



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, August 2, 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
City Secretary Eloyce RenÃ© 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 Special Recognitions to the National Association for the Advancement of Colored People (NAACP) Afro-Academic, Cultural, Technological Scientific Olympics (ACTSO) participants and Youth Council.

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.

The motion was made by Council Member Hedrick to approve the Consent Agenda as presented, seconded by Council Member Vera. Motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the July 19, 2022, Regular Meeting

2. Consider approval of the following bids:

a. **APPROVED** GP&L College to Jupiter 138kV Transmission Line Rebuild Materials Bid No. 0874-22

Techline, Inc. \$230,920.96

This request is for the purchase of materials needed for the rebuild of a portion of the GP&L distribution line that is associated with the College to Jupiter Transmission Line upgrade.

b. **APPROVED** GP&L Compliance Documentation Software Bid No. 0615-22

Archer Energy Solutions, LLC \$385,000.00

This request is for the implementation, maintenance and support of documentation compliance software for NERC, TRE and Railroad Commission compliance.

c. **APPROVED** GP&L College to Jupiter 138kV Transmission Line Rebuild Steel Structures Bid No. 0873-22

Techline, Inc. \$508,365.00

This request is for the purchase of 43 steel structures to be used for the rebuild of the GP&L distribution line associated with the College to Jupiter Transmission Line upgrade.

d. **APPROVED**

**Sludge Hauling Services for Rowlett Creek
Wastewater Treatment Plant**

Bid No. 0860-22

FCC Environmental Services Texas, LLC

\$111,800.00

This request is to provide sludge hauling services for the Rowlett Creek Wastewater Treatment Plant on an as-needed basis. This approval is for a Term Agreement with four optional renewals.

**e. APPROVED Hollabaugh Recreation Center Construction
Services**

Bid No. 1130-20

Core Construction

\$2,518,643.00

This request is for the purchase of materials for the upcoming renovations at Hollabaugh Recreation Center.

f. APPROVED Fire Station No. 6 Construction Services

Bid No. 0736-22

Construction Zone of DFW, LLC

\$9,450,000.00

This request is to obtain general construction services to rebuild Fire Station No. 6, which is relocating from Holford Road to President George Bush Turnpike and Campbell Road.

**g. APPROVED Gatewood Pavilion and Parking Lot Construction
Services**

Bid No. 0737-22

Gliden Industries, LLC

\$936,650.00

This request is to obtain general construction services for improvements to Gatewood Pavilion located along the Duck Creek Greenbelt.

h. APPROVED Toughbook Computers for Fire

Bid No. 1000-22

GTS Technology Solutions

\$174,342.35

This request is for the replacement of 35 Toughbook computers for the Fire Department mobile workstations that have reached their end-of-life.

i. APPROVED Business Identity Platform

Bid No. 1005-22

Carahsoft Technology, Corp.

\$67,620.00

This request is for the purchase of the PaymentWorks Government Edition software platform to better combat fraud associated with ACH payments.

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 22-24, Spiars Engineering (District 1)

Ordinance No. 7348 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 18-33 and 2) a Detail Plan for Multi-Family development on a 13.831-acre tract of land located at 2698 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; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. APPROVED Minute action approving one purchase agreement negotiated with the property owner

in the amount of \$210,000.

Council was briefed on previous occasions on the plans for reconstructing Holford Road Segment A (PGBT to City Limits). It is currently a two-lane asphalt street and being reconstructed as a divided concrete street with curbs, dedicated bike lanes and trails. The reconstruction requires additional land/property rights 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 easement on multiple parcels needed to move forward with the project.

5. **APPROVED Ordinance No. 7349** amending Chapter 31, "Engineering" of the Code of Ordinances of the City of Garland, Texas, to ensure the City remains in compliance with the Federal Emergency Management Agency's Community Rating System; amending multiple provisions; 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 18, 2022 Work Session, Council considered authorizing the proposed amendments to Chapter 31, Article VII Flood Damage Prevention, Section 31.104 of the Code of Ordinances.

6. **APPROVED Ordinance 7350** amending Section 24.44, "Civil Penalty," located within Chapter 24, Article III, of the Code of Ordinances of the City of Garland, Texas; and Section 32.57, "Oversized and Other Vehicle Restrictions in Residential Zones," located within Chapter 32, Article II, Division I, 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

This item was recommended by the Public Safety Committee and was discussed by Council at the July 18th Work Session.

7. **APPROVED Approval of Neighborhood Vitality Matching Grant Spring 2022 Applications**

At the July 18, 2022 Work Session, Council considered the Rustic Oaks Estates HOA matching grant application as submitted.

