



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, September 5, 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 Jeff Bass
Deputy Mayor Pro Tem Ed Moore
Council Member Deborah Morris
Deputy Mayor Pro Tem B.J. Williams
Council Member Margaret Lucht
Council Member Dylan Hedrick
Council Member Carissa Dutton
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
City Attorney Brian England
City Secretary Eloyce RenÃ© Dowl

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

Vote: 9 ayes, 0 nays

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 Tony Torres, proclaiming September 15 through October 15, 2023, to be Hispanic Heritage Month in Garland, Texas.

Mayor LeMay presented a proclamation to Matt Watson, Managing Director of Finance, proclaiming September 4-8, 2023, to be National Payroll Week. Mr. Watson expressed his appreciation for the work of Nancy Guerra, Financial Service Manager and Laura Hendershot, Payroll Coordinator in processing the payroll for the employees of Garland.

1. **APPROVED** Consider approval of the minutes of the August 15, 2023, Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** William A. Taylor Avenue & Melody Lane Water Mains Replacement Bid No. 1012-23

Tri-Con Services, Inc.	\$ 1,038,000.00
Construction Contingency	\$ 150,000.00
TOTAL	\$ 1,188,000.00

The purpose of this request is to provide construction services to remove and replace the existing water main (1,552 linear feet) and existing concrete and/or asphalt street and sidewalk pavement (933 square yard) and all incidentals as shown on the approved plans at William A. Taylor Avenue (Broadway Boulevard to Southern Drive) and Melody Lane (Miller Road to S. Garland Avenue).

b. **APPROVED** GP&L Oakland Substation 69/13.2kV Upgrade Bid No. 0724-22

GAI Consultants, Inc.	\$ 674,000.00
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This request is to approve Change Order #1 for GP&L Oakland Substation 69/13.2kV Upgrade Engineering Services Agreement. Under this addendum, GAI Consultants, Inc. will provide additional engineering services to accommodate a new route of the 138kV line to the Shiloh/McCree 138kV line including construction management services for the substation upgrade. This is part of the approved GP&L Oakland Substation Upgrade CIP project.

c. **APPROVED** GP&L Wylie Switch Station Reconfiguration Engineering Services Bid No. 1115-23

Stanley Consultants, Inc.	\$ 1,485,425.55
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This request is to obtain engineering services to support the reconfiguration of the GP&L Wylie Switch Station to allow the GP&L Olinger to Ben Davis 138kV Transmission Line to terminate at the station. This is part of the approved GP&L Wylie Switch Reconfiguration CIP project.

d. **APPROVED** GP&L Mallard to Wylie Switch 138kV Transmission Line Bid No. 1114-23

Stanley Consultants, Inc.	\$ 1,929,114.00
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This request is to obtain engineering services to support the reconfiguration of a portion of the GP&L Olinger to Ben Davis 138kV Transmission Line to route through the Wylie Switch Station to the Mallard BESS substation facility. This is part of the approved Olinger to Ben Davis 138kV Transmission Line CIP project.

e. **APPROVED** GP&L Centerville to Oates Road 138kV Transmission Line Upgrade Bid No. 1096-23

Scarborough Engineering, Inc.	\$ 2,724,472.00
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This request is to obtain engineering services to support the upgrade of the GP&L Centerville to Oates Road 138kV Transmission Line. The upgrade will accommodate new 2000A capacity and Optical Ground Wire requirements between the GP&L Centerville and Oates Road substations. This is part of the approved GP&L Centerville to Oates Road 138kV Transmission Line Upgrade CIP project.

f. APPROVED Citywide Facilities Condition Assessment

Bid No. 1200-23

McKinstry Essention, LLC

\$ 348,693.45

This request is to approve a one-time expense for a Citywide facilities condition assessment. The study will provide a comprehensive analysis of all City-owned public facing structures, including but not limited to, building envelope, roof and mechanical systems, and building windows and doors. The assessment will also encompass all energy usage and utilities data for assessed structures. The findings from the study will provide a ten-year plan for budgeting capital expenses and maintenance cost more methodically and with practicality.

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 23-17, Fred A. Gans (District 1)

Ordinance No. 7459 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses and 2) a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (Indoors Only) and Retail Use on a 8.216-acre tract of land and located at 4653, 4645, 4625 and 4695 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.

b. APPROVED Z 23-22, Jake Finch, Cascade Companies (District 4)

Ordinance N. 7460 amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District on a 22.301-acre tract of land located at 613 and 615 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; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. APPROVED Ordinance No. 7461 to issue Tax Notes, Series 2023

At the August 14, 2023, Work Session, Council considered an ordinance authorizing the issuance of tax notes of approximately \$40.3 million. The proceeds from Tax Notes have become an important funding source for the City's annual Street Reconstruction and Improvement Program, which totals \$37.6 million in the FY 2023-24 Proposed Budget. In addition, tax notes allow the City to manage the debt service tax rate and fund capital improvements without increasing the City's long-term debt burden. The notes will be paid off within one year.

5. APPROVED Council adopted Resolution No. 10590 authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant in the amount of \$142,619.65. The enforcement grant will consist of high visibility patrols in identified zones throughout the City that have historically had major crashes. The required enforcement period will be the Fiscal Year 2023-2024. The increased police presence is anticipated to have a positive effect on the citizens of the City of Garland through both improved driver behavior resulting in fewer serious crashes, as well as, crime reduction in these identified areas.

At the September 5, 2023, Work Session, Council considered authorizing the City Manager to accept a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) 2024 Comprehensive Grant.

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.

- 6. PUBLIC HEARING HELD:** **Hold a Public Hearing on Proposed FY 2023/2024 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. The 2023-24 proposed budget is based on a tax rate of 68.9746 cents per \$100 of valuation, which exceeds the no new revenue tax rate of 63.6388 cents per \$100 of value.

Mayor LeMay opened the public hearing at 7:20 p.m. There were no speakers on this item and the hearing was closed at 7:21 p.m.
- 7. PUBLIC HEARING HELD:** **Hold a Public Hearing on 2023-24 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.

This budget will raise more revenue from property taxes than last year's budget by an amount of \$14,308,385, which is a 9.72 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 \$2,304,042.

Mayor LeMay opened the public hearing at 7:21 p.m. There were no speakers on this item and the hearing was closed at 7:22 p.m.
- 8. APPROVED Ordinance to Ratify the Property Tax Revenue for 2023-24**

As required by Local Government Code 102.007, 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 2023-24 Budget by adding the following statement:

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$14,308,385, WHICH IS A 9.72 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 \$2,304,042.

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 Bass made the motion that the City Council ratify a property tax revenue increase of \$14,308,385 from last year's budget, of which \$2,304,042 is tax revenue to be raised from new property added to the tax roll, seconded by Council Member Hedrick.

Council Member Williams requested Allyson Bell Steadman, Budget Director, explain the tax calculations as required by State law requirements for truth in taxation.

The Council voted on the motion. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7462**

9. APPROVED Adoption of the 2023-24 Budget

In accordance with the City Charter, the City Manager presented his recommended Budget for fiscal year 2023-24 to the City Council on August 1, 2023. Copies were made available for public inspection at the City libraries, at the City Secretary's Office, and on the City's website. Public Hearings on the FY 2023-24 Proposed Budget were held on August 15, August 22, and September 5, 2023. An ordinance reflecting final decisions regarding the Budget for 2023-24 and revised budgets will be prepared for the Mayor's signature upon final direction from the City Council.

Mayor Pro Tem Bass made the motion to ratify the property tax rate presented by staff and reflected in this budget, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays

Mayor Pro Tem Bass made the motion I move to approve the City Manager's Budget with the following changes:

- a) To increase the Stormwater Residential Rate by \$1.50 and Stormwater Commercial Rates by \$0.015, an increase of \$1.36 million to the Stormwater Utility Fund's revenue, and
- b) To increase the Landfill's Minimum Fee to \$45.00, an increase of \$147,453 to the General Fund's revenue, and
- c) The addition of \$125,725 in General Fund expenditures for an increase of \$10.00 to Fire Ambulance Assignment Pay, and
- d) The addition of \$15,000 General Fund expenditures for Wildflower Pilot Program

seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7463**

10. APPROVED Adoption of 2023-24 Property Tax Rate

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, 2023. All meetings, notices and public hearing requirements related to the adoption of the tax rate have been met in accordance with state law.

The motion was made by Mayor Pro Tem Bass that the property tax rate be increased by the adoption of a tax rate of 68.9746 cents per \$100, which is effectively an 8.38 percent increase in the tax rate. My motion will be in two parts:

First, I move that the rate for debt service be approved in the amount of thirty-seven and fifty-six hundredths of a cent, seconded by Council Member Dutton. Motion carried:

Vote: 9 ayes, 0 nays

The motion was made by Mayor Pro Tem Bass that the rate for maintenance and operations be approved in the amount of thirty-one and forty-one-hundredths of a cent, seconded by Council Member Hedrick. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7464**

11. APPROVED Rate and Fee Changes for 2023-24

In considering the 2023-24 Budget, the City Council reviewed the adjustments to existing rates and fees as outlined in the Master Fee and Rate Schedule. Revenue estimates included in the 2023-24 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.

The motion was made by Mayor Pro Tem Bass to approve the Rate and Fee Changes for FY 2023-24, seconded by Council Member Morris. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7465**

12. APPROVED FY 2023-24 Civil Service Classifications and Compensation

Pursuant to Chapter 143 of the Local Government Code of Texas, the City Council must establish the civil service classifications in the Police and Fire Departments, the number of positions in each classification, the base salary and the types of incentive pays for each classification. The attached ordinance reflects the positions and compensation approved in the 2023-24 budget. The ordinance reflecting final decisions regarding the proposed salary schedule, incentive plans and staffing levels will be signed by the Mayor upon final direction from the Council.

The motion was made by Mayor Pro Tem Bass to approve the FY 2023-24 Civil Service Classifications and Compensation, seconded by Council Member Williams. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7466**

13. Hold public hearings on:

- a. APPROVED Consider a Zoning request by Blooming Investment Group, LLC to construct fifty-one (51) multi-family dwelling units in a townhouse-style configuration. The site is located at 600 West Avenue D in District 2.**

Consideration of the application of Blooming Investment Group, LLC, requesting approval of a Change in Zoning from Multi-Family-1 (MF-1) District and Downtown (DT) District to a Planned Development (PD) District for Multi-Family-0 (MF-0) Use. This property is located at 600 West Avenue D. (File Z 22-50, District 2)

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

There was discussion by the Council.

The motion was made by Council Member Morris to approve the Zoning request (Item 13a) and Detail Plan (Item 13b), seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 8 ayes, 1 nay (Council Member Dutton)

- b. APPROVED Consider a Detail Plan request by Blooming Investment Group, LLC to construct fifty-one (51) multi-family dwelling units in a townhouse-style configuration. The site is located at 600 West Avenue D in District 2.**

Consideration of the application of Blooming Investment Group, LLC., requesting approval of a Detail Plan for a Multi-family development. This property is located at 600 West Avenue D. (File Z 22-50, District 2)

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.

- a. Mayor Scott LeMay**

- John Kaiwi -- Board of Adjustment

- Charles Pickitt -- Community Multicultural Commission

Mayor Pro Tem Jeff Bass

- Sarah Montoya -- Library Board
- Robert Shepherd -- Unified Building Standards Board

Council Member Margaret Lucht

- Rene Granado -- Community Multicultural Commission

Council Member Carissa Dutton

- DeAnne Driver -- Cultural Arts Commission
- David Morehead -- Parks and Recreation Board
- Joseph McDermott -- Plan Commission
- Caleb Ernst -- Property Standards Board
- Lori Barnett Dodson -- Tax Increment Finance #3 Board
- Jack R. Wyatt, Jr. -- Unified Building Standards Board

Council Member Chris Ott

- Lupita Torres - Cultural Arts Commission
- Trellas Gotcher - Library Board
- Robert John Smith - Plan Commission
- Dale Long - Property Standards Board
- Ann Garrett - Senior Citizens Advisory Board
- Tony Torres - Tax Increment Finance #3 Board
- Chip Gordon - Unified Building Standards Board

15. Citizen comments: Holli Sanborn

16. Adjourn: There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:01 p.m.

Submitted By:

/s/ Scott LeMay, Mayor

/s/ Eloyce Rene Dowl, City Secretary