



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, December 13, 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
Assistant City Manager Phillip Urrutia
City Attorney Brian England
City Secretary Eloyce Rene 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 acknowledged The Honorable Weldon Bradley (District 4) and Leadership Garland Class 42.

Mayor LeMay recognized the winners of the 2022 Garland Neighborhood Awards: Camelot Neighborhood Association, for their publication, The Knightly News, Cynthia Houck accepted the award; Stephan Sila, Who's Who in Garland Neighborhoods Award; and Fall Creek Estates for Garland Neighborhood of the Year, Adam Ismail, President of Fall Creek Estates HOA, accepted the award.

Mayor LeMay recognized Brian England, City Attorney, for his 15 years of service as both a police officer and attorney in the City of Garland.

Mayor LeMay recognized Bryan Bradford, City Manager, for his 29-years of service to the City and announced Mr. Bradford's upcoming retirement May 1, 2023.

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, with the exception, of Items 7, 8 and 9, which were removed, seconded by Council Member Hedrick. Motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the December 6, 2022, Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** Cooper and Southern Gardens Drainage Improvements Design **Bid No. 0556-20**

R-Delta Engineers, Inc. **\$142,060.00**

This request is to provide design revisions for the proposed water and wastewater lines in Avenue B and Avenue D. Both segments of roadway are part of S.H. 66 in the Texas Department of Transportation (TxDOT) highway system. Upon TxDOT's review of the City's proposed improvement plans, TxDOT requires additional modifications to City facilities within their ROW. Also included are revisions of the Hopkins Street Plan and Profile, additional Franchise Utility coordination, and updates to the Storm Sewer System.

b. **APPROVED** Satellite Image Leak Detection Survey **Bid No. 0258-23**

Utilis, Inc., DBA ASTERRA **\$145,000.00**

This request is to provide bi-annual satellite imagery of suspected water leaks in the City's water distribution system.

c. **APPROVED** Sports Lighting for Holford Park Football Field **Bid No. 0253-23**

Musco Sports Lighting, LLC **\$287,283.00**
Optional Contingency **\$28,728.00**
TOTAL: \$316,011.00

This request is for the purchase of new LED sports lighting for the Holford Park football field. An optional contingency is included for any additional work that may be required.

d. **APPROVED** GP&L Girvin 345kV Switch Station Engineering Services **Bid No. 0247-23**

Burns & McDonnell **\$1,589,000.00**

This request is to obtain geotechnical, civil, structural, and electric design engineering as well as protection, control, and communications design for the GP&L Girvin 345kV Switch Station. Services will also include field engineering to support construction management for the project.

e. **APPROVED** GP&L Girvin 345kV Switch Station to Greasewood II 345kV Transmission Line Engineering Services **Bid No. 0248-23**

Burns & McDonnell

\$447,100.00

This request is to obtain geotechnical and electric design engineering services to support the construction of the GP&L Girvin 345kV Switch Station to Greasewood II 345kV Transmission Line and Girvin Switch 345kV Cut-ins. Services will also include ground and subsurface utility engineering surveying and field engineering services to support construction management for the project.

f. APPROVED Health Benefits Stop-Loss Coverage

Bid No. 0120-23

Blue Cross Blue Shield of Texas

\$2,706,738.00

This request is to provide stop-loss insurance protection for the City of Garland by serving as a reimbursement mechanism for medical claims exceeding predetermined levels. This approval is for a Term Agreement with two optional renewals.

3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

a. APPROVED Zoning File No. Z 21-45, Atlantic Urbana Acquisition Company II, LLC (District 2)

Ordinance No. 7386 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Planned Development (PD) District 19-40 for Single-Family Use to a Planned Development (PD) District for Multi-Family-1 (MF-1) Use; and 2) a Detail Plan for Multi-Family development on an approximate 38.37-acre tract of land located at 2201 East Miller Road and 2370 East Centerville 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 22-39, JC Collision (District 6)

Ordinance No. 7387 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for Automobile Sales, New or Used on a 1.014-acre tract of land zoned Industrial (IN) District located at 2905 Forest Lane; 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 22-47, Digital Garland Ferris, LP (District 1)

Ordinance No. 7388 amending the Garland Development Code of the City of Garland, Texas, by approving a Detail Plan for a Data Center on a 18.636-acre tract of land zoned Planned Development (PD) District 20-17 and located at 805 Holford 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 Ordinance No. 7389 amending Sections 24.44, "Civil Penalty," and 24.45, "Enforcement of Parking Violation Orders," of Article III, "Administrative Adjudication of Parking Offenses," of Chapter 24, "Municipal Court and Administrative Adjudication," 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 December 12, 2022, Work Session, Council considered an ordinance which clarifies the City's ability under State law to send unpaid parking tickets to a third-party collection agency and all that agency to collect an amount up to an additional third party percent of any unpaid parking fees.

5. APPROVED Resolution No. 10569 for Master Interlocal Agreement with Dallas County for Maintenance on Certain Designated Roadways; and providing an effective date

At the December 5, 2022, Work Session, Council considered a Resolution authorizing the City Manager to execute a master agreement with Dallas County for transportation related maintenance on designated roadways within the City of Garland, Dallas County; and providing an effective date.

6. **APPROVED Resolution No. 10570** accepting a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Impaired Driving Mobilization (IDM) Grant in the amount of \$14,998.68; and providing an effective date.
- At the December 12, 2022, Work Session, Council considered a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Impaired Driving Mobilization (IDM) Grant for FY 2023 in the amount of \$14,998.68.
7. **PULLED Consider approving by minute action an amendment to the employment agreement with Brian England relating to his employment as City Attorney.**
- Council postponed an amendment to the employment agreement with Brian England relating to his employment in the position of City Attorney until the January 10, 2023, Regular Session.
8. **PULLED Consider approving by minute action an amendment to the employment agreement with Jedson Johnson to continue his employment as City Auditor.**
- Council postponed an amendment to the employment agreement with Jedson Johnson to continue his employment in the position of City Auditor until the January 10, 2023, Regular Session.
9. **PULLED Consider approving by minute action an amendment to the employment agreement with John Sholden to continue his employment as Municipal Court Judge.**
- Council postponed an amendment to the employment agreement with John Sholden to continue his employment in the position of Municipal Court Judge until the January 10, 2023 Regular Session.
10. **APPROVED Resolution No. 10571** was adopted by Council to approve the 2023 Legislative Agenda.
11. **APPROVED Minute action approving the 2022 Council Rules of Order and Policies.**

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 hearings on:**
- a. **APPROVED Consider a Specific Use Provision request by Golden Franchising Corporation to allow a drive-through restaurant, Golden Chick. The site is located at 6102 North Jupiter Road in District 7**
- Consideration of the application of Golden Franchising Corporation, requesting approval of a Specific Use Provision for a Restaurant, Drive-Through on a property zoned Community Retail (CR) District. This property is located at 6102 North Jupiter Road. (File Z 22-44, District 7)
- The staff report was presented by William Guerin, Director of Planning. The speakers on this item were: Mark Parmelee, Kelly Harbacheck, and Mathew Thomas (applicant). David Gladney gave oral testimony against approval of the project.
- There was discussion by the Council.
- The motion was made by Council Member Hedrick to approve the Specific Use Provision (Item 12a) and the Site Plan (Item 12b), seconded by Council Member Vera. Motion carried:
- Vote:** 9 ayes, 0 ayes

- b. **APPROVED** Consider a Site Plan request by Golden Franchising Corporation to allow a drive-through restaurant, Golden Chick. The site is located at 6102 North Jupiter Road in District 7.

Consideration of the application of Golden Franchising Corporation, requesting approval of a Plan for a Restaurant, Drive-Through on a property zoned Community Retail (CR) District. This property is located at 6102 North Jupiter Road. (File Z 22-44, District 7)

- c. **APPROVED** Consider a Detail Plan request by Winkelmann & Associates, Inc. to construct 340 multi-family units with the ability to convert the ground floor to retail uses. This proposal is the first phase of a master-planned site for mixed uses. The site is located at 6302 Greenbelt Parkway in District 4.

Consideration of the application of Winkelmann & Associates, Inc., requesting approval of a Detail Plan for Multi-family/Mixed-use development. This item may include amendments to Planned Development (PD) District 22-25. This property is located at 6302 Greenbelt Parkway. (File Z 22-51, District 4)

The staff report was presented by William Guerin, Director of Planning and Paul Luedtke, Director of Transportation. The speaker on this item was Ross Frankfurt, Anthem Development, applicant. Allicia Frye, Chief Executive Officer, Jonathan's Place, gave oral testimony in support of the request.

There was discussion by the Council.

The motion was made by Council Member Williams to approve the Detail Plan, seconded by Council Member Moore. Motion carried:

Vote: 9 ayes, 0 nays

- d. **APPROVED** Consider a Planned Development amendment request by Hanan Salman to construct a Contractor's Office/Warehouse building. The site is located at 3065 Forest Lane in District 6.

Consideration of the application of Hanan Salman, requesting approval of an amendment to Planned Development (PD) District 03-47 for Community Retail Uses, to allow a Contractor's Office/Warehouse (indoors only). This property is located at 3065 Forest Lane. (File Z 22-52, District 6)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Hanan Salman.

The motion was made by Council Member Vera to approve the Planned Development (Item 12d) and Detail Plan (12e), seconded by Deputy Mayor Pro Tem Smith. Motion carried:

Vote: 9 ayes, 0 nays

- e. **APPROVED** Consider a Detail Plan request by Hanan Salman to construct a Contractor's Office/Warehouse building. The site is located at 3065 Forest Lane in District 6.

Consideration of the application of Hanan Salman, requesting approval of a Detail Plan for a Contractor's Office/Warehouse (indoors only). This property is located at 3065 Forest Lane. (File Z 22-52, District 6)

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 8:55 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary