GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, March 21, 2023, 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 Deborah Morris Deputy Mayor Pro Tem Robert John Smith Council Member Jeff Bass Council Member Ed Moore Council Member B.J. Williams Council Member Margaret Lucht Council Member Robert Vera Council Member Dylan Hedrick
Staff Present:	City Manager Judson 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 Eloyce RenÃ© 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.

Mayor LeMay presented a proclamation to the Meals on Wheels representative, proclaiming March to be "March for Meals" month.

Mayor LeMay presented a proclamation to Gary Holcomb, Director of Purchasing, along with his staff: Teresa Smith, Purchasing Manager, Elizabeth Segura, Buyer, Armando Gallardo, Associate Contracts Specialist and Cassandra Sanders, Contracts Specialist. Mayor LeMay proclaimed March to be "National Procurement Month" in the City of Garland.

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.

The motion was made by Council Member Vera to approve the Consent Agenda as presented, seconded by Council Member Hedrick. Motion carried:

Vote: 9 ayes, 0 nays

1. APPROVED **Consider approval of the minutes of the March 7, 2023, Regular Meeting.**

2. **Consider approval of the following bids:**

a. APPROVED **Wastewater Improvements in Nine Alleys - Phase 2 Construction** — **Bid No. 0019-23**

Optional Contingency — **$490,011.00**
Tri-Con Services, Inc. — **Total $5,390,000.00**

This request is for Phase 2 of the wastewater improvements project. The project consists of replacing approximately 8,300 linear feet of existing wastewater lines in the remaining five (5) unimproved alleys and the replacement of approximately 1,500 linear feet of existing water lines, paving, and sidewalks. The alleys are located in three (3) separate areas as follows: Alleys between Redell Street and Newman Street; Alleys between Main Street / State Street and State Street / Austin Street; and Alleys between Cranford Drive / Randolph Drive and Lewis Drive / Caldwell Drive. An optional contingency is included for any additional work that may be required.

b. APPROVED **Side and Rear Loader Chassis** — **Bid No. 0561-23**

Bond Equipment Company Inc. — **$ 1,288,278.00**

This request is for the purchase of six (6) replacement chassis for side and rear loader units to be utilized by the Sanitation Department. This request includes chassis inspection and training for four (4) City employees at the Crane Carrier facility. The existing units being replaced are listed in the attached document. The items being purchased are scheduled and budgeted purchases, and the units being replaced will be retired and auctioned.

c. APPROVED **Side, Rear, and Front Loader Bodies** — **Bid No. 0567-23**

Reliance Truck and Equipment — **$ 744,189.12**

This request is for the purchase of five (5) replacement bodies to be mounted on chassis to be utilized by the Sanitation Department. The existing units being replaced are listed in the attached document. The items being purchased are scheduled and budgeted purchases, and the units being replaced will be retired and auctioned.

d. APPROVED **Design Services for the Rick Oden Splash Pad (ARPA-Funded)** — **Bid No. 1271-22**

Kimley-Horn & Associates — **$ 311,500.00**

This request is to initiate design work for the proposed splash pad at Rick Oden Park. This project is part of the 2023 CIP and utilizes American Rescue Plan Act (ARPA) funding.

e. APPROVED **Side Loader Bodies** — **Bid No. 0557-23**

Texas Pack + Load — **$ 351,174.00**

This request is for the purchase of two (2) replacement Side-Loader bodies to be mounted on chassis that will be utilized by the Sanitation Department. The existing unit 430-1726 is a 2017 Crane Carrier LET2-30 Automated Side-Loader with 8,321 hours and unit 430-1945 is a 2019 Crane Carrier LET2-30 Automated Side-Loader with 6,630 hours. The items being purchased are a scheduled and budgeted purchase, and the units being replaced will be retired and auctioned.

f. APPROVED **Naaman School Road Railroad Crossing Improvements** — **Bid No. 0548-23**

Optional Contingency — **$ 100,000**

Kansas City Southern Railway Company — **$ 1,177,662.00**

This request is for the reconstruction of the at-grade highway-rail crossing required as part of the reconstruction of Naaman School Road (from Brand to SH 78). Naaman School Road is widening from four lanes to seven lanes at the railroad crossing, which requires an extension of the rail crossing panels, installation of new railroad flasher signals, a new control bungalow, and new railroad crossing arm gates. The City will reimburse the Kansas City Southern Railway (KCS) for the actual cost of the improvements of which the preliminary estimate is $1,077,662. An Optional Contingency has been included should the actual expenditures exceed the preliminary estimate. This project is part of the 2019 Bond Program and was approved in the 2023 CIP.

g. APPROVED **Water Utilities Building** — **Bid No. 0840-21**

Hill & Wilkinson — **$ 566,164.00**

This request is to approve a change order related to the construction of the new Water Utilities building. To allow the general contractor to finalize their subcontractors, this project was bid out with 95% complete set of construction drawings. Now that the construction drawings are 100% complete, additional costs of $358,713 have been identified due to the finalizing of construction materials, finishes, and equipment to be used in the building. The change order also includes drainage work for $207,451 for the entire site, including the Police Property Building, that will tie into the DART right-of-way located on the north side of the site. The drainage work was originally to be included in the Police Property Building project; however, due to delays in receiving final approval from DART, that work is being included in this project.

h. APPROVED **Term Contract for Disaster Debris Removal, Monitoring, and Consulting Services** — **Bid No. 0164-23**

