MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, September 19, 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
	Council Member B.J. Williams
	Council Member Carissa Dutton
	Council Member Margaret Lucht
	Council Member Chris Ott
	Council Member Dylan Hedrick
Staff Present:	City Manager Jud Rex
	Assistant City Manager Andy Hesser
	Assistant City Manager Crystal Owens
	Assistant City Manager Phillip Urrutia

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.

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 Morris to approve the Consent Agenda excluding Items 2c, 6 and 7, seconded by Mayor Pro Tem Bass. Motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** **Consider approval of the minutes of the September 5, 2023, Regular Meeting.**

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

a. **APPROVED**

GP&L Olinger 3 Gas Recirculating Fan Vibration Data and Balancing — **Bid No. 1020-23**

Mid-America Dynamics, Inc. — **$ 50,680.50**

The request is to approve a change order for final balancing and weight testing of the Olinger 3 Gas Recirculating Fan.

b. **APPROVED** **GP&L Olinger and Spencer Plant Scaffolding Rental and Labor** — **Bid No. 0919-23**

BrandSafway Solutions, LLC — **$ 500,000.00**

The request is for scaffolding rental equipment and labor on an as-needed basis for the GP&L Olinger and Spencer Power Plants.This approval is for a term agreement with four (4) optional renewals.

c. **APPROVED** **Professional Services for Chaha Boat Ramp at John Paul Jones Park** — **Bid No. 1117-23**

MHS Planning & Design — **$ 369,968.00**

This request is to engage MHS Planning & Design for professional services needed to assess the feasibility of constructing improvements at Chaha Boat Ramp at John Paul Jones Park.

This item was pulled for individual consideration.

The staff report was made by Ziad Kharrat, Special Projects Coordinator, Parks & Recreation, presented the staff report.

There was discussion by the Council.

The motion was made by Council Member Morris to approve the item as presented, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays

d. **APPROVED** **Semi-Tractor Trucks** — **Bid No. 1217-23**

Lonestar Freightliner Group, LLC — **$ 597,603.00**

This request is for the purchase of three (3) replacement 2024 Western Star 4900X Semi-Tractor Trucks for the Sanitation Department. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

e. **APPROVED** **Live Fire Training Props** — **Bid No. 1183-23**

Fireblast Global, Inc. — **$ 807,273.00**

This request is for the purchase of new live fire training props to be utilized by the Fire Department for realistic training in response to residential, industrial, and commercial structure fires. The fire training props include a car fire prop, balcony fire prop, roof fire prop, stove prop, twin bed prop, sofa prop, thermal blast lining, and three (3) smoke distribution systems.

f. **APPROVED** **1002 Marion (Speegle Green) Site Improvements** **Bid No. 0800-23**

Kimley-Horn **$ 349,500.00**

This request is to obtain design services for improvements to the area at 1002 Marion Drive, formerly known as Las Brisas.

g. **APPROVED** **North Garland Library Façade and Site Improvement** **Bid No. 0699-23**

TriArc Construction, Inc. **$ 1,091,539.00**

This request is for the construction of the facade and site improvement plan of the North Garland Library. City Council was briefed at the February 20 Work Session regarding the concept plan and the multiple funding sources attached to this project. The construction work includes new library signage, landscaping, security improvements, and significant facade improvements to the entire center, with contributions from the retail center co-owner.

h. **APPROVED** **Replacement Trucks** **Bid No. 1246-23**

Caldwell Country Ford **$ 453,576.00**

This request is for the purchase of five (5) replacement trucks to be utilized by various departments. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

3. **Public hearings were previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.**

a. **APPROVED** **Z 22-50, Blooming Investment Group, LLC (District 2)**

Ordinance No. 7467 amending the Garland Development Code of the City of Garland, Texas, by approving 1) 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 and 2) a Detail Plan for a Multi-Family Development on a 2.15-acre tract of land located at 600 West Avenue D; 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 and effective date.

4. **APPROVED** **Resolution Establishing Charter Review Committee**

Resolution No. 10591 was adopted, establishing a Charter Review Committee and issuing a charge related thereto.

5. **APPROVED** **Request for a development incentive from The Draper Garland, LLC**

Council approved a development incentive request from The Draper Garland, LLC for an asbestos remediation as discussed with City Council during a previous Executive Session.

6. **POSTPONED** **Consider an ordinance for the removal of the right turn restriction at Garland Avenue and Miller Road**

Consider and take appropriate action regarding approval of an ordinance to remove the right on red prohibition at Garland Avenue and Miller Road based on geometric improvements at the intersection.

This item was pulled and postponed until the October 10, 2023, Regular Session.

7. **POSTPONED** **Consider an ordinance to reconfigure speed limit revisions on Bobtown Road**

Consider and take appropriate action regarding approval of an ordinance for the reconfiguration of the speed limit on Bobtown Road due to recent roadway construction.

This item was pulled and postponed until the October 10, 2023, Regular Session.

8. APPROVED **Renewal of Health Authority and Interlocal Agreements**

Council authorized the City Manager or designee to execute the renewal of Health Authority and Interlocal Agreements with Dr. Timothy Lambert and Dr. Norman Clothier for their service as the Garland Health Authority.

9. APPROVED **Consider authorizing the City Manager or designee to renew a Household Hazardous Waste Interlocal Agreement.**

Council authorized the City Manager or designee to renew a Household Hazardous Waste Interlocal Agreement with Dallas County to participate in the Dallas Area HHW Network.

