GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, June 7, 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
	Deputy Mayor Pro Tem B.J. Williams
	Council Member Jeff Bass
	Council Member Deborah Morris
	Council Member Ed Moore
	Council Member Rich Aubin
	Council Member Robert Vera
Absent:	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 Council Members Aubin and Bass, presented special recognitions for receiving the Girl Scout Gold Award to: Sarah Cox, Serene Haroon, Gracie Wakefield and Katelyn Williams (not attending).

Mayor LeMay presented a special recognition to Tucker Halliday, Troop 1989, for receiving his Eagle Scout.

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

Vote: 8 ayes, 0 nays

1. APPROVED Consider approval of the minutes of the May 17, 2022, Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED Herbicide Spraying at Drainage Channels — Bid No. 0949-20

EDKO, LLC — $2,240.00

This request is to approve Change Order #2 for a price increase for herbicide spraying in various drainage channels within the city. This is a Term Agreement that has an optional renewal on June 1, 2022.

b. APPROVED 2022 Paving, Water and Wastewater Group 1 Improvements Design **Bid No. 0785-22**

Lam Consulting Engineering **$615,304.00**

This request is for professional engineering services for the design of paving, water and wastewater improvements on Briar Way, Columbine Drive, Dandelion Drive, Delmar Drive, Goldenrod Drive, Lupine Drive and Mayapple Drive.

c. APPROVED GP&L CIP Project Control and Management Services **Bid No. 0787-22**

Power Engineers, Inc. **$482,860.00**

This request is to obtain a contract for CIP project control and management support services. This approval is for an initial Term Contract with two optional renewals.

d. APPROVED I.H. 635 City Representative **Bid No. 0191-20**

TEAL Engineering Services **$200,000.00**

This request is to provide professional engineering services to represent the City's interests during the I.H. 635 design build reconstruction project.

e. APPROVED GP&L Hydro Plant Wicket Gate Repair **Bid No. 0406-22**

Northern Machining & Repair	**$113,900.00**
Optional Contingency	**28,475.00**
TOTAL:	**$142,375.00**

This request is to provide for the inspection and repair of wicket gates at the GP&L Hydro Plant. An Optional Contingency is included for any additional work that may be required.

f. APPROVED GP&L Distribution Overhead Line Maintenance & Construction **Bid No. 0600-22**

Utility Construction Services, LLC **$3,000,000.00**

This request is to provide as-needed overhead distribution construction services including all labor and equipment needed to install overhead wire facilities due to new construction or routine maintenance. This approval is for a Term Agreement with four optional renewals.

g.	**APPROVED**	**Firewheel Pump Station Rehabilitation Design**		**Bid No. 0762-22**
		Freese and Nichols, Inc.	**$1,706,950.00**	
		Optional Contingency	**75,000.00**	
		TOTAL:	**$1,781,950.00**	

This request is for Professional Engineering Services for the design and rehabilitation of the 30 MGD Firewheel Pump Station. An Optional Contigency is included for any additional services that may be required.

h.	**APPROVED**	**Drug Testing Services**		**Bid No. 0293-22**
		NMS Labs	**$20,000.00**	

This request is to approve a Change Order for Drug Testing Services used by the Garland Police Department.

i.	**APPROVED**	**Library Materials Kiosk for Library Patrons**		**Bid No. 0812-22**
		mk Solutions, Inc.	**$408,200.00**	

This request is to purchase two mk LibDispenser outdoor kiosks for providing library materials 24/7 for public use.

j.	**APPROVED**	**Ready Mix Concrete**		**Bid No. 1039-18**
		Cooper Concrete Co.	**$172,645.38**	

This request is to approve Change Order #2 for delivery of ready mix concrete for various construction projects throughout the city.

k.	**APPROVED**	**Construction Material Testing for Bobtown Road, Waterhouse Boulevard and South Country Club Road Improvements**		**Bid No. 0909-20**
		TSIT Engineering and Consultants, LLC	**$33,495.00**	

This request is to approve Change Order #2 to provide additional Construction Material Testing (CMT) services for Bobtown Road Waterhouse Boulevard, and South Country Club Road improvements.

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 21-46 Turn Compost, LLC (District 6)**

Ordinance No. 7330 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for Bulk Material Sales & Storage (Retail or Wholesale) on a 2.513-acre tract of land zoned Industrial (IN) District and located at 196 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.

b. APPROVED **Zoning File No. Z 22-07 Triangle Engineering, LLC (District 5)**

Ordinance No. 7331 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 94-35 for Community Retail Uses; 2) a Specific Use Provision for a Restaurant, Drive-Through and 3) a Detail Plan for a Restaurant, Drive-Through on a 0.335–acre tract of land located at 1943 Northwest Highway; 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 22-11 Garland Storage LP (District 1)**

Ordinance No. 7332 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 20-17; 2) a Specific Use Provision for a Self-Storage Facility (Mini Warehouse); and 3) a Detail Plan for a Self-Storage Facility (Mini-warehouse), Retail and Office Uses on a 3.58–acre tract of land located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike; 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 22-12 Kimley-Horn (District 7)**

Ordinance No. 7333 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 02-11 for Community Retail Uses and Planned Development (PD) District 05-57 for Community

Retail Uses; 2) a Specific Use Provision for a Self-Storage Facility (Mini-Warehouse) and 3) a Detail Plan for a Self-Storage Facility (Mini-Warehouse) on a 2.58–acre tract of land located at 2200 and 2202 North Jupiter 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** **Amended Easements with Covenants and Restrictions for Zoning File No. Z 22-12**

In order for the property located at 2200 and 2202 North Jupiter Road to be developed according to the approved Detail Plan per Case Z 22-12, the easements, covenants and restrictions must be amended and signed by all parties with a property interest. When the Easements with Covenants and Restrictions (ECR) document was prepared and recorded, the intent of each owner was for the operation of a grocery store and related parking area in the shopping center; however, this plan is no longer applicable since the Garland Power and Light (GP&L) substation now sits on the area where the grocery store was intended to operate. The ECR had not been amended to adjust for such changes. The City of Garland and all other parties of interest must amend the deed restrictions accordingly.

4. **APPROVED** **2022-2023 CDBG, HOME and ESG Federal Grant Allocation**

Council approved the allocation of grant funding for the fiscal year 2022-2023.

5. **APPROVED** **IH 635 Funding Agreement**

Council authorized the City Manager to execute the three-way agreement between the City of Garland, DART and the RTC regarding funding for a Transit Oriented Development along IH 635 in the Shiloh/Garland vicinity.

6. **ADJOURN:** **518 E. Linda - Acquisition for GREAT Homes Project**

Council approved the purchase of the above-listed single family property by the Community Development Department.

7. **APPROVED** **Resolution No. 10545** adopting and approving the Garland Housing Agency's second year update on the 2020-2024 Five Year Plan; and providing an effective date.

At the May 16, 2022 Work Session, Council considered adopting the accomplishments presented in the second year of the 2020-2024 Annual Performance Plan update for submission to HUD.

8. **APPROVED** **Resolution No. 10546** approving the City of Garland Housing Agency Administrative Plan for the Housing Choice Voucher Program and providing an effective date.

At the May 16, 2022 Work Session, Council considered adopting the Garland Housing Agency's Administrative Plan.

9. **APPROVED** **Request for Development Assistance from Reserve Capital - Marquis Logistics SPE, LLC**

Council approved an economic development Agreement for a partial rebate of development fees for a new development at 1102 S. Jupiter Road.

10. **APPROVED** **Resolution No. 10547** Denying the Oncor Rate Case Application

Council approved a resolution denying the Oncor Rate Case Application.

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.

11. **Conduct the swearing in of Council Member for District 2**

Mayor LeMay announced the swearing in of Council Member Morris, stating that she was unable to attend the May 17, 2022, ceremony. Council Member Deborah Morris was sworn in by Pastor Robbie Greene, Lavon Drive Baptist Church, along with her nephew, Mr. Steven Buehler. Council Member Morris presented comments expressing her gratitude to her family and supporters.

12. **APPROVED** **Minute action approving the appointment of a City of Garland representative to the North Texas Municipal Water District Board.**

Council was requested to appoint a representative to the North Texas Municipal Water District Board for a two-year term beginning June 7, 2022.

Council Member Aubin nominated Jack May to serve as the City of Garland representative. A vote was cast as follows:

Vote: 8 ayes, 0 nays

13. **Hold public hearings on:**

a. **APPROVED** **Hold a Public Hearing on the Thoroughfare Plan Amendment**

Development along IH 30 has resulted in the need for local streets to be continuous for the benefit of the citizens in the area. The amendment of the Thoroughfare Plan to include a future roadway between IH30 and Lyons Road is needed to promote connectivity.

The staff report was presented by Paul Luedtke, Director of Transportation.

Mayor LeMay opened the public hearing at 7:22 p.m. There were no speakers on this item and the hearing was closed at 7:23 p.m.

Motion was made by Council Member Aubin to approve the amendment, seconded by Council Member Vera. Motion carried:

Vote: 8 ayes, 0 nays

b. **APPROVED** **Consider a Zoning request by Trumont Group to construct a multi-family development with 298 dwelling units. This property is located at 2498 North President George Bush Turnpike in District 1.**

Consideration of the application of Trumont Group, requesting approval of an amendment to Planned Development (PD) District 03-53. This property is located at 2498 North President George Bush Turnpike. (File Z 22-03, District 1)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were: Griffin Neal, Michael Moore, Mr. and Mrs. Michael Dyer.

Motion was made by Council Member Bass to approve the Zoning request (13b) and Detail Plan (13c), seconded by Council Member Moore. Motion carried:

Vote: 8 ayes, 0 nays

c. **APPROVED** **Consider a Detail Plan request by Trumont Group to construct a multi-family development with 298 dwelling units. This property is located at 2498 North President George Bush Turnpike in District 1.**

Consideration of the application of Trumont Group, requesting approval of a Detail Plan for a Multi-Family development on a property zoned Planned Development (PD) District 03-53. This property is located at 2498 North President George Bush Turnpike. (File Z 22-03, District 1)

d. **APPROVED** **Consider a Zoning request by Hart Gaugler + Associates for a Garland Fire Station. The site is located at 6450 North President George Bush Turnpike in District 1.**

Consideration of the application of Hart Gaugler + Associates, requesting approval of an amendment to Planned Development (PD) District 20-17 for Mixed Uses. This property is located at 6450 North President George Bush Turnpike. (File Z 22-13, District 1)

The staff report was presented by William Guerin, Director of Planning. Deputy Mayor Pro Tem Williams requested that Chief Mark Lee provide input on the request.

Motion was made Council Member Bass to approve the Zoning request (13d) and Detail Plan (13e), seconded by Council Member Morris. Motion carried:

Vote: 8 ayes, 0 nays

e. **APPROVED** **Consider a Detail Plan request by Hart Gaugler + Associates for a Garland Fire Station. The site is located at 6450 North President George Bush Turnpike in District 1.**

Consideration of the application of Hart Gaugler + Associates, requesting approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17 for Mixed Uses. This property is located at 6450 North President George Bush Turnpike. (File Z 22-13, District 1)

f. **APPROVED** **Consider a Specific Use Provision renewal request by Chong Son Na for an existing Reception Facility. This property is located at 1146 Belt Line Road in District 8.**

Consideration of the application of Chong Son Na, requesting approval of a Specific Use Provision Renewal for a Reception Facility on a property zoned Community Retail (CR) District. This property is located at 1146 Belt Line Road. (File Z 22-14, District 8)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Chong Son Na. Jake Lambert, Caleb Maldonado, Lourdes Perez, Rafael Perez and David Wade registered in favor of the application, but did not speak.

Motion was made by Council Member Morris to approve the Specific Use Provision (13f), for a two-year period and Site Plan (13g).

There was discussion by the Council.

An amendment to the motion was proposed by Deputy Mayor Pro Tem Williams for a five-year SUP, seconded by Council Member Morris. Motion carried:

Vote: 8 ayes, 0 nays

g. **APPROVED** **Consider a Site Plan request by Chong Son Na for an existing Reception Facility. This property is located at 1146 Belt Line Road in District 8.**

Consideration of the application of Chong Son Na, requesting approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District. This property is located at 1146 Belt Line Road. (File Z 22-14, District 8)

h. **POSTPONED** **Consider a request by MVAH Partners to waive a required payment to the Tree Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation. This property is located at 1102 North Shiloh Road in District 8.**

A Planned Development (PD) District and Detail Plan [Z 21-04] for multi-family development were previously approved on this site. The site is located at 1102 North Shiloh Road. (File TMP 22-01, District 8)

Motion was made by Council Member Morris to postpone the request by MVAH Partners (13h) to a future date to be determined, seconded by Council Member Bass. Motion carried:

Vote: 8 ayes, 0 nays

14. **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.

APPOINTMENTS: **Council Member Robert Vera**

- Larry E. Dunn - Senior Citizens Advisory Board

Council Member Vera nominated Mr. Dunn to the Senior Citizens Advisory Board. A vote was cast as follows:

Vote: 8 ayes, 0 nays

15. **Citizen comments:** Don Howard

16. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:38 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary