This request is for the purchase of three-phase transformers for Warehouse inventory.

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 22-23, Crown Castle USA, Inc. (District 1)**

Ordinance No. 7342 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision Amendment for an Antenna, Commercial on a 0.02–acre tract of land zoned Community Retail (CR) District and located at 1904 Pleasant Valley 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; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. **APPROVED** **Minute action approving a purchase agreement negotiated to date with the property owner in the amount of $140,566.**

Council has been briefed on previous occasions of the plans for reconstructing Holford Road Segment B (Naaman Forest Blvd. to PGBT). It is currently a two-lane asphalt street and is being reconstructed to a divided concrete street with curbs and dedicated bike lanes and trails. This requires additional land/right-of-way and Staff has been working with consultants to acquire the necessary property interests. One additional purchase agreement has been successfully negotiated with a property owner for the acquisition of right-of-way needed to move forward with the project.

5. **APPROVED** **Resolution No. 10550** by the City Council of Garland, Texas, to build and maintain a strong relationship with the Garland Independent School District and its other member cities through the creation of an Intergovernmental Working Group; assigning certain city officials as members of the working group; and providing an effective date.

At the May 16, 2022 Work Session, Council considered adopting the resolution presented by the Intragovernmental Affairs Committee regarding the establishment of a Garland Independent School District Coalition.

6. **APPROVED** **Ordinance No. 7343** amending Section 22.26, "Amendments made to the Texas Food Establishment Rules," of Chapter 22, "Health," 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 June 20, 2022 Work Session, Council discussed and deliberated possible amendments to the Texas Food Establishment Rules, as established in Section 22.26 of the Code of Ordinances. A consensus of the Council asked that the City Attorney prepare amendments to the ordinance related to the hours of operation, the written documentation required to be kept within the Mobile Food Preparation Vehicle and certain annual permit exemptions.

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. **APPROVED** **Resolution No. 10551** of the City of Garland, Texas finding and determining that the public necessity and convenience require the acquisition of various property rights located at the intersection of Belt Line and Shiloh Roads and at the intersection of Buckingham and Shiloh Roads, in the City of Garland, Texas, said property interests being more particularly described below; providing authorizations to acquire such property rights by purchase or

condemnation and making certain findings pertaining thereto; providing further authorizations as may be necessary to carry out the purposes of this resolution; and providing an effective date.

Council approved a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with a number of property owners in the program/project area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with three property owners. The owners are named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion.

The motion was made by Mayor Pro Tem Hedrick that the City Council of the City of Garland, Texas authorizes use of the power of eminent domain to acquire property interests at the intersection of Belt Line and Shiloh Roads and at the intersection of Buckingham and Shiloh Roads, as more fully described in Exhibit "A" to the proposed ordinance located within the City of Garland, Dallas County, Texas, for the widening of the intersection at Belt Line and Shiloh Roads and the intersection of Buckingham and Shiloh Roads to improve over all traffic flow within the City. This motion includes the approval of the proposed resolution and intends that the record vote on this matter applies to all units of property be condemned, seconded by Council Member Vera. Motion carried:

Vote: 9 ayes, 0 nays

8. APPROVED Consider the Appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem

Council appointed the Mayor Pro Tem and a Deputy Mayor Pro-Tem.

Mayor Pro Tem Hedrick nominated Council Member Morris for Mayor Pro Tem. A vote was cast with the following result:

Vote: 9 ayes, 0 nays

Mayor Pro Tem Morris nominated Council Member Smith for Deputy Mayor Pro Tem. A vote was cast with the following result:

Vote: 9 ayes, 0 nays

9. APPROVED Mayor Appointments

Mayor Scott LeMay presented Council confirmation appointments to Council committees and outside boards.

The motion to accept the Mayor's appointments was made by Council Member Hedrick, seconded by Council Member Vera. Motion carried:

Vote: 9 ayes, 0 nays

10. APPROVED Texas Municipal Power Agency Appointment

Minute action approving the appointment of James Ratliff as the City of Garland representative to the Texas Municipal Power Agency Board of Directors.

11. Hold public hearings on:

a. APPROVED Consider a Zoning request by Stonehawk Capital Partners, LLC / Masterplan to construct 238 multi-family dwelling units. The site is located at 4245 Bobtown Road in District 3.

