

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Monday, October 3, 2016, in the Goldie Locke Room at The Duckworth Building, 217 North Fifth Street, Garland, Texas, with the following members present:

**COUNCIL PRESENT:**

Mayor	Douglas Athas
Mayor Pro Tem	Scott LeMay
Council Member	David Gibbons
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B. J. Williams
Council Member	Rich Aubin
Council Member	Lori Dodson
Council Member	James Cahill

**STAFF PRESENT:**

City Manager	Bryan L. Bradford
City Attorney	Brad Neighbor
City Secretary	Eloyce René Dowl

**CALL TO ORDER:**

The meeting was called to order by Mayor Douglas Athas. Council Member Goebel led the pledge and invocation.

**CEREMONIALS:**

Mayor Athas presented the National Association of Clean Water Agencies' Gold Peak Service Award for 2015 to Wes Kucera, Tim Walker, Matt Cast, Alex Stuart, Don Dudley, and Angel Perez for achieving 100% compliance in one calendar year at the Duck Creek Wastewater Treatment Plant.

Mayor Athas presented a special recognition to Jackie Galloway for winning a bronze medal representing the United States in Women's Taekwondo at the 2016 Rio Olympics.

**CONSENT AGENDA:**

All items marked with asterisks (\*\*) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas read those items into the record. Motion was made by Council Member Goebel to approve the Consent Agenda, seconded by Council Member Stanley, to approve items 1, 2a, 2b, 2c, 2d, 2e, 2f, 3a, 3b, 3c, 4, 5, and 6. Motion carried, 9 ayes, 0 nays.

**1. APPROVED\*\***

Approval of the Minutes of the September 20, 2016 Regular Meeting.

2a. APPROVED\*\*

Bid No. 6815-16 to Techline, Inc. in the amount of \$217,096.39 which includes an optional contingency of \$21,299.20, for a total bid of \$238,395.59 for reconstruction materials.

This request is to purchase the materials needed for the Apollo to E. Richardson 138kV Transmission Line Reconstruction CIP project. Due to the complex nature of the project, an optional contingency is included for any additional materials that may be required.

2b. APPROVED\*\*

Bid No. 6826-16 to T&D Solutions in the amount of \$607,779.00 which includes an optional contingency of \$60,000.00, for a total bid of \$667,779.00 for underground cable replacement.

This request is to replace five aging underground cable loops in GP&L's Distribution System as part of the Underground 200-Amp Loop Replacement CIP Program. This bid includes boring in poly conduit, pulling primary and secondary cable, and replacing transformers and pads. Due to the complex nature of the project, an optional contingency is included for any unforeseen work that may be required.

2c. APPROVED\*\*

Bid No. 3529-13 to Hubbell Power Systems in the amount of \$123,934.00 for Substation Air Break Switches.

The purpose of this Change Order is to add additional funds to the Substation Air Break Switch Term Contract BL 06048. The current Term Contract has no renewals remaining and was recently re-bid. During the procurement process, Swindell and Apollo to E. Richardson projects required switches that exceeded the funding available on the expiring Term Contract. This Change Order represents a 49.5% increase to Term Contract BL 06048.

2d. APPROVED\*\*

Bid No. 6975-16 to URETEK USA in the amount of \$1,378,768.00 for Roadway Soil Stabilization and Pavement.

This request is to inject polymer material beneath settled pavement slabs to stabilize the soil and lift the pavement to match the joints of adjacent slabs. This work will be performed on E. Centerville Road, S.H. 66 – Broadway Blvd.

2e. APPROVED\*\*

Bid No. 5455-15 to Videotex Systems, Inc. in the amount of \$91,324.69 for City Hall AV, Presentation, and Broadcast System Improvements.

The purpose of this Change Order is to provide for necessary design, engineering, equipment, and installation services that were not included within the original scope of work. During the City Hall renovations, the need for additional services and resources emerged. This Change Order represents a 33.6% increase to the original Purchase Order 23632 in the amount of \$271,897.34. This project is funded in the 2016 CIP by Public Educational Governmental Fees collected from cable operators.

2f. APPROVED\*\*

Bid No. 6987-16 to Holt Caterpillar in the amount of \$192,878.05 for Heavy Haul Trailers.

This request is to purchase four Heavy Haul Trailers to be used by the Street Department in their daily operations.

3a. APPROVED\*\*

Ordinance No. 6860 amending the Garland Development Code of the City of Garland, by approving a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant and Retail Store on a 0.76-acre tract of land zoned Planned Development (PD) District 03-40/41 for Heavy Commercial Uses and located at 1012/1020 South First Street; 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; providing a Savings Clause and a Severability Clause; and providing an effective date. (File Z-16-11 Talim Song, District 2)

- 3b. APPROVED\*\* Ordinance No. 6861 amending the Garland Development Code of the City of Garland by approving 1) a Detail Plan for Restaurant, Drive-Through and 2) a Specific Use Provision for a Restaurant, Drive-Through on property zoned Planned Development (PD) 13-32 District for (limited) Community Retail, on a 0.918-acre tract of land located at the northwest intersection of Broadway Boulevard and Guthrie Road and providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date. (File Z-16-19 Jay Woo, District 4)
- 3c. APPROVED\*\* Ordinance No. 6862 amending the Garland Development Code of the City of Garland, by approving a Specific Use Provision for a High Risk Use on a 3.46-acre tract of land zoned Industrial (IN) District located at 3802 Miller Park Drive, providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date. (Z-16-28 Henry Company, LLC, District 6)
4. APPROVED\*\* Approval by minute action of the 2016-17 Garland Cultural Arts Commission Inc.'s budget, and authorize the City Manager to execute the "Hotel Occupancy Tax Program Management Agreement" providing revenues for GCACI's continuing promotion of the cultural arts in Garland.
5. APPROVED\*\* Approval by minute action authorizing the City Manager to execute an Interlocal Agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System for Bio-Tel Services in the amount of \$90,929.52.
6. APPROVED\*\* Resolution No. 10260 amending the authorized representatives for purposes of participation in the Texas Local Government Investment Pool; and providing an effective date.

Each entity that participates in the TexPool Investment Pools must appoint authorized representatives. Only authorized representatives have the ability to conduct transactions with TexPool. For security purposes, TexPool requires the governing body approve a resolution to amend existing authorized representatives. Due to staff changes, Financial Services is requesting authorized representatives to TexPool be amended.

7a. APPROVED

Consider the application of Wier & Associates, Inc., requesting approval of 1) an amendment to Planned Development (PD) District 07-46 for Community Retail Uses and 2) a Detail Plan for Medical and Dental Office/Clinic and Pharmacy (without Drive-Through or Window), on a 1.7-acre tract. The property is located at the intersection of President George Bush Turnpike and Elliot Avenue. (File No. Z 16-22, District 1)

Being approximately a 1.730-acre tract of land and identified as Lot 3, Block 3, Firewheel Hotel Addition, an addition to the City of Garland as shown on the Plat recorded in Instrument No. 20070204435 of the Map Records of Dallas County, Texas. The property is located on the west corner of the service road of President George Bush Turnpike and Elliott Avenue. The applicant proposes to develop the subject property with a medical office building.

Mayor Athas opened the hearing at 7:17 p.m. The speakers on this item were Josue De la Vega, Development Planner and Jake Fears, Civil Engineer for the applicant. A motion was made by Council Member Gibbons to approve the request based on staff and Plan Commission recommendation, seconded by Council Member Goebel to close the hearing at 7:30 p.m. Motion carried, 9 ayes, 0 nays.

7b. APPROVED

Consider the application of John Garfias, requesting approval of a Specific Use Provision for a Kiosk, Self-Service: Retail (Ice) on property zoned Community Retail (CR) District. This property is located at 3015 Arapaho Road. (File No. Z 16-25, District 7)

Being a 1.08-acre lot, tract or parcel of land situated in the Frederick Moss Survey, Abstract No. 941, City of Garland, Dallas County, Texas, being all of Lot 2, Block I of the Simon Addition, recorded in Volume 98146, Page 13, Map Records of Dallas County. The subject property is located at 3015 Arapaho Road. The applicant requests approval of a Specific Use Provision for the placement of a freestanding ice vending kiosk.

Mayor Athas opened the hearing at 7:31 p.m. The speakers on this item were Isaac Williams, Development Planner, Will Guerin, Planning Director, and Richard Sheehan. Richard Kline testified in opposition to the request. A motion was made by Mayor Pro Tem LeMay to approve the request based on staff and Plan Commission recommendation, with the consideration that staff and the applicant work on the inclusion of the architectural elements as discussed at this meeting, seconded by Council Member Dodson to close the hearing at 8:02 p.m. Motion carried, 9 ayes, 0 nays.

7c. APPROVED

Consider the application of City of Garland, requesting approval of a Change in Zoning from Single-Famil-10 (SF-10) District to Agricultural (AG) District. The properties are located from the 900 – 1400 block of Talley Road. (File No. Z 16-36, District 1)

The applicant requests approval of a Change in Zoning from Single-Family-10 (SF-10) District to Agricultural (AG) District to conform zoning to existing large lot residential development. The properties are located between Provence Boulevard and Murphy Road, along Talley Road.

Mayor Athas opened the hearing at 8:03 p.m. The speakers on this item were Kira Wauwie, Principal Development Planner, Michael Baker, and Lee Prigmore. Janie Brittain and Mike Bauer submitted responses in support of the request, but did not testify. A motion was made by Council Member Gibbons to approve the request based on staff and Plan Commission recommendation, with the exclusion of the lot at 1205 Talley Road, seconded by Council Member Stanley to close the hearing at 8:19 p.m. Motion carried, 9 ayes, 0 nays.

8. APPROVED

Council is requested to consider setting a public hearing date to receive public comments on Land Use Assumptions, Roadway and Water Impact Fees, Capital Improvement Plan; and, to consider adopting Maximum Roadway and Water Impact Fees. Unless otherwise directed by Council, a public hearing will be scheduled for November 15, 2016 to review and consider approval of updated Land Use Assumptions, Roadway and Water Impact Fee Capital Improvement Plan, and a Maximum Roadway and Water Impact Fee.

Mayor Athas opened the discussion at 8:20 p.m. The speaker on this item was Will Guerin, Director of Planning. A motion was made by Mayor Pro Tem LeMay to set a Public Hearing for November 15, 2016, seconded by Council Member Dodson to close the discussion at 8:22 p.m. Motion carried, 9 ayes, 0 nays.

9. APPOINTED

A vote was cast with 9 ayes and 0 nays as the following name was placed in nomination:

- Ozair Ali – Garland Youth Council – Nominated by: Council Member Gibbons, District 1

10. CITIZEN COMMENTS: None

11. ADJOURN:                    There being no further business to come before the Council,  
Mayor Athas adjourned the meeting at 8:23 p.m.

CITY OF GARLAND, TEXAS

/s/ Douglas Athas, Mayor

/s/ Eloyce René Dowl, City Secretary