



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, April 4, 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
Deputy Mayor Pro Tem 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.

Crystal Lazo, Animal Adoption Specialist, Animal Services, presented the Pet of the Month.

Mayor LeMay presented a proclamation to Garland Power & Light General Manager & CEO Darrell Cline and staff, proclaiming April 23, the 100th Anniversary of GP&L, to be "Garland Power and Light Day."

Mayor LeMay presented a proclamation to Kristen Smith, Managing Director, Human Resources, proclaiming April to be "Fair Housing Month" in 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 Hedrick to approve the Consent Agenda as presented, seconded by Council Member Lucht. Motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the March 21, 2023, Regular Meeting.
2. Consider approval of the following bids:
 - a. **APPROVED** 2023 Material Hauling Services Contract Bid No. 0349-23

Parnosa Acquisition Company LLC dba Aggregates Now \$ 372,500.00
Q. Roberts Trucking \$ 390,000.00
Total \$ 762,500.00

Consider authorizing a contract with Parnosa Acquisition Company LLC dba Aggregates Now Q. Roberts Trucking for the 2023 Material Hauling Services contract associated with rehabilitating and reconstructing alleys and streets within the City of Garland.
 - b. **APPROVED** 2022 Paving, Water, Wastewater, and Drainage Improvements Group 1 Project Bid No. 0372-23

Tri-Con Services, Inc. \$ 2,152,121.10

Consider authorizing a contract with Tri-Con Services, Inc. for the Utility Construction for the 2022 Paving, Water, Wastewater, and Drainage Improvements Group 1 Project.
 - c. **APPROVED** Wynn Joyce Road 24" Water Main Installation Bid No. 0064-22

Flow-Line Construction, Inc. \$ 188,118.66

Consider authorizing a change order to a contract with Flow-Line Construction, Inc. for the Wynn Joyce 24" Water Main Installation due to several unforeseen items.
 - d. **APPROVED** Rowlett Creek 36-inch Parallel Sewer Interceptor Design Bid No. 0804-21

Freese and Nichols, Inc. \$ 766,381.00

Consider authorizing a change order to a contract with Freese and Nichols, Inc. for the Rowlett Creek sewer interceptor design project.
 - e. **APPROVED** Professional Services for Wynn Joyce Park Bid No. 1272-22

TBG Partners \$ 635,000.00

Consider a request to enter into an agreement for professional services with TBG Partners to initiate design work for the proposed improvements at Wynn Joyce Park.
 - f. **APPROVED** Cable for Warehouse Inventory Bid No. 0538-23

Techline, Inc. \$ 469,560.00

Consider a request for the purchase of cable from Techline, Inc. for Warehouse inventory to support GP&L's maintenance, repair, and construction requirements.

g. APPROVED Transformers for Warehouse Inventory Bid No. 0162-22

Techline, Inc.

\$ 83,662.00

Consider a request to approve a change order with Techline, Inc. for transformers for GP&L as part of the Warehouse inventory.

h. APPROVED Central Library Construction Services Bid No. 0379-21

Core Construction

\$ 10,786,956.00

Consider a request to enter into an agreement with Core Construction for construction services as Guaranteed Maximum Price (GMP) 2, for the remainder of the modernization and upgrades to Central Library.

i. APPROVED Microsoft Enterprise Agreement Renewal Bid No. 0626-22

SHI Government Solutions

\$ 998,110.55

Consider a request for a year two (2) of the Microsoft Enterprise Agreement licensing and support necessary for the City's continued and future use of Microsoft products. Information Technology (IT) also requests approval for the renewal of year three (3) of the Microsoft EA Agreement as the City intends to license and use Microsoft products for the foreseeable future.

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 Z 22-66, My Choice Custom Homes (District 4)

Ordinance No. 7413 amending the Garland Development Code of the City of Garland, Texas, by approving a Detail Plan for a Dwelling, Single-Family Detached Use on a 0.359-acre tract of land located at 5475 Robin Road zoned Planned Development (PD) District 18-40 for Single-Family-7 Uses.

b. APPROVED Z 22-81, JP3 Consulting, LLC (District 6)

Ordinance No. 7414 amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Community Office (CO) District to Multi-Family-2 (MF-2) District on a 2.843-acre tract of land located at 2700 West Walnut Street and 320 King Lane.

c. APPROVED Z 22-71, G. Roxana Novoa (District 4)

Ordinance No. 7415 amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District on a 0.45-acre tract of land located at 1009 & 1013 Rowlett 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.

4. APPROVED 2022-23 Budget Amendment No. 2

Ordinance No. 7416 for Budget Amendment No. 2, amending the FY 2022-23 Adopted Budget to appropriate funds in the amount of \$4,355,728 in the Electric Utility Fund for GP&L Production to cover additional maintenance and repair costs on the Olinger and Spencer Power Plants. Council first considered this Budget Amendment during the

March 20, 2023, Work Session.

5. **APPROVED** **Ordinance No. 7417** amending Section 1.100, "Fees," of Division 4, "Planning and Zoning Fees," of Article 3, "Fees," of Chapter 1, "General Provisions," and Section 4.54.1, "Applicability & Exemptions," of Division 1, "Purpose & Definitions," of Article 3, "Screening & Landscaping," of Chapter 4, "Site Development," of the Garland Development Code of Garland, Texas.
- At the April 3, 2023, Work Session, City Council was provided a written briefing to consider an ordinance with several clean-up items to the Garland Development Code related to Planning & Zoning fees and tree mitigation language.
6. **APPROVED** **Request for Development Assistance from OM Realty Garland**
- Council approved a development incentive request for Development Assistance from Om Estates Development, LLC for a waiver of certain development fees required for a proposed new mix-use project located at 240 E. IH30 and 328 Oaks Trail. This item was presented in Executive Session on December 5, 2022.
7. **APPROVED** **Request for Development Assistance from Andor Properties, LLC and Shirlee Mae, LLC**
- Council approved an incentive grant request for Development Assistance from Andor Properties, LLC and Shirlee Mae, LLC to renovate 500 Main Street and assist proposed tenants to occupy the property.
8. **APPROVED** **Request for Adoption of Economic Development Strategic Plan**
- Council approved a Request for Adoption of an Economic Development Strategic Plan which incorporates Council feedback from the March 20, 2023, City Council Work Session.
9. **APPROVED** **Request to Transfer Funds to the Garland Foundation for Development to Demolish the Otter Storage Facility**
- The Foundation for Development is acquiring the Otter Storage Facility, located at 3926 S. Shiloh Road and 3918 Leon Road. Due to safety concerns, and to prepare the site for redevelopment, the Foundation plans to demolish the properties upon closing.

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.

10. APPOINTMENTS: Appointment to the Dallas Area Rapid Transit Board

Consider by minute action one appointment to the Dallas Area Rapid Transit Board to fill the current vacancy.

Mr. Dave Brady presented comments in support of Michael Cheney.

Council Member Hedrick presented Michael T. Cheney as his nomination. A vote was cast with the following result:

Vote: 1 aye (Council Member Hedrick), 8 nays, nomination failed.

Mayor Pro Tem Morris presented Marc Abraham as her nomination. A vote was cast with the following result:

Vote: 8 ayes, 1 nay (Council Member Hedrick), approving the nomination.

11. Hold public hearings on:

a. APPROVED Youth Standards of Care

Consider a request to adopt an ordinance with public comments for Youth Programs Standards of Care in order to meet the requirements of Texas Human Resource Code, Section 42. 041(b)(14).

Mayor LeMay opened the public hearing, there were no speakers.

The motion was made by Council Member Hedrick to approve the Youth Programs Standards of Care, seconded by Council Member Williams. Motion carried:

Vote: 9 ayes, 0 nays, adopting Ordinance No. 7418

b. APPROVED Consider a Specific Use Provision request by Joseph and Beverly Darnell, to convert an existing permitted backyard workshop to a Guest House. The site is located at 2701 Larry Drive in District 5.

Consideration of the application of Joseph and Beverly Darnell, requesting approval of a Specific Use Provision for a Guest House on a property zoned Single-Family-10 (SF-10) District. This property is located at 2701 Larry Drive. (File Z 22-82, District 5)

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

There was discussion by the Council.

The motion was made by Council Member Luch to approve the Specific Use Provision (Item 11b) and the Plan (Item 11c), seconded by Council Member Vera. Motion carried:

Vote: 9 ayes, 0 nays

c. APPROVED Consider a Plan request by Joseph and Beverly Darnell, to convert an existing permitted backyard workshop to a Guest House. The site is located at 2701 Larry Drive in District 5.

Consideration of the application of Joseph and Beverly Darnell, requesting approval of a Plan for a Guest House on a property zoned Single-Family-10 (SF-10) District. This property is located at 2701 Larry Drive. (File Z 22-82, District 5)

d. WITHDRAWN Consider a Specific Use Provision request by Shammy's Garland, LLC for an Automated/Rollover Car Wash use. The site is located at 2641 Belt Line Road in District 7. (This item was postponed from the March 7, 2023 Regular City Council meeting per the applicant's request.)

Consideration of the application of Shammy's Garland, LLC, requesting approval of a Specific Use Provision for a Car Wash, Automated/Rollover Use on a property zoned Community Retail (CR) District. This property is located at 2461 Belt Line Road. (File Z 22-76, District 7)

Mayor LeMay announced there would be no action taken on Items 11d and 11e, because the requests were withdrawn by the applicant.

e. WITHDRAWN Consider a Plan request by Shammy's Garland, LLC for an Automated/Rollover Car Wash use. The site is located at 2641 Belt Line Road in District 7. (This item was postponed from the March 7, 2023 Regular City Council meeting per the applicant's request.)

Consideration of the application of Shammy's Garland, LLC, requesting approval of a Plan for a Car Wash, Automated/Rollover Use on a property zoned Community Retail

(CR) District. This property is located at 2461 Belt Line Road. (File Z 22-76, District 7)

12. **Citizen comments:** There were no speakers on this item.
13. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:42 p.m.

Submitted By:

/s/ Scott LeMay, Mayor

/s/ Eloyce Rene Dowl, City Secretary