Consideration of the application of Stonehawk Capital Partners, LLC / Masterplan, requesting approval of a Change in Zoning from Planned Development (PD) District 19-22 and Community Retail (CR) District to a Planned Development (PD) District for Multi-Family Uses. This property is located at 4245 Bobtown Road. (File Z 22-16, District 3)

William Guerin, Director of Planning, presented the staff report. The speaker on this item was Dallas Cothrum, applicant.

There was discussion by the Council.

The motion was made by Council Member Moore to approve the Zoning (Item 11a) and Detail Plan (Item 11b), seconded by Mayor Pro Tem Morris. Motion carried:

Vote: 9 ayes, 0 nays

b. APPROVED Consider a Detail Plan request by Stonehawk Capital Partners, LLC / Masterplan to construct 238 multi-family dwelling units. The site is located at 4245 Bobtown Road in District 3.

Consideration of the application of Stonehawk Capital Partners, LLC / Masterplan, requesting approval of a Detail Plan for Multi-Family development. This property is located at 4245 Bobtown Road. (File Z 22-16, District 3)

c. APPROVED Consider a Specific Use Provision request by Craig A. Edwards for a Convenience Store. The site is located at 429 East IH-30 in District 3.

Consideration of the application of Craig A. Edwards, requesting approval of a Specific Use Provision for a Convenience Store Use on a property zoned Community Office (CO) District. This property is located at 429 East Interstate Highway 30. (File Z 22-33, District 3)

William Guerin, Director of Planning, presented the staff report. The speaker on this item was Craig Edwards, applicant.

There was discussion by the Council.

The motion was made by Council Member Moore to approve the Zoning (Item 11c) and Specific Use Provision Plan (Item 11d), seconded by Mayor Pro

Tem Morris. Motion carried:

Vote: 9 ayes, 0 nays

d. APPROVED Consider a Site Plan request by Craig A. Edwards for a Convenience Store. The site is located at 429 East IH-30 in District 3.

Consideration of the application of Craig A. Edwards, requesting approval of a Plan for a Convenience Store. This property is located at 429 East Interstate Highway 30. (File Z 22-33, District 3)

e. APPROVED Consider a Zoning Change request by the City of Garland to a Planned Development District for a mix of residential, retail, and hospitality uses that would support the DART transit facility. The site is located at 6302 Greenbelt Parkway and 6151 Duck Creek Drive in District 4.

Consideration of the application of City of Garland, requesting approval of Planned Development (PD) District for Mixed Uses on property currently zoned Community Retail (CR) District, Planned Development (PD) District 92-29, and Single-Family-7 (SF-7) District with S 01-15. This property is located at 6302 Greenbelt Parkway and 6151 Duck Creek Drive (southeast side of Duck Creek Drive and Greenbelt Parkway). (File Z 22-25, District 4)

William Guerin, Director of Planning, presented the staff report.

There was discussion by the Council.

The motion was made by Council Member Williams to approve the Planned Development District Zoning Change for mixed use and accept the Plan Commission's recommendations that future Detail Plans go through the review process, seconded by Council Member Moore. Motion carried:

Vote: 9 ayes, 0 nays

f. APPROVED Consider Garland Development Code Amendments regarding Multi-Family Development Standards.

Consider amending Article 4, “Zoning Districts,” of Chapter 2, “Zoning Regulations;” Division 2, “Land Use Matrix,” of Article 5, Chapter 2, of the Garland Development Code; and the Official Zoning Map of the City of Garland, Texas.

William Guerin, Director of Planning, presented the staff report.

There was discussion by the Council.

The motion was made by Mayor Pro Tem Morris to approve the Garland Development Code Amendments regarding Multi-Family Development Standards (Item 11f), seconded by Council Member Williams. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7344**

12. **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.

APPROVED **<u>Deputy Mayor Pro Tem Williams</u>**

- Blanca Sanchez - Cultural Arts Commission
- Christine Lumpkin-Bell - Property Standards Board

Council Member Williams nominated Blanca Sanchez to the Cultural Arts Commission and Christine Lumpkin-Bell to the Property Standards Board.

<u>Council Member Lucht</u>

- Rich Aubin - Plan Commission

Council Member Lucht nominated Rich Aubin to the Plan Commission.

A vote was cast for all nominations, with the following result:

Vote: 9 ayes, 0 nays

13. **Citizen comments:** Don E. Howard

14. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:27 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce René Dowl, City Secretary