Ceres Environmental Services, Inc. (Primary)	**$6,397,128**
Phillips & Jordan, Inc. (Secondary)	**$1,000,000**
DRC Emergency Services, LLC. (Tertiary)	**$1,000,000**
DebrisTech, LLC. (Primary)	**$1,218,240**
Thompson Consulting Services, LLC. (Secondary)	**$1,235,520**
TOTAL	**$10,850,888**

This request is to provide disaster debris removal, monitoring, and consulting services in the event of a natural or man-made disaster that exceeds the City's internal resources and capabilities. The approval is for a term agreement with four (4) optional renewals.

i. APPROVED **GP&L I.H.-30 and Bass Pro Drive Feeder Duct Line Preparation** — **Bid No. 0422-23**

The Fishel Company — **$ 486,721.19**

This request is to provide labor for the ground preparation of an underground feeder crossing that will be installed at IH30 and Bass Pro Drive. Texas Department of Transportation (TxDOT) construction in the area is causing conflicts with the existing overhead service. The contractor will provide boring and ground preparation work at the site and GP&L crews will relocate the line segment underground. Expenses associated with this request will be reimbursed from TxDOT at 100%.

j. APPROVED **GP&L and TMPA Substation Testing and Commissioning Services** **Bid No. 1156-22**

Power Engineers, Inc. **$ 300,000.00**

This request is to increase the blanket contract for as-needed GP&L and TMPA substation testing and commissioning services. An increase in the anticipated number of projects and services required is driving the need for this change order.

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 22-65, Kirkman Engineering (District 7)**

Ordinance No. 7409 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Single-Family Attached (SFA) District to a Planned Development (PD) District for Single-Family Attached Uses and 2) a Detail Plan for Single-Family Attached (SFA) development on a 4.862-acre tract of land located at 2801 and 2901 Arapaho 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 22-78, Quetzal Event Center (District 3)**

Ordinance No. 7410 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amended Specific Use Provision for a Reception Facility on a property zoned Planned Development (PD) District 20-40 for Community Office Uses and 2) a Detail Plan for a Reception Facility on a 2.413-acre tract of land located at 354 East Interstate Highway 30; 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; a Savings Clause and a Severability Clause; and providing an effective date.

c. APPROVED **Zoning File No. Z 22-79, Clay-Cristy-ClayMoore Engineering (District 8)**

Ordinance No. 7411 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for an additional Drive-Through at an existing Restaurant, Drive-Through on a 0.875-acre tract of land located at 119 East Buckingham Road and zoned Industrial (IN) District; 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 **Interlocal Agreement for the Internet Crimes Against Children Grant Project**

The City Council was briefed at the March 20, 2023, Work Session on the Interlocal Agreement between the City of Garland and the City of Dallas for the North Texas Internet Crimes Against Children (ICAC) Task Force and Grant Program. Council is requested to the approve the resolution allowing the City Manager to execute the agreement with the City of Dallas for the North Texas Internet Crimes Against Children (ICAC) Task Force and Grant Program, adopting **Resolution No. 10578**.

5. APPROVED **Ordinance Amending Section 22.23, Animal Services Advisory Committee**

Council approved **Ordinance No. 7412** Ordinance amending Section 22.23, "Animal Services Advisory Committee," of Article I, "Animal Services," of Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause, providing a Severability Clause; and providing an effective date.

6. APPROVED Adoption of the Proposed HOME American Rescue Cost Allocation Plan

The City Council was briefed at the March 20, 2023, Work Session on the HOME American Rescue Cost Allocation Plan. Council is requested to approve the HOME American Rescue Cost Allocation Plan for adoption.

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.

7. Hold public hearings on:

a. APPROVED Consider a Detail Plan request by My Choice Custom Homes, to construct a single-family home. The site is located at 5475 Robin Road in District 4.

Consideration of the application of My Choice Custom Homes, requesting approval of a Detail Plan for a Single-Family Detached Home on a property zoned Planned Development (PD) District 18-40 for Single-Family-7 (SF-7) Use. This property is located at 5475 Robin Road. (File Z 22-66, District 4)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were: Azhar Mohammed, applicant and Billy J. Bagwell.

The motion was made by Council Member Williams to approve the Detail Plan, seconded by Council Member Moore. Motion carried:

Vote: 9 ayes, 0 nays

b. APPROVED Consider a Zoning Change request by JP3 Consulting LLC, from Community Office (CO) District to Multi-Family-2 (MF-2) District. The site is located at 2700 Walnut Street and 320 King Lane in District 6.

Consideration of the application of JP3 Consulting, LLC, requesting approval of a Change in Zoning from Community Office (CO) District to Multi-Family-2 (MF-2) District. This property is located at 2700 Walnut Street and 320 King Lane. (File Z 22-81, District 6)

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

There was discussion by the Council.

The motion was made by Council Member Vera to approve the Zoning Change, seconded by Deputy Mayor Pro Tem Smith. Motion carried:

Vote: 9 ayes, 0 nays

8. 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.

9. APPROVED Council Member Dylan Hedrick

- Tony N. Bui - Tax Increment Finance #1 Downtown Board

Council Member Hedrick presented the nominee and a vote was cast with the following result:

Vote: 9 ayes, 0 nays

10. Citizen comments: Dave Brady and Bonita Montgomery

11. Adjourn: There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:42 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce Rene Dowl, City Secretary