8. **APPROVED Resolution No. 10552** approving the Fiscal Year 2023 Generation Budget of TMPA Pursuant to the Joint Operating Agreement between Texas Municipal Power Agency and City of Bryan, Texas, City of Denton, Texas, City of Garland, Texas and City of Greenville, Texas

The TMPA Joint Operating Agreement contains a requirement of Member City approval for budget increases for a TMPA business function that exceed 20% from the prior fiscal year. As a result of planned legal expenses associated with decommissioning oversight activities, TMPA's fiscal year 2023 budget for its Generation Business will increase by more than 20% from its fiscal year 2022 budget. For the Council's consideration is a resolution approving the Fiscal Year 2023 TMPA Generation Budget.

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.

9. Presentation of the 2022-23 Proposed Budget

In accordance with the City Charter and state law, the City Manager shall submit to the City Council a Proposed Budget for the coming fiscal year. The City Manager will formally present his Proposed Budget for FY 2022-23. Following the presentation to Council, copies of the Proposed Budget 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 Bradford presented his 2022-23 Proposed Operating Budget to the Council for consideration.

Mayor LeMay announced scheduled meetings and public hearings on the budget: a Special Work Session Saturday, August 13, at 8:30 a.m., public hearings Tuesday, August 16, at 7:00 p.m., Tuesday, August 23, at 7:00 p.m. and Tuesday, September 6, at 7:00 p.m. The Council is scheduled to adopt the budget on September 6.

10. APPROVED Submission of Appraisal Roll and Rates for FY 2021-2022

The City Council is being provided the attached tax rates, notice and appraisal certifications as required by law. Council is requested to provide a proposed tax rate and hearing dates in accordance with state law. Motions containing the public hearing dates and tax rates are attached.

Corey Worsham, Tax Assessor, presented an overview explaining the Tax Notice.

The motion was made by Council Member Hedrick that the proposed 2022 tax rate of 71.6692 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 23, 2022 at 7:00 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 06, 2022 at 7:00 p.m. at the Garland City Hall located at 200 N. Fifth St. in Garland, seconded by Deputy Mayor Pro Tem Smith. Motion carried:

Vote: 9 ayes, 0 nays

11. Hold public hearings on:

- a. **APPROVED** Consider a Specific Use Provision request by Khoa Tran to operate a tattoo shop in an existing tenant space. The site is located at 1238 Belt Line Road, Suite 361 in District 8.

Consideration of the application of Khoa Tran, requesting approval of a Specific Use Provision for a Tattooing/Body Piercing Establishment on a property zoned Community Retail (CR) District. This property is located at 1238 Belt Line Road, Suite 361. (File Z 22-06, District 8)

The staff report was presented by William Guerin, Director of Planning. The applicant, Khoa Tran, was present but did not speak.

The motion was made by Deputy Mayor Pro Tem Smith to approve a Specific Use Provision (Item 11a) and Site Plan (Item 11b), seconded by Council Member Moore: Motion carried:

Vote: 9 ayes, 0 nays

- b. APPROVED** Consider a Site Plan request by Khoa Tran to operate a tattoo shop in an existing tenant space. The site is located at 1238 Belt Line Road, Suite 361 in District 8.

Consideration of the application of Khoa Tran, requesting approval of a Plan for a Tattooing/Body Piercing Establishment on a property zoned Community Retail (CR) District. This property is located at 1238 Belt Line Road, Suite 361. (File Z 22-06, District 8)

- c. APPROVED** Consider a Major Waiver request to the Downtown Sign Standards by Jimmy Wallace Guitars to allow a guitar-shaped projecting sign and a wall sign. The site is located at 514 Main Street in District 2.

Consideration of the application of Jimmy Wallace Guitars, requesting approval of 1) a Major Waiver to Chapter 7, Table 7-7 of the Garland Development Code and 2) a Downtown Development Plan to allow the addition of a Projecting Sign and a Wall Sign on a property zoned Downtown (DT) District, Downtown Square (DS) sub-district. This property is located at 514 Main Street. (File DD 22-01, District 2)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were Jamie Miller and Jimmy Wallace, applicant.

There was discussion by the Council.

The motion was made by Mayor Pro Tem Morris to approve the item as presented, seconded by Council Member Bass. Motion carried:

Vote: 9 ayes, 0 nays

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.

Council Member Jeff Bass

- James VanDyke - Board of Adjustment
- Merrill Balanciere - Community Multicultural Commission
- James Dobbins - Environmental & Community Advisory Board
- Charles Msewe - Library Board
- Bobby Bradley - Parks and Recreation
- Eric Scholl - Property Standards Board
- Carol Cooper - Senior Citizens Advisory Board
- Bill Swisher - Tax Increment Finance #2 South Board

Council Member Bass presented his nominations. A vote was cast with the following result:

Vote: 9 ayes, 0 nays

13. Citizen comments.: Meredith Burnam

14. Adjourn: There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:54 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce Rene Dowl, City Secretary