10. APPROVED **Renewal of Interlocal Agreement between Garland Public Health and Parkland Health & Hospital System**

Council authorized the City Manager or designee to execute the Renewal of Interlocal Agreement between Garland Public Health and Parkland Health & Hospital System to provide social work services to Garland citizens to meet Texas Department of State Health Services contract requirements.

11. APPROVED **Garland Fire Department Master Plan**

Council approved the adoption of the Garland Fire Department Master Plan as presented by the Center for Public Safety Management at the July 31, 2023 City Council Work Session.

12. APPROVED **Atmos Settlement Agreement**

Council authorized the Settlement Agreement with Atmos Energy Mid-Tex Division ("Atmos") and the resulting rate change under the Rate Review Mechanism (RRM) tariff as presented at the August 15, 2022, City Council Work Session, adopting **Resolution No. 10592.**

13. APPROVED **Consider assistance for 2023 Wheels of Hope Car Show**

Written staff presentation and recommendation regarding the 2023 Wheels of Hope Car Show, prepared by Dana Lodge, CVB and Events Director.

Council approved the request for assistance.

14. APPROVED **Request for Development Assistance from The New Modern Home, Inc**

Council approved a development incentive request from the New Modern Home, Inc. for a patrial waiver of tree mitigation fees required for a proposed new sustainable townhome project.

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.

15. **Hold public hearings on:**

a. APPROVED **Consider a Specific Use Provision request by Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP for a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard in**

District 4.

Consideration of the application of Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP., requesting approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District. This property is located at 5514 & 5516 Broadway Boulevard. (File Z 23-06, District 4)

The staff report was presented by William Guerin, Director of Planning and Paul Luedtke, Director of Transportation. Speakers on this item were: Jamecisa Sims, applicant and Ron Hobbs, Architect.

There was discussion by the Council.

The motion was made by Council Member Williams to approve the Specific Use Provision (Item 15a) for 15 years and the Plan (Item 15b), as amended by Plan Commission, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays

b. APPROVED **Consider a Plan request by Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP for a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard in District 4.**

Consideration of the application of Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP., requesting approval of a Plan for a Restaurant, Drive-Through Use. This property is located at 5514 & 5516 Broadway Boulevard. (File 23-06, District 4)

c. APPROVED **Consider a Specific Use Provision and Major Waiver request by Larry Hishmeh for a Mobile Food Truck Park. The site is located at 101 South Sixth Street in District 2.**

Consideration of the application of Larry Hishmeh, requesting approval of a 1) Specific Use Provision for a Mobile Food Truck Park and 2) Major Waiver on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street. (File Z 23-26, District 2)

The staff report was presented by William Guerin, Director of Planning, Paul Luedtke, Director of Transportation and Andy Hesser, Assistant City Manager. The speakers on this item were: Larry Hishmeh, applicant, Donna Williams (against) and Patricia Alonso (against). The Matt Archer registered a position in favor of the project.

Council Member Morris asked Brian England, City Attorney, to explain appropriate considerations and scope for the Council regarding this tract of land. She also asked Mr. Guerin to explain the Garland Development Code guidelines for food trucks remaining overnight. He explained there is no zoning prohibition requiring trucks to leave; trucks are required to dispose of gray water offsite. Mr. Guerin also confirmed there is no concern regarding utility capacity.

Mr. Luedtke confirmed that signage would be provided to discourage parking in the alley.

Council Member Hedrick requested hours of operation for the public restroom; Andy Hesser, Assistant City Manager, confirmed the hours to be 9 a.m. - 8 p.m., with the option to adjust the hours based on use patterns.

Mayor Pro Tem asked about the plan for debris and trash. Mr. Guerin stated the applicant plans to use the dumpster across the street.

Mr. England stated the applicant cannot be held responsible for illegal parking offsite.

The motion was made by Council Member Morris to approve the Specific Use Provision (Item 15c) and the Development Plan (Item 15d), seconded by Council Member Lucht. Motion carried:

Vote: 9 ayes, 0 nays

d. APPROVED **Consider a Downtown Development Plan request by Larry Hishmeh for a Mobile Food Truck Park. The site is located at 101 South Sixth Street in District 2.**

Consideration of the application of Larry Hishmeh, requesting approval of a Downtown Development Plan for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street. (File Z 23-26, District 2)

16. **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. **Board and Commission Appointment**

City Council

- Michele Orahood - Animal Services Advisory Committee

A vote was cast for this appointment with the following result:

Vote: 9 ayes, 0 nays

b. **Charter Review Committee Appointments**

Council Members read their nominee's name and a vote was cast with the following result:

Mayor Scott LeMay

- Gayle Owens

Mayor Pro Tem Jeff Bass

- Scott Roberts

Deputy Mayor Pro Tem Ed Moore

- Steve Silas

Council Member Deborah Morris

- William Oaks

Council Member B.J. Williams

- Martin Glenn

Council Member Margaret Lucht

- Dorothy White

Council Member Carissa Dutton

- Lori Dodson

Council Member Dylan Hedrick

- Mike Rose

Council Member Chris Ott

- Robert John Smith

Vote: 9 ayes, 0 nays

17. **Citizen comments:** There were no speakers on this item.

18. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:12 p.m.

Submitted By:

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Scott LeMay, Mayor

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Eloyce Rene Dowl, City Secretary