



MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, September 3, 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 Ed Moore
Deputy Mayor Pro Tem Margaret Lucht
Council Member Jeff Bass
Council Member B.J. Williams
Council Member Carissa Dutton
Council Member Dylan Hedrick
Council Member Chris Ott

Absent: Council Member Kris Beard

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
City Secretary Jennifer Stubbs
Deputy City Secretary Tracy Allmendinger
Chief Financial Officer Matthew Watson
Chief Communications Officer Tiffany Veno
Interim Planning Director Angela Self

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.

Mayor Pro Tem Moore provided the legislative prayer and led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

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.

- **Hispanic Heritage Month Proclamation**

Mayor LeMay read and presented the proclamation to Tony Torres and members of the Garland Association for Hispanic Affairs.

- **Pet of the Month**

Christie Fuentes announced the pet of the month; Lucy.

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.

Mayor Pro Tem Moore made a motion to approve the consent agenda. Councilmember Bass seconded the motion. All voted in favor. The motion carried. Mayor LeMay announced that Councilmember Beard was absent.

1. **APPROVED Approve the minutes of the August 20, 2024 Regular Meeting**
2. **APPROVED Approve the minutes of the August 17, 2024 Special Meeting**
3. **Approve the following bids:**
 - a. **APPROVED GP&L Transmission and Substation Technical Consulting Services** **Bid No. 0945-24**

Principle Services, LLC. \$2,000,000.00

The purpose of this request is to obtain as-needed technical consulting services for GP&L and TMPA Transmission and Substation operations and CIP projects. Services will include project management, cost tracking, procurement assistance, landowner relations, utility company coordination, construction management, contractor oversight, and other services as needed. Expenses associated with TMPA will be reimbursed at 100%. This approval is for a term agreement with three (3) optional renewals.
 - b. **APPROVED GP&L College to Brand 138kV Transmission Line Steel Structures** **Bid No. 0827-24**

KBS Electrical Distributors, Inc. \$1,067,557.20

This request is for the purchase of fifteen monopole steel structures and associated materials needed for the upgrade of the GP&L College to Brand 138kV Transmission Line. This is part of the approved GP&L College to Brand 138kV Line Upgrade CIP project. An owner's contingency has been included for any unforeseen material items needed.
 - c. **APPROVED GP&L Distribution System Vegetation Management** **Bid No. 1166-24**

Trees, Inc. \$1,175,000.00

This request is to obtain a service contract for vegetation management activities as part of GP&L Distribution System maintenance operations. This approval is for a term agreement with four (4) optional renewals.
 - d. **APPROVED TMPA Makalu 138kV Transmission Line Engineering Services** **Bid No. 1348-24**

Burns & McDonnell Engineering Company, Inc. \$1,230,500.0

The purpose of this bid award is to obtain professional engineering services needed to support the construction of the TMPA Makalu 138kV Transmission Line. This is part of the approved

TPMA Greenville Interchange to Pruitt New Line and Station CIP project and will be reimbursed at 100%.

e. APPROVED Employee Health Clinic Onsite Services Agreement

Bid No. 1369-24

CareATC

\$1,600,000.00

This request is to authorize the initiation of an Onsite Services Agreement providing oversight of the CityCare Employee Health Clinic.

f. APPROVED GP&L Lookout to NTT Connect CIP Project Materials

Bid No. 0569-23

MVA Power, Inc.

\$59,192.31

This request is to obtain change order No. 1 to Purchase Order 35401 issued for GP&L Lookout NTT Connect expansion materials. This change order will add additional alloy tubing and associated materials needed for the completion of the expansion. This is part of the approved GP&L Lookout NTT Connect CIP project.

4. APPROVED Amendment to the Tax Roll

***Ordinance No. 7545** to amend the tax roll by \$184,473.26 by removing uncollectible ad valorem taxes as recommended by generally accepted accounting principles.*

5. APPROVED Request for Development Assistance from DDI Garland, LLC

Approve an incentive agreement regarding a proposed 172,000 sf datacenter development, located at PGBT & Holford Rd. The project is expected to include \$117 million in initial capital investment and a potential additional \$328 million capital investment. The incentive includes a rebate of development fees up to \$500,000, a 2-year rebate of 40% business personal property tax and a 4-year rebate of 40% real estate tax.

6. APPROVED Employee Health Clinic Facility Rental

Approve a lease agreement to relocate the employee health clinic.

7. APPROVED Request for Development Assistance from Digital Garland Campbell, LP

Approve an incentive agreement for a datacenter campus on 45 acres at President George Bush Turnpike & Holford Road. The project plans up to four buildings with a \$160 million investment per building, totaling over 1 million square feet. The incentives include a 50% sales tax rebate for 20 years, with minimum purchase requirements, and a 4-year, 40% rebate on both business personal property and real estate taxes per phase of construction.

