GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, October 18, 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
	Council Member 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:	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.

Mayor LeMay presented a Special Recognition to David Parrish for his years of service to the City of Garland and on the Parks Board.

Mayor LeMay read a proclamation declaring October 2022 as Residents' Rights 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.

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

Vote: 9 ayes (Council Member Williams voted remotely), 0 nays

1. APPROVED Consider approval of the minutes of the October 11, 2022, Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED Cold Milling with Operator and Helper Bid No. 1196-22

TexOp Construction, LP $250,000.00

This request is to provide asphalt milling on streets scheduled for asphalt overlay by the Street Department. By milling off approximately two inches of existing asphalt pavement in advance of the asphalt overlay, the street profile will essentially remain the same after the overlay, which will maintain the drainage capacity on those streets. This approval is for a Term Agreement with two (2) optional renewals.

b. APPROVED **Valve & Fire Hydrant Maintenance** **Bid No. 1215-22**

Hydromax USA, LLC	**$500,000.00**

This request is to provide maintenance, inspections, adjustments and minor repair of water valves and fire hydrants throughout City of Garland. This approval is for a Term Agreement with four optional renewals.

c. APPROVED **GP&L Olinger Plant Generation** **Bid No. 0972-22**

Dynamis Power Solutions	**$49,350,000.00**
Optional Contingency	**7,402,500.00**
TOTAL:	**$56,752,500.00**

This request is for the purchase and construction of two Dynamis DT35 Package Turbine Generators including permitting and engineering for the Olinger Power Station. An Optional Contingency is included for any additional goods or services that may be required.

d. APPROVED **Network Equipment Replacement** **Bid No. 0032-23**

Presidio Networked Solutions Group, LLC	**$1,200,000.00**

This request is to purchase replacement networking equipment that has reached its end of life.

e. APPROVED **Firewheel Pump Station Replacement Generator Project** **Bid No. 0017-23**

Gupta & Associates, Inc.	**$439,040.00**
Optional Contingency	**50,000.00**
TOTAL:	**$489,040.00**

This request is to obtain professional engineering services to design a new Tier-4 backup power generator to replace the existing 32-year-old unit at Firewheel Pump Station. An Optional Contingency is included for any unforeseen additional modifications that may be required.

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 Zoning File No. Z 22-20, Grenadier Investments, Inc. (District 7)**

Ordinance No. 7369 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) a Detail Plan for Single-Family Attached (SFA) development on a 21.105-acre tract of land located at 2200 and 2302 West Campbell 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.

b. **APPROVED**

Zoning File No. Z 22-26, CCM Engineering (District 2)

Ordinance No. 7370 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Use and 2) a Detail Plan for Single-Family Attached (SFA) development on a 3.1383-acre tract of land located at 1350 East Miller 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.

c. **APPROVED Zoning File No. Z 22-43, Geomet Recycling (District 6)**

Ordinance No. 7371 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 19-32 for Industrial uses; 2) a Specific Use Provision amendment for a Recycling Salvage Yard; and 3) a Detail Plan amendment on a 19.83-acre tract of land located at 312 South International 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.

d. **APPROVED Zoning File No. Z 22-45, Kehinde Omo-Iyamu (District 5)**

Ordinance No. 7372 amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District on a 0.482-acre tract of land located at 2940 Broadway Boulevard and 2955 Dairy 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.

e. APPROVED Zoning File No. Z 22-49, Scout Cold Logistics, LLC (District 5)

Ordinance No. 7374 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Food Processing & Storage Use on a 9.789–acre tract of land zoned Industrial (IN) District and located at 2610 McCree 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.

f. APPROVED Interlocal Agreement and Payment Authorization for Multi-Disciplinary Behavioral Health Response Team

Council approved the Interlocal Agreement Second Amendment to fund the Multi-Disciplinary Behavioral Health Response Team in order to continue providing social work support for all Garland residents.

4. APPROVED **Ordinance No. 7375** amending Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas; providing a penalty under the provisions of Section 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a savings clause; providing a severability clause; and setting an effective date.

At the October 10, 2022, Work Session, Council considered prohibiting parking on the south side of the North end of Wall Street from Leon Drive to the corner as shown in the attached exhibit and ordinance.

5. APPROVED **Ordinance No. 7376** amending Section 2.52, "Special Standards for Certain Uses," of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.

At the October 10, 2022, Work Session, Council considered prohibiting on-street parking for automobile uses. This ordinance is intended to address complaints of citizens regarding automobile uses (i.e., major and minor car repair, car sales, etc.) using public rights-of-way for the storage and parking of customer vehicles.

6. APPROVED **Ordinance No. 7377** authorizing an amendment to the 2022 Capital Improvement Program (2022 CIP Amendment No. 2), providing for the Supplemental Appropriation of Funds in the Electric Production Program; and providing an effective date.

At the October 17, 2022, Work Session, Council considered an amendment of the 2022 CIP to appropriate an additional $60,002,860 for

the installation of new Olinger Power Station generation resources in the Electric Production Program.

7. APPROVED **Resolution No. 10560** approving a schedule for meetings of the City Council to be held in Calendar Year 2023; and providing an effective date.

At the October 10, 2022, Work Session, Council considered the meeting dates for the 2023 calendar year.

8. APPROVED **Vision Energy Consultants, Inc. Agreement**

Vision Energy Consultants, Inc.'s President, Ray Schwertner, currently provides governmental affairs and management consulting services for Garland Power & Light (GP&L). The City's agreement with Vision Energy Consultants, Inc. expires this month. The City Council approved GP&L's request for a new, one-year agreement with Vision Energy Consultants, Inc. for governmental affairs consulting services.

9. APPROVED **Agreement for the Provision of Temporary Electric Distribution Service**

Digital Garland Ferris, L.P. (“Digital”) is requesting Garland Power and Light (“GP&L”) construct facilities for the provision of temporary electric distribution service for construction and pre-occupancy testing of Digital’s planned data center facilities. Digital will pay for the construction of the electric distribution facilities and temporary electric distribution service. The City Council approved GP&L's request of an agreement for the provision of temporary electric distribution service.

10. APPROVED **Minute action approving the 2022-2023 GCACI budget, the sub-grant recipients and authorize the City Manager to execute the "Hotel Occupancy Tax Program Management Agreement" between the City and Garland Cultural Arts Commission, Inc.**

At the October 17, 2022, Work Session, Council considered authorizing the City Manager approval of the 2022-2023 budget of the Garland Cultural Arts Commission Inc. (GCACI), subgrant recipients execution of a "Hotel Occupancy Tax Program Agreement" between the City of Garland and the GCACI.

11. APPROVED **Resolution No. 10561** authorizing the City Manager to enter into a Banking Services and Depository Agreement with JP Morgan Chase Bank, and Providing and Effective Date.

At the October 10, 2022, Work Session Meeting, Council considered authorizing the City Manager to enter into a Banking Services and Depository Agreement with JP Morgan Chase Bank.

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.

12. **Hold public hearing on:**

a. APPROVED **Consider a Planned Development (PD) District amendment request by Garland Leased Housing Associates I, to reduce the minimum resident age at an existing senior independent living facility. The site is located at 202 Belt Line Road in District 8.**

Consideration of the application of Garland Leased Housing Associates I, requesting approval of an amendment to Planned Development (PD) District 05-04, to reduce the minimum resident age at an existing Elder Care – Independent Living Facility. This property is located at 202 Belt Line Road. (File Z 22-56, District 8)

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

The motion was made by Deputy Mayor Pro Tem Smith to approve the Planned Development District amendment as presented, seconded by Council Member Vera. Motion carried:

Vote: 9 ayes (Council Member Williams voted remotely), 0 nays

13. **Citizen comments:** There were no speakers on this item.

14. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:22 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary