



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, March 1, 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 Dylan Hedrick
Council Member Deborah Morris
Deputy Mayor Pro Tem B. J. Williams
Council Member Jeff Bass
Council Member Ed Moore
Council Member Rich Aubin
Council Member Robert Vera
Council Member Robert John Smith

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.

Amy Dunphy, Community Outreach Coordinator, Animal Services, presented the Pet of The Month.

Mayor LeMay, along with the Environmental & Community Advisory Board, presented a Special Recognition to Reba Collins for her community conservation efforts and as a leader in the Camelot neighborhood.

Mayor LeMay recognized the Parks Department for winning the 2022 Gold Medal Award, for population class two, at the Texas Recreation & Parks Society State convention; the award is modeled after the National Parks & Recreation Gold Medal award. The award honors excellence in park management over the past three years. Andy Hesser, Parks Director, and members of the department were present for the recognition. Mr. Hesser thanked all departments who participated in their success to receive the award.

Mayor LeMay recognized the Public & Media Relations Department for their 2021 Regional Emmy Award from the Lone Star Chapter; in the military short form or long form category, for the video recap of "The Wall That Heals", a Vietnam Veterans Memorial. Mr. Bach and his team captured the arrival, setup and visits to the wall. Dorothy White, Director of Public & Media Relations, Dan Bach, Media Relations Manager and members of the department were present for the recognition. Mr. Bach received specific recognition for his work as producer on the project.

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.

Motion was made by Council Member Aubin to approve the Consent Agenda as presented, seconded by Council Member Bass . Motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the February 15, 2022, Regular Meeting.

2. Consider approval of the following bids:

- a. **APPROVED** Weekend Litter Control and Contract Mowing **Bid No. 0682-20**

Carruthers Landscape Management \$80,313.84

This request is to approve a Change Order for additional litter control throughout the city and mowing along State Highway 66.

- b. **APPROVED** Repair of Benshaw Low and Medium Voltage Solid State Reduced Voltage Starters **Bid No. 0475-22**

Five Star Electric Motors, Inc. \$100,000.00

This request is for the repair of Benshaw Low and Medium Voltage Solid State Reduced Voltage Starters. This approval is for a Term Agreement with four optional renewals.

- c. **APPROVED** Forest Lane and Country Club Water & Wastewater Mains Replacement **Bid No. 0252-22**

Camino Construction, LP \$521,609.00
Optional Contingency 45,000.00
TOTAL: \$566,609.00

This request is to replace water and wastewater mains including streets, driveways, parking lots and sidewalks between Forest Lane North and Forest Lane South from S. Garland Avenue to Duck Creek and N. Country Club Road from Pleasant Valley Road to Bosque Drive. An Optional Contingency is included for any additional work that may be required.

- d. **APPROVED** Water Meter Testing **Bid No. 1169-19**
UWS \$25,000.00

This request is to approve a Change Order for water meter testing services.

- e. **APPROVED** Peripheral Equipment for Police Patrol Vehicles **Bid No. 0444-22**

GT Distributors, Inc. \$479,610.59
Plastix Plus, LLC 154,605.00
Stop Stick, Ltd. 11,361.25
Kustom Signals, Inc. 35,928.60
TOTAL: \$681,505.44

This request is to upfit the new Police Department Tahoes with the safety and technology equipment necessary to make them fully-functioning patrol vehicles.

- f. **APPROVED Additional Services for Tuckerville Park Development** **Bid No. 0697-21**

MHS Planning and Design **\$793,440.00**

This request is to approve a Change Order to the professional services contract for Tuckerville Park Development to include the scope of work associated with the additional \$8,352,000 approved for the project through ARPA.

- g. **APPROVED 2022 Miscellaneous Concrete Repair Program** **Bid No. 0284-22**

Tri-Con Services, Inc. **\$2,000,000.00**

This request is to approve the 2022 Miscellaneous Concrete Repair Program. This approval is for a Term Agreement with four optional renewals.

- h. **APPROVED Erosion Mitigations** **Bid No. 1256-21**

Knight Erosion Control, Inc. **\$450,000.00**

This request is to provide on-call Erosion Mitigations to repair existing creek and channel erosion throughout the city of Garland. This approval is for a Term Agreement with two optional renewals.

- i. **APPROVED Police Ammunition** **Bid No. 0452-22**

Precision Delta Corporation **\$158,355.15**

GT Distributors, Inc. **40,182.45**

TOTAL: **\$198,537.60**

This request is to purchase ammunition for the training of Garland Police Officers in the use of firearms to perform their duties.

- j. **APPROVED Gatewood Pavilion Restroom Building** **Bid No. 0463-22**

Public Restroom Company **\$192,119.00**

This request is to fabricate and install a restroom building at Gatewood Pavilion.

- k. **APPROVED Street Department Facility Additional Design Services** **Bid No. 1187-20**

MPI Architects **\$186,340.00**

This request is to approve a Change Order for design services for the new Street Department Building.

- I. APPROVED** **TMPA Ben Davis Substation 345kV Breaker Replacement** **Bid No. 0299-22**
- | | |
|----------------------|---------------------|
| Altitude Energy, LLC | \$196,275.00 |
| Optional Contingency | <u>19,627.50</u> |
| TOTAL: | \$215,902.50 |

This request is for the replacement of existing 345kV breakers at the TMPA Ben Davis Substation. An Optional Contingency is included for any additional work that may be required.

- m. APPROVED** **Embree Park Additional Design Services** **Bid No. 1047-21**
- | | |
|----------------------------------|--------------------|
| MHS Planning & Design | \$30,090.00 |
|----------------------------------|--------------------|

This request is to approve a Change Order for design services for Embree Park.

- n. APPROVED** **Lon Wynne Park Additional Design Services** **Bid No. 0633-21**
- | | |
|----------------------------------|--------------------|
| MHS Planning & Design | \$76,900.00 |
|----------------------------------|--------------------|

This request is to approve a Change Order for design services for Lon Wynne Park.

- o. APPROVED** **Watson Park Additional Design Services** **Bid No. 0632-21**
- | | |
|----------------------------------|--------------------|
| MHS Planning & Design | \$78,650.00 |
|----------------------------------|--------------------|

This request is to approve a Change Order for design services for Watson Park.

- p. APPROVED** **Existing Animal Shelter Demolition** **Bid No. 0468-22**
- | | |
|-------------------------------------|---------------------|
| Intercon Environmental, Inc. | \$204,798.35 |
|-------------------------------------|---------------------|

This request is for the abatement and demolition of the existing Animal Shelter located at 600 Tower Street.

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 21-60, Realty Capital Management (District 1)**

Ordinance No. 7296 amending the Garland Development Code of the City of Garland, Texas, by approving a Change of Zoning from Planned Development (PD) District 15-40 and Agricultural (AG) District to a Planned Development (PD) District for Multi-Family Uses on a 13.255-acre tract of land located at 4425 Bunker Hill 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 Resolution No. 10532** agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed without Warranty; and providing an effective date.

At the February 14, 2022 Work Session, Council considered approving the sale of 328 Oaks Trail to OM Estate Development, LLC and provide an executed Deed without Warranty.

5. **APPROVED Resolution No. 10533** authorizing publication of a Notice of Intent to Issue Certificates of Obligation.

City Council approved the 2022 Capital Improvement Program at the February 15, 2022 Regular Meeting. At the February 28, 2022 Work Session, Council considered authorizing the publication of a Notice of Intent to Issue Certificates of Obligation in an amount of approximately \$31 million to fund a portion of the CIP and pay related issuance costs of approximately \$150,000.

6. **APPROVED Resolution No. 10534** by the City Council of Garland, Texas accepting the Recycling and Waste Minimization Technical Study conducted by Burns and McDonnell; and providing an effective date.

At the February 14, 2022 Work Session, Council considered accepting the Recycling and Waste Minimization Technical study in order to complete the application process with the North Central Texas Council of Governments.

7. **APPROVED Council approved the Downtown revitalization by providing future tenants with additional real estate and possible patio space.**

Council approved a lease agreement for the property adjacent to 500 Main St. The lease would be between the City of Garland and Andor Properties, LLC & Shirlee Mae, LLC.

8. **APPROVED** Council approved an updated Lease Agreement with the City of Dallas for the management and operation of Friendship Park for a period of 20 years and authorized the Mayor to execute the necessary documents.

At the January 31, 2022 Work Session, Council approved the updated lease agreement with the City of Dallas for Friendship Park.

9. **APPROVED** Council approved the redistribution of \$217,013 in Emergency Solutions Grant - CARES Act - Rapid Rehousing funding to the Transcend STEM Program and authorization for the City Manager to execute a change order to the existing contract for said amount.

At the February 14, 2022 Work Session, Council considered approving a request from the Community Development Department to redistribute \$217,013 from administration funding and the Garland Housing Agency Program to Transcend STEM Program in order to comply with the HUD deadline of September 20, 2022.

10. **APPROVED** Minute action approving one purchase agreement negotiated to date with the property owner in the amount of \$164,182.

Council has been briefed on previous occasions of the plans for Naaman School Road (from Brand to S.H. 78 / Lavon Drive). It is currently a two-lane asphalt street and is being reconstructed to a four-lane divided roadway with curbs, which will alleviate road congestion and flooding issues during significant rainfall. This requires additional land/right of -way and staff has been working with consultants to acquire the necessary property rights. One additional purchase agreement has been successfully negotiated with a property owner for the acquisition of right of way needed to move forward with the project.

11. **APPROVED** Ordinance No. 7297 canceling the election to be held May 7, 2022 for unopposed candidates for Council Members for Districts 1 and 4; declaring each of the unopposed candidates for Council Members within those respective districts elected to office; ordering the City Secretary to post a copy of this ordinance at each polling place that would have been used in the election; and providing an effective date.

Council accepted the Certification of Unopposed Candidates and approved an ordinance canceling the election for May 7, 2022, for Council Districts 1 and 4 in accordance with the Charter of the City of Garland and the laws of the State of Texas.

12. APPROVED Council accepted the Garland Housing Finance Corporation Disbursement Agreement

At the February 14, 2022 Work Session, Council accepted a \$350,000 grant from the Garland Housing Finance Corporation (GHFC) to continue the GHFC Addressing Garland Partnership Program which benefits low-income, senior and veteran residents with property improvements and to authorize the City Manager to sign and execute a disbursement agreement for deployment of these funds.

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.

13. APPROVED Resolution N. 10535 of the City Council of the City of Garland, Texas adopting the Greenbelt Parkway Plan; and providing an effective date.

Council approved a resolution and final report of the Greenbelt Parkway Area Plan. The Council was briefed on the plan during the January 31, 2022 Work Session, and the Plan Commission was briefed during their February 21, 2022 meeting. Stakeholder outreach has been conducted through meetings and a public charrette, including with the property ownership, a potential developer, DART staff, and others in the area.

The staff report was presented by William Guerin, Director of Planning. Also speaking on this item was Daniel Acevedo, Project Manager, Kimley Horn.

Deputy Mayor Pro Tem Williams presented comments.

Motion was made by Deputy Mayor Pro Tem Williams to approve the resolution and final report for the Greenbelt Parkway Area Plan, seconded by Council Member Moore. Motion carried:

Vote: 9 ayes, 0 nays

14. Hold public hearings on:

- a. DENIED Consider a Zoning request by Alan Hameed to allow automobile sales. This property is located at 3218 Forest Lane in District 6.**

Consideration of the application of Alan Hameed, requesting approval of 1) an amendment to Planned Development (PD) District 03-47 to allow Automobile Sales, New or Used by Specific Use Provision, and 2) a Specific Use Provision to allow Automobile Sales, New or Used. This property is located at 3218 Forest Lane. (File Z 21-39, District 6)

The staff report was presented by William Guerin, Director of Planning. Speakers on this item were: Alan Hameed, applicant and Tailim Song, Attorney for the applicant.

There was discussion by the Council.

Motion was made by Council Member Vera to deny the request for Zoning (Item 14a) and Detail Plan (Item 14b), seconded by Council Member Bass. Motion to deny carried:

Vote: 6 ayes, (Mayor Pro Tem Hedrick, Deputy Mayor Pro Tem Williams, Council Members Bass, Morris, Moore and Vera), 3 nays (Mayor LeMay, Council Members Aubin and Smith)

- b. DENIED Consider a Detail Plan request by Alan Hameed to allow automobile sales. This property is located at 3218 Forest Lane in District 6.**

Consideration of the application of Alan Hameed, requesting approval of Detail Plan for Automobile Sales, New or Used. This property is located at 3218 Forest Lane. (File Z 21-39, District 6)

- c. APPROVED Consider a Zoning request by DEC to allow the construction of a restaurant. This property is located at 3900 Lavon Drive in District 1.**

Consideration of the application of DEC, requesting approval of an amendment Planned Development (PD) District 19-18 for Community Retail Uses to allow the construction of a Restaurant. This property is located at 3900 Lavon Drive. (File Z 21-56, District 1)

The staff report was presented by William Guerin, Director of Planning. Speakers on this item was Daniel Stewart, Engineer for DEC.

There was discussion by the Council.

Motion was made by Council Member Bass to approve the request for Zoning (Item 14c) and Detail Plan (Item 14d), seconded by Council Member Moore. Motion carried:

Vote: 9 ayes. 0 nays

- d. **APPROVED** Consider a Detail Plan request by DEC to allow the construction of a restaurant. This property is located at 3900 Lavon Drive in District 1.

Consideration of the application of DEC, requesting approval of a Detail Plan to allow the construction of a Restaurant. This property is located at 3900 Lavon Drive. (File Z 21-56, District 1)

- e. **APPROVED** Consider a Zoning request by Kimley-Horn to construct 148 townhouse-style multi-family units. This property is located at 4401 Bunker Hill Road in District 1.

Consideration of the application of Kimley-Horn, requesting approval of an amendment to Planned Development (PD) District 15-40 for Multi-Family Use. This property is located at 4401 Bunker Hill Road. (File Z 21-57, District 1)

The staff report was presented by William Guerin, Director of Planning. Speakers on this item were: Jamie Ploetzner and Douglas Hoy, applicant(s).

Motion was made by Council Member Bass to approve the request for Zoning (Item 14e) and the Detail Plan (Item 14f), seconded by Council Member Smith. Motion carried:

Vote: 9 ayes, 0 nays

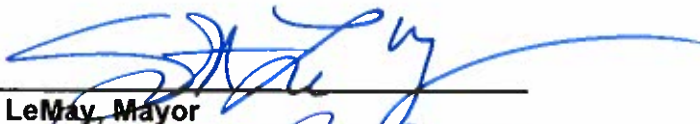
- f. **APPROVED** Consider a Detail Plan request by Kimley-Horn to construct 148 townhouse-style multi-family units. This property is located at 4401 Bunker Hill Road in District 1.

Consideration of the application of Kimley-Horn, requesting approval of a Detail Plan for a Multi-Family development. This property is located at 4401 Bunker Hill Road. (File Z 21-57, District 1)

15. **Citizen comments:** Joshua Garcia

16. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:13 p.m.

Submitted By:



Scott LeMay, Mayor



Eloyce René Dowl, City Secretary