8. APPROVED Parking Restrictions on Patricia Drive

***Ordinance No. 7546** that will restrict parking along Patricia Lane between English Drive and Stonehenge Drive.*

9. APPROVED Regulation of Murals

***Ordinance No. 7547** amending Section 4.78(M) of the GDC to establish regulatory guidelines on original art displays on commercial property.*

10. APPROVED Request for an Approval of an Incentive Agreement with C & M Villareal Family Limited Partnership

Approve an incentive agreement regarding a proposed office development, located at PGBT & North Garland Avenue. The developer will receive a development fee rebate up to \$150,000.

11. APPROVED Household Hazardous Waste Interlocal Agreement Renewal

Authorize the City Manager to execute the ILA between Dallas County and the City of Garland.

12. APPROVED Ordinance Amending Chapter 32 of the Code of Ordinances Relating to Tax Exemptions of Housing Finance Corporations

Ordinance No. 7548 approve an amendment to Chapter 32, "Property Sanitation and Housing Services," of the Garland Code of Ordinances by adding an Article IV, "Ad Valorem Tax Exemptions for Housing Finance Corporations."

13. APPROVED City of Garland Mission and Vision Statement

Approve the revised mission and vision statements for the City of Garland.

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.

14. PUBLIC HEARING HELD: Public Hearing on Proposed FY 2024-25 Tax Rate

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the voter approval rate or the no-new-revenue tax rate until the governing body has held a public hearing on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065 of the Texas Property Tax Code. At the Public Hearing, all interested persons shall be allowed to be heard for or against the 2024-25 proposed tax rate.

There was no one who wished to speak under the Public Hearing Item. Mayor LeMay closed the Public Hearing.

15. PUBLIC HEARING HELD: Public Hearing on the 2024-25 Proposed Budget

Section 5, Article VIII, of the City Charter, requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be allowed to be heard for or against any item contained in the Proposed Budget.

Speakers on the Item: David Riggs, Shane Newsom, Irene Ryan, and Julissa Vicencio.

Registered Positions on the Item Not Speaking: Rhonda Spence, Margaret Sternicki, and Paula Sternicki.

Mayor LeMay closed the Public Hearing.

16. APPROVED Ordinance to Ratify the Property Tax Revenue for 2024-25

Ordinance No. 7549 as required by Local Government Code 102.007, the adoption of a Budget that raises more property tax revenue than was generated the previous year requires three votes by the City Council: (a) one vote to "ratify" the property tax revenue increase reflected in the Budget, (b) one vote to adopt the Budget, and (c) one vote to adopt the tax rate. This Ordinance ratifies the property tax revenue increase as reflected in the 2024-25 Annual Operating Budget by adding the following statement:

This budget will raise more revenue from property taxes than last year's budget by an amount of \$21,056,894 which is a 13.31 percent increase from last year's budget. The property tax

revenue to be raised from new property added to the tax roll this year is \$2,050,244.

An ordinance reflecting the ratification of the property tax revenue increase will be prepared for the Mayor's signature upon final vote and approval from the City Council.

Mayor Pro Tem Moore made a motion to move that the City Council ratify a property tax revenue increase of \$21,056,894 from last fiscal year's budget, of which \$2,050,244 is tax revenue to be raised from new property added to the tax roll. Councilmember Bass seconded the motion. All voted in favor. The motion carried.

17. APPROVED Adoption of the 2024-25 Annual Operating Budget

***Ordinance No. 7550** in accordance with the City Charter, the City Manager presented his recommended Budget for fiscal year 2024-25 to the City Council on August 5, 2024. Copies were made available for public inspection at the City libraries, the City Secretary's Office, and on the City's website. Public Hearings on the FY 2024-25 Proposed Budget were held on August 20, 2024, and September 3, 2024. An ordinance reflecting final decisions regarding the Budget for 2024-25 and revised budgets will be prepared for the Mayor's signature upon final direction from the City Council.*

Mayor Pro Tem Moore made a motion to move to ratify the property tax rate presented by staff and reflected in this budget. Councilmember Hedrick seconded the motion. All voted in favor. The motion carried.

Mayor Pro Tem Moore made a motion to move to approve the City Manager's Budget with the following changes: The addition of \$35,000 Economic Development Fund expenditures for a public art campaign, and the addition of non-resident facility rental fees for Holford Recreation & Aquatic Center, an increase of \$2,600 to the General Fund's revenue. Deputy Mayor Pro Tem Lucht seconded the motion. All voted in favor. The motion carried.

18. APPROVED Adoption of 2024-25 Property Tax Rate

***Ordinance No. 7551** the City Council has considered an ad valorem tax rate of 68.9746 cents per \$100 of valuation for the fiscal year beginning October 1, 2024. All meetings, notices and public hearing requirements related to the adoption of the tax rate have been met in accordance with state law.*

Mayor Pro Tem Moore made a motion to move that the property tax rate be increased by the adoption of a tax rate of 68.9746 cents per \$100, which is effectively a 12.3 percent increase in the tax rate. He stated that his motion will be in two parts:

Mayor Pro Tem Moore made a motion that the rate for debt service be approved in the amount of thirty-nine and ninety-two hundredths of a cent. Councilmember Hedrick seconded the motion. The vote was: Mayor LeMay, yes; Mayor Pro Tem Moore, yes; Deputy Mayor Pro Tem Lucht, yes; Councilmember Bass, yes; Councilmember Williams, yes; Councilmember Dutton, no; Councilmember Hedrick, yes; and Councilmember Ott, yes. The motion carried.

Mayor Pro Tem Moore made a motion to move that the rate for maintenance and operations be approved in the amount of twenty-nine and four hundredths of a cent. Councilmember Bass seconded the motion. The vote was: Mayor LeMay, yes; Mayor Pro Tem Moore, yes; Deputy Mayor Pro Tem Lucht, yes; Councilmember Bass, yes; Councilmember Williams, yes; Councilmember Dutton, no; Councilmember Hedrick, yes; and Councilmember Ott, yes. The motion carried.

19. APPROVED Consider an Ordinance to Issue Tax Notes, Series 2024

***Ordinance No. 7552** authorizing the issuance of tax notes of approximately \$45.8 million.*

Mayor Pro Tem Moore made a motion to approve as presented. Councilmember Hedrick seconded the motion. All voted in favor. The motion carried.

20. APPROVED Rate and Fee Changes for 2024-25

Ordinance No. 7553 in considering the 2024-25 Annual Operating Budget, the City Council reviewed adjustments to existing rates and fees, the addition of new fees, and the elimination of certain fees, as outlined in the Master Fee and Rate Schedule. Revenue estimates included in the 2024-25 Annual Operating Budget are based on these actions. An ordinance will be prepared for the Mayor's signature once final direction has been given by the Council.

Mayor Pro Tem Moore made a motion to approve the Fee and Rate Ordinance as presented with the budget and discussed with City Council. Councilmember Bass seconded the motion. All voted in favor. The motion carried.

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

- a. APPROVED** Consider a request by JQ Infrastructure proposing a Water Storage Tank. The site is located at 2301 Lookout Drive in District 1.

Consider and take appropriate action on the application of JQ Infrastructure, requesting approval of an amendment to Planned Development (PD) District 23-46 for Mixed Uses to 1) Amend Table 5-1 (Schedule of Uses) to add the Ground Water Storage Tank Use to the Employment Mixed Use (EMU) Character Zone and 2) a Detail Plan for a Ground Water Storage Tank Use. This property is located at 2301 Lookout Drive. (District 1) (File Z 23-07)

Ms. Self, Interim Planning Director, provided a presentation and answered questions of the Council.

Applicants Speaking: Rj Muraski, Chris Bitter, and Travis Markham.

Councilmember Bass made a motion to approve the request as presented. Mayor Pro Tem Moore seconded the motion. All voted in favor. The motion carried.

- b. APPROVED** Consider a request by Moin Muhammad, proposing a change in zoning from Industrial (IN) District to Community Retail (CR) District. The site is located at 1010 North Shiloh Road in District 8.

Consider and take appropriate action on the application of Moin Muhammad, requesting approval of a Change in Zoning from Industrial (IN) District to Community Retail (CR) District. This property is located at 1010 N Shiloh Road. (District 8) (File Z 24-27)

Ms. Self, Interim Planning Director, provided a presentation and answered questions of the Council.

Applicant Speaking: Moin Muhammad.

Councilmember Ott made a motion to approve the request as presented. Deputy Mayor Pro Tem Lucht seconded the motion. All voted in favor. The motion carried.

CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS

Terms are usually staggered whereby at least half of the membership has previous experience. Members are appointed based on qualifications.

22. Mayor Pro Tem Ed Moore

- Xavier Price-Garland Youth Council

Mayor Pro Tem Moore made a motion to approve Xavier Price to the Garland Youth Council. Councilmember Bass seconded the motion. All voted in favor. The motion carried.

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.

There was no one who wished to speak under citizen comments.

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).

Mayor LeMay adjourned the meeting at 7:58 p.m.

Submitted By:

/s/ Scott LeMay, Mayor

/s/ Jennifer Stubbs, City Secretary