



MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, April 16, 2024, 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 Jeff Bass
Deputy Mayor Pro Tem Ed Moore
Council Member Deborah Morris
Council Member B.J. Williams
Council Member Margaret Lucht
Council Member Carissa Dutton
Council Member Dylan Hedrick
Council Member Chris Ott

Staff Present: City Manager Jud Rex
Deputy City Manager Mitch Bates
Assistant City Manager Andy Hesser
Assistant City Manager Crystal Owens
Assistant City Manager Phil Urrutia
City Attorney Brian England
Deputy City Secretary Tracy Allmendinger

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

It is a custom and tradition of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of each Regular Meeting. Members of the audience are invited but not required to participate. The decision to participate is strictly a matter of personal choice. It has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during this meeting.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations, recognize attendees or accomplishments, and make announcements regarding City events or other matters of interest to citizens including but not limited to listed items. There will be no Council discussion or votes on these matters.

- National Day of Prayer
- Volunteer Appreciation Week
- 2023 Achievement of Excellence in Libraries Award

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 or his designee to execute each item. The Mayor will announce the consent agenda and provide an opportunity for members of the audience, as well as Council, to request that any item be removed and considered separately.

Motion was made by Council Member Ott to approve the Consent Agenda as presented, seconded by Council Member Dutton. **Motion carried:** 9 ayes, 0 nays.

1. APPROVED Approve the minutes of the April 2, 2024, Regular Meeting

2. Approve the following bids:

- a. APPROVED Two replacement Aerial Bucket Trucks for the Transportation Department** **Bid No. 0789-24**

Altec Industries, Inc. \$541,391.00

This purchase is for the replacement of one 2027 Ram 5500 Aerial Bucket Truck, and for one 2028 Ram 5500 Aerial Bucket Truck for the Transportation Department.

- b. APPROVED 2024 Where the Heart Is Sidewalk Replacement Project** **Bid No. 0447-24**

R&A Legacy, LLC \$356,804.00

This request is to award the 2024 "Where the Heart Is" Sidewalk Replacement Project to R&A Legacy, LLC in the amount of \$356,804.00 for the reconstruction of portions of concrete sidewalks in Western Heights and Gatewood Estates subdivisions.

- c. APPROVED GP&L Holford to Campbell Switch 138kV Transmission Line Engineering Services** **Bid No. 0794-24**

Burns & McDonnell Engineering Company, Inc. \$547,000.00

This request is to obtain engineering and design services to support the construction of the GP&L Holford to Campbell Switch 138kV Transmission Line. This is part of the approved GP&L Holford 138kV Line Loop Addition CIP project.

- d. APPROVED GP&L Holford to Lookout 138kV Transmission Line Engineering Services** **Bid No. 0795-24**

Burns & McDonnell Engineering Company, Inc. \$651,000.00

This request is to obtain engineering and design services to support the construction of the GP&L Holford to Lookout 138kV Transmission Line. This is part of the approved GP&L Holford 138kV Line Loop Addition CIP project.

- e. APPROVED GP&L Shiloh Road to McCree 138kV Transmission Line Engineering and Surveying Addendum No. 1** **Bid No. 0601-20**

R-Delta Engineers, Inc. \$103,000.00

This request is to obtain Change Order # 1 to Purchase Order 29988 with an addendum for engineering services associated with GP&L Shiloh Road to McCree 138kV Transmission Line Engineering and Surveying. The addendum will include additional studies, design services, design changes, and revised engineering plans and bid packages to accelerate the increased power flow capacity of the line to meet ERCOT required upgrades.

- f. APPROVED Term Contract for Median Maintenance and Porter Service** **Bid No. 0634-24**

Carruthers Landscape Management \$576,000.00

This request is for a term contract for median mowing maintenance and porter service for downtown and park areas. This approval is for a term agreement with four (4) optional renewals.

3. **A public hearing was previously conducted for the zoning case(s) below. Council approved the zoning request(s) and instructed staff to bring forth the following ordinances:**

a. APPROVED Z 24-09 Texas Taco Cabana, LP (District 4)

***Ordinance No. 7521** amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision Renewal for a Restaurant, Drive-Through use on a property zoned Community Retail (CR) District and on a 1.2697-acre tract of land located at 5959 Broadway Boulevard; 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 First Amendment to the Project Specific Agreement with Dallas County for Rowlett Road Cycle Track from Greenbelt Parkway to Lake Ray Hubbard

***Resolution No. 10611** authorizing the City Manager to execute the First Amendment to the Project Specific Agreement with Dallas County.*

5. APPROVED Water Conservation and Resource Emergency Management Plan Update

Consider and take appropriate action on an ordinance amending the Water Conservation and Resource Emergency Management Plan.

ITEMS FOR INDIVIDUAL CONSIDERATION

Members of the audience may provide public comment in favor, in opposition or about any of the items for individual consideration. Anyone wishing to speak must fill out a speaker card (located at the entrance to the Council Chambers) and give it to the City Secretary in advance of the respective agenda item. Speakers are grouped by agenda item and will be called in the order of the agenda. All comments and testimony are to be presented from the podium. The Mayor may impose a time limit and may provide for rebuttal.

6. Hold public hearing(s) on the following Item(s):

a. APPROVED Youth Programs Standards of Care Ordinance

Consider and take appropriate action regarding approval of an ordinance for the youth programs Standards of Care.

Motion was made by Council Member Ott to approve the request as presented, seconded by Mayor Pro Tem Bass. **Motion carried: 9 ayes, 0 nays approving Ordinance No. 7523.**

7. Hold public hearing(s) on the following Zoning Case(s):

a. APPROVED Consider amendments to the Garland Development Code

Consideration to amend various Sections of Chapter 1, "General Provisions," Chapter 2, "Zoning Regulations," Chapter 3, "Subdivision Regulations," Chapter 4, "Site Development," Chapter 5, "Relief Procedures & Enforcement," and Chapter 7, "Downtown (DT) District" of the Garland Development Code of the City of Garland, Texas. This GDC amendment is regarding requiring Concept Plans instead of Detail Plans and other detailed site plans with Zoning applications. This item was recommended by the Development Services Committee and directed by the City Council during the December 4, 2023 Work Session.

Staff Report was presented by William Guerin, Director of Planning.

Motion was made by Council Member Hedrick to approve the request as presented, seconded by Council Member Lucht. **Motion carried:** 9 ayes, 0 nays approving **Ordinance No. 7524**.

- b. APPROVED** Consider a request by David Gibbons to construct twenty (20) senior assisted living units. The site is located at 1922 Castle Drive in District 2.

Consider and take appropriate action on the application of David Gibbons, requesting approval of 1) an Amendment to Planned Development (PD) District 17-25 for Multi-Family-1 (MF-1) Uses and 2) a Detail Plan for an Elder Care-Assisted Living Use. This property is located at 1922 Castle Drive. (District 2) (File Z 23-28)

Staff Report was presented by William Guerin, Director of Planning. The speaker on this item was David Gibbons, applicant.

There was discussion by the Council.

Motion was made by Council Member Morris to approve the request as presented, seconded by Mayor Pro Tem Bass. **Motion carried** 9 ayes, 0 nays.

- c. APPROVED** Consider a request by Kimley Horn to construct a restaurant with a drive-through [Swig]. The site is located at 2301 Arapaho Road in District 7.

Consider and take appropriate action on the application of Kimley Horn, requesting approval of 1) a Change in Zoning from Planned Development (PD) District 99-49 for Neighborhood Office Uses to Community Retail (CR) District and 2) a Specific Use Provision for a Restaurant, Drive-Through Use. This property is located at 2301 Arapaho Road (District 7) (File Z 24-11)

Staff Report was presented by William Guerin, Director of Planning. The speaker on this item was Garrett Johnson, applicant.

Motion was made by Council Member Hedrick to approve the request as presented, seconded by Council Member Dutton. **Motion carried:** 9 ayes, 0 nays.

- d. APPROVED** Consider a request by Golden Bee Trove LLC for a Specific Use Provision for a thrift store use. The site is located at 5501 Broadway Boulevard, Suite 105 in District 4.

Consider and take appropriate action on the application of Golden Bee Trove LLC, requesting approval of 1) a Specific Use Provision for a Used Goods, Retail Sales (Indoors) Use and 2) a Plan for a Used Goods, Retail Sales (Indoors) Use on a property zoned Planned Development (PD) District 18-40. This property is located at 5501 Broadway Boulevard, Suite 105. (District 4) (File Z 24-04)

Staff Report was present by William Guerin, Director of Planning. The speaker on this item was Ann Duran, applicant.

There was discussion by Council.

The motion was made by Council Member Williams to deny the request, seconded by Council Member Morris. The motion failed: 4 ayes, 5 nays (Mayor LeMay, Deputy Mayor Pro Tem Moore, Council Members Dutton, Hedrick and Ott)

Motion was made by Council Member Hedrick to approve the request as presented, seconded by Deputy Mayor Pro Tem Moore. **Motion carried:** 5 ayes, 4 nays (Mayor Pro Tem Bass, Council Members Morris, Williams, and Lucht)

CITIZEN COMMENTS

Members of the audience wishing to address issues not on the meeting agenda may have three minutes to speak. However, according to the Texas Open Meetings Act, Council is prohibited from discussing any item not on the posted agenda.

Citizen comments were made by: Billy J. Bagwell and Dr. Theresa Daniel.

ADJOURN

All Regular Meetings of the Garland City Council are broadcast live on CGTV, Time Warner Cable Channel 16 and Frontier FIOS TV 44. Meetings are rebroadcast at 9 a.m. and 7 p.m. Wednesdays - Sundays. Live streaming and on-demand videos of the meetings are also available online at GarlandTX.tv. Copies of the meetings can be purchased through the City Secretary's Office (audio CD's are \$1 each and DVD's are \$3 each).

Submitted By:

Scott LeMay, Mayor

Tracy Allmendinger, Deputy City Secretary