



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, January 9, 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 Phillip Urrutia
City Attorney Brian England
City Secretary Rene' Dowl

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.

Christie Fuentes, Community Outreach Coordinator, Garland Animal Shelter, presented the Pet of the Month.

Mayor LeMay presented a special recognition to the family of Paula Morelan. Mayor LeMay recognized Ms. Morelan for unselfishly helping her community, and through her work and dedication to the progress of this community.

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.

The motion was made by Mayor Pro Tem Jeff Bass to approve the Consent Agenda as presented, seconded by Deputy Mayor Pro Tem Ed Moore. The motion carried 9 ayes, 0 nays.

1. Minutes

- a. **APPROVED** Approve the minutes of the December 11, 2023 Regular Meeting.

2. Approve the following bids:

- a. **APPROVED** **Construction of 2022 Alley Paving and Wastewater Improvements Group B** **Bid No. 0060-24**

La Banda, LLC **\$3,218,348.00**

This request is for the 2022 Alley Improvements Group B Project for construction of paving and wastewater improvements to 13 alley segments located in Council Districts 5 and 8 to include approximately 11,300 square yards of concrete paving and 8,700 LF of 8-in wastewater line.

- b. **APPROVED** **GP&L and TMPA Circuit Breaker Term Contract** **Bid No. 0082-24**

Texas Electric Cooperatives, Inc. **\$3,500,000.00**

The purpose of this bid award is for the as-needed purchase of circuit breakers for use in GP&L and TMPA substations. This will be an initial term contract with two optional renewals.

- c. **APPROVED** **Health Benefits Stop Loss Coverage RFP** **Bid No. 0032-24**

BCBSTX **\$3,029,664.00**

The purpose of this bid award is for the City's health benefits broker, HUB International, and as part of recommendations included in the City's health benefit strategic plan.

- d. **APPROVED** **Change Order #2 to BL-9293 for NAPA Auto Parts** **Bid No. 5150-15**

NAPA Auto Parts **\$510,000.00**

This request is for a change order #2 to BL-9293 to NAPA Auto Parts for additional funds to be added to pay for November and December monthly parts invoices for this year.

- e. **APPROVED** **GP&L Lookout Substation NTT Terminal Additions** **Bid No. 0130-24**

Primoris T&D Services, LLC. **\$3,901,618.76**

The purpose of this bid is for the construction of terminals No. 4 and 5 and the reconfiguration of terminals No. 2 and 3 at the GP&L Lookout Substation to accommodate NTT terminal additions at the substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Lookout NTT Connect CIP project.

- f. **APPROVED** **GP&L Girvin Switch to Greasewood II Hardware Materials Change Order No. 1** **Bid No. 0925-23**

KBS Electrical Distributors, Inc **\$107,085.90**

The purpose of this bid award is to obtain Change Order No. 1 to Purchase Order 35147 issued for the purchase of materials needed for the construction of the GP&L Girvin Switch to Greasewood II 345kV Transmission Line. Additional conduit and materials are needed to construct a temporary bypass line during construction. This is part of the approved Girvin to Greasewood II 345kV Transmission Line CIP project.

g. APPROVED Data Center Server and Storage Replacements

Bid No. 0334-24

Waypoint Business Solutions

\$1,643,025.32

This request is for the data center compute and storage equipment to continue to maintain the business systems that provide the technology that supports the City of Garland departments.

h. APPROVED GP&L Transmission and Substation Technical Consulting Services

Bid No. 0339-24

Priciple Services, Ltd.

\$1,500,000.00

This request is for Change Order No. 1 to Purchase Order 35268 issued for the emergency repair of the GP&L Olinger Unit 2 circulating water pump. The original purchase order called for an on-site repair of the pump; however, the pump was found to have extensive damage requiring an off-site rebuild.

i. APPROVED GP&L Olinger Unit 2 Circulating Water Pump Repair Change Order

Bid No. 1257-23

AW Chesterton Company

\$80,231.00

This request is for Change Order No. 1 to Purchase Order 35268 issued for the emergency repair of the GP&L Olinger Unit 2 circulating water pump. The original purchase order called for an on-site repair of the pump; however, the pump was found to have extensive damage requiring an off-site rebuild.

j. APPROVED GP&L Ben Davis Substation Cable Trench

Bid No. 0207-24

Trenwa, Inc.

\$486,739.00

This request is for the purchase of a 1,095-foot pre-cast concrete cable trench and associated materials needed for the upgrade of the GP&L Ben Davis Substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Ben Davis Substation Flood Mitigation CIP project.

k. APPROVED TMPA Dansby to Steep Hollow Steel Structures

Bid No. 0618-23

KBS Electrical Distributors, Inc. \$2,362,951.07

The purpose of this bid award is for the purchase of steel structures needed for the construction of the TMPA Dansby to Steep Hollow 138kV Transmission Line. An owner's contingency is included for any additional materials that may be required. This is part of the approved TMPA Dansby to Steep Hollow Transmission Line Rebuild CIP project and will be reimbursed at 100%.

**I. APPROVED GP&L Girvin Switch Station Cable Bid No. 0133-24
 Trench**

Trenwa, Inc. \$436,994.25

This request is for the purchase of a 1,150-foot pre-cast concrete cable trench and associated materials needed for the construction of the GP&L Girvin Switch Station. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Girvin Switch Station CIP project.

3. A public hearing was previously conducted for the zoning cases below. Council approved the zoning requests and instructed staff to bring forth the following ordinances:

a. APPROVED Z 23-46 City of Garland (District 1)

Consider and take action to amend an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving an Amendment To Planned Development (PD) District 20-17 for Mixed Use to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements on a 276.99-acre tract of land and generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line; 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.

Ordinance No. 7439 amending the Garland Development Code of the City of Garland, Texas by approving an amendment To Planned Development (PD) District 20-17 for Mixed Use to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements on a 276.99-acre tract of land and generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line; 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 Z 23-40 1901 W Northwest Hwy, LLC (District 5)

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving an Amendment of Conditions to Planned Development (PD) District 94-35 to add and remove certain uses on a 5.00014-acre tract of land located at 1901 West 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.

Ordinance No. 7494 amending the Garland Development Code of the City of Garland, Texas, by approving an Amendment of Conditions to Planned Development (PD) District 94-35 to add and remove certain uses on a 5.00014-acre tract of land located at 1901 West 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.

4. APPROVED Consider approving by minute action an amendment to the employment agreement with Judson Rex relating to his employment as City Manager.

Council is requested to approve an amendment to the employment agreement with Judson Rex relating to his employment in the position of City Manager.

Council approved by minute action the employment agreement with Judson Rex (City Manager) consistent with the terms and conditions previously discussed and agreed upon in Executive Session of the Council Work Session

5. APPROVED Consider approving by minute action an amendment to the employment agreement with Brian England relating to his employment as City Attorney.

Council is requested to approve an amendment to the employment agreement with Brian England relating to his employment in the position of City Attorney.

Council approved by minute action the employment agreement with Brian England (City Attorney) consistent with the terms and conditions previously discussed and agreed upon in Executive Session of the Council Work Session.

6. **APPROVED** Consider approving by minute action an amendment to the employment agreement with Jedson Johnson relating to his employment as City Auditor.

Council is requested to approve an amendment to the employment agreement with Jedson Johnson relating to his employment in the position of City Auditor.

Council approved by minute action the employment agreement with Jedson Johnson (City Auditor) consistent with the terms and conditions previously discussed and agreed upon in Executive Session of the Council Work Session.

7. **APPROVED** Consider approving by minute action an amendment to the employment agreement with John Sholden relating to his employment as Municipal Court Judge.

Council is requested to approve an amendment to the employment agreement with John Sholden relating to his employment in the position of Municipal Court Judge.

Council approved by minute action the employment agreement with John Sholden (Municipal Court Judge) consistent with the terms and conditions previously discussed and agreed upon in Executive Session of the Council Work Session.

8. **APPROVED** Consider approving by minute action an amendment to the employment agreement with Natalie Banuelos relating to her employment as Associate Municipal Court Judge.

Council is requested to approve an amendment to the employment agreement with Natalie Banuelos relating to her employment in the position of Associate Municipal Court Judge.

Council approved by minute action the employment agreement with Natalie Banuelos (Associate Municipal Court Judge) consistent with the terms and conditions previously discussed and agreed upon in Executive Session of the Council Work Session.

9. **APPROVED** Regulatory Compliance

Council is asked to consider approving a State-mandated Paid Quarantine Leave Policy for eligible Firefighters and Peace Officers.

10. **APPROVED** Request for an approval of the amendment to the PSL Garland MOB, LP Tenant Improvement Incentive Agreement

Council is asked to consider approving the amendment of an Incentive Agreement with PSL Garland MOB, LP (Prevarian) for tenant improvement.

11. APPROVED Garland Chamber Economic Development Services Agreement Renewal

Council is asked to consider approving the renewal service agreement with the Garland Chamber of Commerce.

12. APPROVED Request for Development Assistance from Kraft Heinz Foods Company

Council is asked to consider approving the Incentive Agreement with Kraft Heinz Foods Company.

13. APPROVED Amending the Garland Development Code and Code or Ordinances to Comply with Recent Changes to State Law.

Approve an ordinance amending Chapters 2 and 6 of the Garland Development Code and Chapters 10, 22, and 26 of the Code of Ordinances.

Ordinance No. 7495 amending Chapters 2 and 6 of the Garland Development Code and Chapters 10, 22, and 26 of the Code of Ordinances.

14. APPROVED Police Staffing Realignment

Council is asked to consider approving revisions to the 23-24 Civil Service Classifications & Compensation Ordinance to reflect reallocation of two (2) Police Officer vacancies.

Ordinance No. 7496 amended the 23-24 Civil Service Classifications & Compensation Ordinance to reflect reallocation of two (2) Police Officer vacancies..

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.

15. Hold public hearing(s) on:

- a. Consider a request by Jacobs Communications / Christine Johnson, proposing a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive in District 3.**

Consider and take appropriate action of the application of Jacobs Telecommunications / Christine Johnson, requesting approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses to allow an Antenna, Commercial Use and 2) a Detail Plan for an Antenna, Commercial Use. This property is located at 4535 Bass Pro Drive.

(District 3) (File Z 23-33)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were Brant Dozier, applicant.

There was discussion by the Council.

The motion was made by Deputy Mayor Pro Tem Moore to approve item 15a as presented, seconded by Council Member Williams. Motion carried 8 ayes and 1 nay (Council Member Dutton)

- b. Consider a request by Realty Investments C/o Maxwell Fisher to construct a multi-family development with live/work units. The site is located at 5305 Zion Road and 630 East Interstate 30 Freeway in District 3.**

Consider and take appropriate action of the application of Realty Investments, C/o Maxwell Fisher, requesting approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development. This property is located at 630 East Interstate 30 Freeway and 5305 Zion Road. (District 3) (File Z 23-36)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Maxwell Fisher, applicant.

There was discussion by the Council.

The motion was made by Deputy Mayor Pro Tem Moore to approve item 15b as presented, seconded by Mayor Pro Tem Bass. Motion carried 8 ayes and 1 nay (Council Member Lucht).

- c. Consider a request by Matt Drahos proposing to add automobile sales to the existing automobile repair facility. The site is located at 421 East Walnut Street in District 2.**

Consider and take appropriate action of the application of Matt Drahos, requesting approval of 1) a Specific Use Provision for an Automobile Sales, New or Used on a property zoned Industrial (IN) District and 2) a Plan for Automobile Sales, New or Used. This property is located at 421 East Walnut Street. (District 2) (File Z 23-42)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Matt Drahos, applicant.

There was discussion by the Council.

The motion was made by Council Member Morris to approve item 15c with the inclusion of the Plan Commission's conditions on indoor display and three (3) year Specific Use Provision, seconded by Mayor Pro Tem Bass. Motion carried 8 ayes and 1 nay (Council Member Dutton)

- d. **Consider a request by 708 Studios, LLC/Clara M. Carlisle, proposing to rezone the property from Neighborhood Office (NO) District to Community Retail (CR) District. The site is located at 2930 Broadway Boulevard in District 5.**

Consider and take appropriate action of the application of 708 Studios, LLC/Clara M. Carlisle, requesting approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District. This property is located at 2930 Broadway Boulevard. (District 5) (File Z 23-45)

The staff report was presented by William Guerin, Director of Planning.

There was no discussion by the Council.

The motion was made by Council Member Lucht to approve item 15d as presented, seconded by Council Member Hedrick. Motion carried 9 - 0.

- e. **Consider an amendment to the Garland Development Code to create a Small-Scale Reception Facilities land use. This item was reported and recommended by the Development Services Committee of the City Council during the December 4, 2023 City Council Work Session.**

Consideration to amend Section 6.03, "Definitions," Section 2.52, "Special Standards for Certain Uses," the Land Use Matrix of Chapter 2, and the Downtown (DT) District Land Use Matrix of Chapter 7 of the Garland Development Code to allow for Reception Facility, Small Scale use in certain zoning districts.

The motion was made by Council Member Hedrick to approve item 15e as presented, seconded by Council Member Morris. Motion carried 9 - 0.

5. **BOARD AND COMMISSION APPOINTMENTS**

16. **Council Member Carissa Dutton**

- Larry Dunn - Senior Citizens Advisory Committee

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. Council Member Dutton presented her nomination as follows:

Council Member Carissa Dutton

- Larry Dunn - Senior Citizens Advisory Committee

A vote was cast to appoint the nominee, with the following result:

Vote: 9 ayes, 0 nays

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.

Jeremy Gonzalez and Russell Hall

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).

There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:30 p.m.

Submitted By:

/s/Scott LeMay, Mayor

/s/Tracy Allmendinger, Deputy City Secretary