



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, August 16, 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 B.J. Williams
Council Member Ed Moore
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 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.

Crystal Loza, Adoption Specialist, Animal Services, presented the Pet of the Month.

Mayor LeMay, along with Elisa Morales, presented the 2022-23 Garland Youth Council: Preston Bass, A'leena Bradley, Bryan Calderon, Kashina Daceus, Cesar Garcia, Hailey Gonzalez, Stephen Hogue, Sarah Lockett, Joy Okunade, Bryan Panameño, Amy Rosas, Daniyal Saleem, Joann Simon, Nkemsinachi Ukachi-Nwata, Medina Yasin and Menal Yasin.

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 Deputy Mayor Pro Tem Smith to approve the Consent Agenda as presented, seconded by Council Member Moore. Motion carried:

Vote: 9 ayes, 0 ayes

1. **APPROVED** Consider approval of the minutes of the August 2, 2022 Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** Erosion Mitigation at 1006 Carroll Drive and 625 Avenue B Bid No. 1022-22

Pacheco Koch Consulting Engineers, LLC \$126,410.00

This request is to provide professional engineering services to design the replacement of an existing deteriorated wooden railroad-tie wall at 1006 Carroll Drive along the north side of Stream 2C2, as well as bank stabilization along a portion of the channel on the south side.

- b. APPROVED GP&L Overhead Structures and Materials Bid No. 0900-22**
for COG Bottleneck Intersections 8 and 11

Techline, Inc. \$185,811.08

This request is for the purchase of eight steel structures and associated materials needed for the relocation of GP&L overhead services at Intersections 8 and 11 as part of the Citywide Bottleneck Intersection Project.

- c. APPROVED GP&L Overhead Structures and Materials Bid No. 0901-22**
for COG Bottleneck Intersections 13 and 19

Techline, Inc. \$379,566.10

This request is for the purchase of 17 steel structures and associated materials needed for the relocation of GP&L overhead services at Intersections 13 and 19 as part of the Citywide Bottleneck Intersection Project.

- d. APPROVED GP&L Advanced Metering Infrastructure Bid No. 0472-21**
Consulting

E Source Companies, LLC \$79,902.00

This request is to approve Change Order #1 for Advanced Metering Infrastructure Consulting.

- e. APPROVED TMPA Dansby to Steep Hollow Bid No. 0917-22**
Transmission Line Conductor and
OPGW

KBS Electrical Distributors, Inc. \$1,078,855.00
Optional Contingency 107,855.50
TOTAL: \$1,186,710.50

This request is for the purchase of conductor and optical ground wire (OPGW) for the rebuild of the TMPA Dansby to Steep Hollow Transmission Line. An Optional Contingency is included for any additional materials that may be required.

- f. APPROVED Data Center Storage Infrastructure for the Bid No. 1028-22**
Police Department

Unique Digital, Inc.

\$141,889.54

This request is for the hardware, software, and support necessary for the Data Center Storage Infrastructure for the Police Department to store digital evidence.

- g. APPROVED Rowlett Creek Wastewater Treatment Plant Secondary Clarifiers & Trickling Filter #2 Rehabilitation Bid No. 0637-22**

Schofield Civil Construction	\$8,139,000
Optional Contingency	200,000
TOTAL:	\$8,339,000

This request is to provide construction services for improvements of the Secondary Clarifiers and Trickling Filter #2 at the Rowlett Creek Wastewater Treatment Plant. An Optional Contingency is included for any additional work that may be required.

- h. APPROVED GP&L Millwood Switch Station Construction Services Bid No. 0744-22**

RES System 3, LLC	\$2,277,152.58
Optional Contingency	227,715.26
TOTAL:	\$2,504,867.84

This request is to provide all labor, tools and equipment for the construction of the GP&L Millwood Switch Station. An Optional Contingency is included for any additional work that may be required.

- i. APPROVED GP&L Overhead Distribution Line Construction Services for Belt Line Road Bid No. 0173-21**

L.E. Myers Co.	\$58,923.24
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This request is to approve a Change Order for Belt Line Road Overhead Distribution Construction Services.

- j. APPROVED GP&L Crane Training and Certification Bid No. 0855-22**

NACB, Inc.	\$4,692.00
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This request is to approve a Change Order for GP&L Employee Crane Training and Certification.

- k. APPROVED Transformers for Warehouse Inventory Bid No. 0614-22**

Anixter, Inc.	\$53,650.00
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This request is to purchase two additional transformers for Warehouse inventory to support GP&L projects.

I. APPROVED Cable for Warehouse Inventory

Bid No. 0989-22

Techline, Inc.

\$433,680.00

This request is to purchase cable for Warehouse inventory to support GP&L projects.

m. APPROVED Audio Visual Design, Programming and Equipment Installation for EOC Renovation

Bid No. 1068-22

AVI-SPL, LLC

\$350,791.56

This request is to upgrade the AV system for the Emergency Operations Center.

3. APPROVED Millwood Switching Station Land Purchase

At the August 15, 2022 Work Session, Council considered the contract with Farmers Electric Cooperative, Inc. for the acquisition of the property and improvements for the Millwood Switching Station.

4. 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 22-06, Khoa Tran (District 8)

Ordinance No. 7351 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for A Tattooing/Body Piercing Establishment on a 3.976-acre tract of land zoned Community Retail (CR) District and located at 1238 Belt Line Road, Suite 361; 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.

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.

5. Appointment of the Garland Housing Finance Corporation

At the August 15, 2022 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 16, 2022.

Deputy Mayor Pro Tem Smith nominated Dale Adams for reappointment to the Garland Housing Finance Corporation. A vote was cast with the following result:

Vote: 9 ayes, 0 nays

6. PUBLIC HEARING HELD: Hold a Public Hearing on the 2022-23 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 2022-23 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 3, 2022. A second Public Hearing on the Proposed Budget is scheduled for Tuesday, August 23, 2022. A third Public Hearing on the Proposed Budget is scheduled for Tuesday, September 6, 2022. The 2022-23 Budget is scheduled to be adopted on September 6, 2022.

Mayor LeMay opened the public hearing at 7:13 p.m. There were no speakers on this item and the hearing was closed at 7:14 p.m.

7. PUBLIC HEARING: Hold a Public Hearing on Proposed FY 2022-23 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 2022-2023 proposed budget is based on a tax rate of \$0.716692 cents per every \$100 of valuation, which exceeds the no new revenue tax rate of \$0.651010 cents per \$100 of value.

Mayor LeMay opened the public hearing at 7:14 p.m. There were no speakers on this item and the hearing was closed at 7:15 p.m.

8. Hold public hearings on:

a. DENIED Consider a Planned Development amendment request by Masterplan/Guardian Recovery Network to allow a substance abuse recovery facility from the existing building. The site is located at 3450 Wagon Wheel Road in District 7.

Consideration of the application of Masterplan/Guardian Recovery Network, requesting approval of an Amendment to Planned Development (PD) District 07-45. This property is located at 3450 Wagon Wheel Road. (File Z 22-21,

District 7)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were: Maxwell Fisher and Joshua Scott, applicant.

The citizens presenting oral testimony against this request were: Tri Hoang, Kayla Hoang, Jesus S. Davila, Hanh Nguyen, Tony Bui, Son Ky Nguyen, Mau Nguyen, Deborah Strachn, Marian Milhelcic, Kin Hen Thi Nguyen, James Adams, Cecilia Nguyen, Tue Nguyen, Laura Phuong Trinh, Maria May and Chantal Nguyen.

The citizens registering a position against this request, but not presening oral comments were: Freweyni Tecle, Kim Nguyen, Nghi Tran, Henry Nguyen, Pham Phung, Thuy Nguyen, Ba Pham, Jennifer Dao, Quy Bao Tran, Loc Thai, Nathan Hoang, Quy Hoang, Teresa Hoang, Sally Tran, Jonh Tran, Bon Le, Loan Do, Lap Tran, Chau Truong, Thy Nguuyen, Nghia Kah Pham, Chi Le, Thuan Vo, Gautam Ramesan, Can Nguyen, Frank R. Weaver, James Draper, Fillmore Woodley, Georgiana Woodley, Karen Wade, Emma Villarreal, Freshatsion Abraha, Kathleen Cameron, Gidey Tsehay and Tadele Zegeye.

There was discussion by the Council.

The motion was made by Council Member Hedrick to deny the request, seconded by Council Member Moore. Motion carried:

Vote: 9 ayes, 0 nays

- b. DENIED Consider a Specific Use Provision request by Masterplan/Guardian Recovery Network to allow a substance abuse recovery facility from the existing building. The site is located at 3450 Wagon Wheel Road in District 7.**

Consideration of the application of Masterplan/Guardian Recovery Network, requesting approval of a Specific Use Provision for a Care of Alcoholic, Drug Dependent or Psychiatric Patients, Institutional Use. This property is located at 3450 Wagon Wheel Road. (File Z 22-21, District 7)

The motion was made by Council Member Hedrick to deny the Specific Use Provision, seconded by Council Member Moore. Motion carried:

Vote: 9 ayes, 0 nays

- c. DENIED Consider a Detail Plan request by Masterplan/Guardian Recovery Network to allow a substance abuse recovery facility from the existing building. The site is located at 3450 Wagon Wheel Road in District 7.**

Consideration of the application of Masterplan/Guardian Recovery Network, requesting approval of a Detail Plan for a Care of Alcoholic, Drug Dependent or Psychiatric Patients, Institutional Use. This property is located at 3450 Wagon Wheel Road. (File Z 22-21, District 7)

The motion was made by Council Member Hedrick to deny the Detail Plan request, seconded by Council Member Vera: Motion carried:

Vote: 9 ayes, 0 nays

- d. **APPROVED** Consider amending Section 2.52, “Special Standards for Certain Uses,” Section 6.03, “Definitions,” and Table 7-1 “Downtown District Land Use Matrix,” of Section 7.06 of the Garland Development Code, regarding Mobile Food Truck Parks.

Consider amendments to the Garland Development Code regarding Mobile Food Truck Parks. This item was reported by the Development Services Committee during the June 20, 2022 City Council Work Session.

William Guerin, Director of Planning, gave the staff presentation.

There was a request by Council Member Lucht to include language in the ordinance restricting hours for food truck parks near neighborhoods. Brian England, City Attorney, stated the request could be included in the ordinance.

Council Member Williams asked for clarification on the definition of food trucks; Mr. Guerin provided the definition from the Garland Development Code.

Council Member Hedrick asked Council Member Lucht to state her intended distance requirements and hours. She agreed with 150 feet from property line to property line, as recommended by counsel, and 1 a.m. for the extended hours.

The motion was made by Council Member Hedrick to approve the ordinance with the amendments as discussed, seconded by Council Member Lucht. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7352**

9. 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 Deborah Morris

- Isaac Abu - Community Multicultural Commission
- Daphne Dean - Environmental & Community Advisory Board
- Michael Degen - Library Board
- Jonathan Ferguson - Parks and Recreation Board
- Julius Jenkins - Plan Commission
- John Spencer - Property Standards Board
- John Ball - Tax Increment Finance #2 South Board

Mayor Pro Tem Morris presented her nominees and a vote was cast with the following result:

Vote: 9 ayes, 0 nays

- 10. Citizen comments:** There were no speakers on this item.
- 11. Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 9 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary