



## **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Duckworth Building, Goldie Locke Room  
217 North Fifth Street  
Garland, Texas  
February 16, 2015  
5:00 p.m.**

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### **EXECUTIVE SESSION AGENDA**

- 1. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee.  
Sec. 551.074, TEX. GOV'T CODE.**
  - Consider transitional matters, applications, potential candidates, and personnel relating to the succession of the current City Manager.

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### **DEFINITIONS:**

**Written Briefing:** Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

**Verbal Briefing:** These items do not require written background information or are an update on items previously discussed by the Council.

**Regular Item:** These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

[Public comment will not be accepted during Work Session  
unless Council determines otherwise.]

**NOTICE:** The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, TEX. GOV'T CODE.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, TEX. GOV'T CODE.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, TEX. GOV'T CODE.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, TEX. GOV'T CODE.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, TEX. GOV'T CODE.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, TEX. GOV'T CODE.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics and electric power marketing analyses and strategies. Sec. 551.086; TEX. GOV'T CODE; Sec. 552.133, TEX. GOV'T CODE]

**1. Written Briefings:**

**a. Sale of Property to Habitat for Humanity**

*Consider the sale of a vacant lot located at 217 Seneca Drive in the City of Garland to Habitat for Humanity for \$9,000. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 3, 2015 Regular Meeting.*

**b. Sale of Property to Habitat for Humanity**

*Consider the sale of a vacant lot located at 1309 Burke Drive in the City of Garland to Habitat for Humanity for \$8,000. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 3, 2015 Regular Meeting.*

**c. Police Contact Data**

*In accordance with the Texas "Racial Profiling" statute (Texas Code of Criminal Procedure Article 2.131 through 2.138), the Garland Police Department has been collecting police data for the purpose of identifying and responding to concerns regarding racial profiling since the statutes implementation in 2002. In accordance with the law, the Police Department is required to submit this report to the City Council by March 1<sup>st</sup> of each year for the data from the previous calendar year. Unless otherwise directed by Council, Staff recommends that Council accept the report as submitted.*

**d. Abandonment of Drainage Easement on E. Oates Road in Heron's Bay Estates No. 2, to First Texas Homes, Inc.**

*Consider the abandonment of a 20' wide Drainage Easement in proposed Heron's Bay Estates No. 2 addition. Unless otherwise directed by Council, staff will prepare a resolution authorizing the Mayor to sign a Deed Without Warranty abandoning the easement for the March 3, 2015 Regular Meeting.*

**e. 2014-15 Budget Amendment No. 2**

*Amend the 2014-15 Adopted Budget in order to appropriate available funds for the following:*

- (1) Projects approved in last year's Budget but not completed by the fiscal year-end.*
- (2) Rollover of open Purchase Orders from the 2013-14 fiscal year.*
- (3) Grant and other funds recently awarded to the City.*
- (4) Expenditures not anticipated in the 2014-15 Adopted Budget.*

*Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 3, 2015 Regular Meeting.*

Item	Key Person
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**2. Verbal Briefings:**

**a. The Fortress Company**

**Schuster**

*As part of the Garland Economic Development Partnership's (GEDP's) Business attraction program of encouraging quality development in the City of Garland, the GEDP's Economic Development Steering Committee (EDSC) recommends to the Garland City Council the following:*

- *General Support for the Project*
- *Chapter 380 Finance Grant – Total of \$100,000 over three years*

**b. Transportation Report**

**Dean/Schaffner**

*Dean International, the City's transportation consultant, will update Council on the following:*

- *Transportation Program Updates*
  - *IH-635*
  - *IH-30*
  - *Annual Missions Update*
    - *Austin*
    - *Washington, D.C.*

- *Strategic Events Update*
- *Advocacy Group Update*
- *Transportation Updates*
  - *TEX-21*
  - *Regional Policy*
  - *Federal Policy*
  - *State Update*

**c. Preview of 2015 Proposed CIP** **Young**

*Staff will provide an overview of the 2015 Proposed Capital Improvement Program (CIP), which will be formally presented by the City Manager at the February 17, 2015, Regular City Council Meeting.*

**d. Public Safety Committee Report** **Bates**

*Council Member BJ Williams, chair of the Public Safety Committee, will provide a committee report on the following items:*

- *Residential Parking on Narrow Street*
- *Overnight Parking Fee*
- *Police Training and Procedures for Enforcement and/or Apprehension Situations*

**e. Health and Code Compliance Departmental Update – 2014** **Briley**

*Staff will provide an update on Health and Code Compliance departmental activities in 2014.*

**f. Animal Services Study Update** **Briley**

*Staff will provide an update on the status of the Third-Party Assessment of Animal Services.*

**g. TMPA Update** **Dodson/Stanley**

*At the request of Council Members Lori Barnett Dodson and Stephen W. Stanley, staff will provide an update on TMPA issues related to the*

*84<sup>th</sup> Legislative Session. Council is requested to discuss and provide direction, if required.*

**h. Garland Power and Light (GPL) Streetlights** **B.J. Williams/Campbell**

*At the request of Council Member B.J. Williams and Deputy Mayor Pro Tem Tim Campbell, staff will brief Council on the results of citizen's survey on streetlight outages and GP&L's Light-emitting (LED) Streetlights Conversion Project 2015.*

**i. Congress for the New Urbanism (CNU)** **Stanley/Dodson/Campbell**

*At the request of Council Members Stephen W. Stanley, Lori Barnett Dodson and Deputy Mayor Pro Tem Tim Campbell, Council is requested to discuss the CNU 23 Conference to be held in Dallas on April 29, 2015 and the City's sponsorship and participation in the Legacy Charrette Project associated with the CNU 23 Conference.*

**3. Consider the Consent Agenda** **Council**

*A member of the City Council may ask that an item on the consent agenda for the next regular meeting be pulled from the consent agenda and considered separate from the other consent agenda items. No substantive discussion of that item will take place at this time.*

**4. Announce Future Agenda Items** **Council**

*A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.*

**5. Adjourn** **Council**



**Meeting: Work Session**

**Date: February 16, 2015**

# Policy Report

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## **SALE OF PROPERTY TO HABITAT FOR HUMANITY**

### **ISSUE**

Consider the sale of a vacant lot located at 217 Seneca Dr. in the City of Garland to Habitat for Humanity for \$9,000.00

### **OPTIONS**

1. Approve the sale.
2. Do not approve the sale.

### **RECOMMENDATION**

Sell the subject property to Habitat for Humanity. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 3, 2015 Regular Meeting.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment  
Financially Stable Government with Tax Base that Supports Community Needs  
Safe, Family-Friendly Neighborhoods

### **BACKGROUND**

On December 3, 2013 a single-family home located at 217 Seneca Drive was struck off to the City of Garland pursuant to delinquent tax suit No. TX12-40691, City of Garland and Garland ISD vs. Joy C. Morris. The deteriorated structure was a health and safety concern and demolition was done by the City in 1994. The property was struck off to the City for the assessed value in the Judgment, \$13,000.00. Habitat for Humanity of Greater Garland, Inc. has offered to purchase this property for \$9,000.00. The property is currently assessed by the Dallas Central Appraisal District at \$13,000.00.

### **CONSIDERATION**

Net court costs and costs of sale amount to \$3,558.12. In addition, the City is entitled to reimbursement of administrative fees in the amount of \$1500.00, leaving a balance of \$3,486.88 that will be distributed to the City of Garland, Garland ISD, and Dallas County based on the pro rata percentages of the total judgment for taxes. Garland will receive \$492.56, with \$2581.27 distributed to GISD and \$413.05 distributed to Dallas County. As part of this transaction, the initial offer of \$9000.00 must include \$455.00 of

SALE OF PROPERTY TO HABITAT FOR HUMANITY

Page 2

2013 post judgment taxes, leaving an offer balance of \$8,545 for total sale price, and the balance from which distributions are assessed. Because the sale price of \$8,545.00 plus the post judgment taxes of \$455.00 for an offer price of \$9,000.00 is lower than the market value specified in the Judgment, this sale did require the consent of the other taxing units in the Judgment, please see attachments 3 and 4 for letters of consent from Garland Independent School District, and Dallas County Commissioners Court.

**ATTACHMENT(S)**

1. Habitat for Humanity letter offering to purchase the property.
2. Proposed Deed Without Warranty.
3. Garland Independent School District Resolution to Sell the property
4. Dallas County Commissioners Court Consent to Sell

Submitted By:

Approved By:

Mona L. Woodard  
Manager  
Housing and Community Services

William E. Dollar  
City Manager

Date: February 16, 2015

Date: February 10, 2015

**DEED WITHOUT WARRANTY**

THE STATE OF TEXAS                    §  
  §                   KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF DALLAS                   §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Habitat for Humanity of Greater Garland, Inc., 1110 Main Street, Garland, TX 75040** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **217 Seneca St**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**LOT 5, BLOCK C OF THE CROWN HILL SECOND ADDITION, aka 217 SENECA STREET, CITY OF GARLAND, TEXAS AS RECORDED IN VOLUME 22 PAGE 205 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS (the "Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including,

without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX12-40691 in the 192nd Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the \_\_\_\_\_ day of \_\_\_\_\_ 201\_\_.

**GRANTOR:**

CITY OF GARLAND, a Texas home-rule municipality

By: \_\_\_\_\_

Title: \_\_\_\_\_

THE STATE OF TEXAS §

§

COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by \_\_\_\_\_, in his capacity as Mayor of the City of Garland.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

\_\_\_\_\_  
PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

\_\_\_\_\_

LAW OFFICES  
**GAY, MCCALL, ISAACKS, GORDON & ROBERTS, P.C.**

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS

JOHN E. GAY  
DAVID MCCALL +  
LEWIS L. ISAACKS ♦+  
SYDNA H. GORDON  
WILLIAM J. ROBERTS +  
JENNIFER T. PETTIT  
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M. SHANNON KACKLEY

SUITE 310, LB 40  
1919 S. SHILOH ROAD  
GARLAND, TEXAS 75042  
(972) 278-8282 • Fax (972) 278-8222

♦ BOARD CERTIFIED -- CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION

+ATTORNEY - MEDIATOR

February 10, 2015

Ms. Carol Clark  
Tax Assessor/Collector  
City of Garland  
217 N. 5th Street  
Garland, Texas 75040

Via electronic-mail

Re: Offer by Habitat for Humanity of Greater Garland, Inc. to purchase 217 Seneca St., Garland, Texas

Dear Ms. Clark:

The above referenced property was struck off to the City of Garland on December 3, 2013 at a Sheriff's Sale pursuant to delinquent tax suit No. TX12-40691, CITY OF GARLAND AND GARLAND ISD v. JOY C. MORRIS. The property was struck off for the assessed value in the Judgment, \$13,000.00. The total Judgment amount at the sale was \$85,942.80. Habitat for Humanity of Greater Garland, Inc. has offered to purchase this property for \$8,545.00. The property is currently assessed by the Dallas Central Appraisal District at \$13,000.00.

The costs and distribution of net proceeds are:

Court Costs		\$1,326.50
Sheriff's Costs of Sale		\$1,929.12
Publication Fees		\$302.50
Net Court Costs and Costs of Sale		<u>\$3,558.12</u>
Personnel and Overhead		<u>\$1,500.00</u>
Total City Reimbursement		<u>\$1,500.00</u>
City of Garland	14.1%	\$492.56
Garland ISD	74.0%	\$2,581.27
Dallas County	11.9%	\$413.05
Total Tax Distribution		<u>\$3,486.88</u>
Net Court Costs and Costs of Sale		\$3,558.12
Total City Reimbursement		\$1,500.00
Total Tax Distribution		<u>\$3,486.88</u>
Total Sale Price		<u>\$8,545.00</u>

C. Clark  
February 10, 2015  
Page Two

Please note that as a part of this transaction, all post-judgment taxes for the years 2013 will be paid at closing exclusive of the above amounts. The total amount of post-judgment taxes will be approximately \$455.00 of which the City of Garland will receive approximately \$125.00.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$85,942.80, or the market value as stated in the judgment, \$13,000.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City Council approves this transaction, please forward to me the executed Deed. I will contact Habitat for Humanity of Greater Garland, Inc. to complete the transaction.

If you have any questions or need additional information, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Douglas Burnside", with a long, sweeping flourish extending to the right.

J. Douglas Burnside  
Attorney at Law



**Meeting: Work Session**

**Date: February 16, 2015**

# Policy Report

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## **SALE OF PROPERTY TO HABITAT FOR HUMANITY**

### **ISSUE**

Consider the sale of a vacant lot located at 1309 Burke Drive in the City of Garland to Habitat for Humanity for \$8,000.00

### **OPTIONS**

1. Approve the sale.
2. Do not approve the sale.

### **RECOMMENDATION**

Sell the subject property to Habitat for Humanity. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 3, 2015 Regular Meeting.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment  
Financially Stable Government with Tax Base that Supports Community Needs  
Safe, Family-Friendly Neighborhoods

### **BACKGROUND**

On August 6, 2013 a single-family home located at 1309 Burke Drive was struck off to the City of Garland pursuant to delinquent tax suit No. TX12-40431, City of Garland and Garland ISD vs. Trustees of Faith and Miracles Ministries. The deteriorated structure was a health and safety concern and demolition was done by the City in 1998. The property was struck off to the City for the assessed value in the Judgment, \$12,000.00. Habitat for Humanity of Greater Garland, Inc. has offered to purchase this property for \$8,000.00. The property is currently assessed by the Dallas Central Appraisal District at \$12,000.00.

### **CONSIDERATION**

Net court costs and costs of sale amount to \$2,583.22. In addition, the City is entitled to reimbursement of administrative fees in the amount of \$1,500.00, leaving a balance of \$3,646.78 that will be distributed to the City of Garland, Garland ISD, and Dallas County based on the pro rata percentages of the total judgment for taxes. Garland will receive \$909.73, with \$2,022.92 distributed to GISD and \$714.14 distributed to Dallas

SALE OF PROPERTY TO HABITAT FOR HUMANITY

Page 2

County. As part of this transaction, the initial offer of \$8,000.00 must include \$270.00 of 2013 post judgment taxes, leaving an offer balance of \$7,730.00 for total sale price, and the balance from which distributions are assessed. Because the sale price of \$7,730.00, plus the post judgment taxes of \$270.00, for an offer price of \$8,000.00 is lower than the market value specified in the Judgment, this sale did require the consent of the other taxing units in the Judgment, please see attachments 3 and 4 for letters of consent from Garland Independent School District, and Dallas County Commissioners Court.

**ATTACHMENT(S)**

1. Habitat for Humanity letter offering to purchase the property.
2. Proposed Deed Without Warranty.
3. Garland Independent School District Resolution to Sell the property
4. Dallas County Commissioners Court Consent to Sell

Submitted By:

Approved By:

Mona L. Woodard  
Manager  
Housing and Community Services

William E. Dollar  
City Manager

Date: February 16, 2015

Date: February 10, 2015

**DEED WITHOUT WARRANTY**

THE STATE OF TEXAS                    §  
   §                    KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF DALLAS                    §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Habitat for Humanity of Greater Garland, Inc., 1110 Main Street, Garland, TX 75040** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **1309 Burke Dr.**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**LOT 3, BLOCK 12 OF THE MONICA PARK HEIGHTS  
SECOND ADDITION, aka 1309 BURKE DRIVE, CITY OF  
GARLAND, TEXAS AS RECORDED IN VOL 2004087, PAGE  
6412, OF THE DALLAS COUNTY DEED RECORDS (the  
"Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including,

without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX12-40431 in the 68th Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the \_\_\_\_\_ day of \_\_\_\_\_ 201\_\_.

**GRANTOR:**

CITY OF GARLAND, a Texas home-rule municipality

By: \_\_\_\_\_

Title: \_\_\_\_\_

THE STATE OF TEXAS           §

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COUNTY OF DALLAS           §

The foregoing instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by \_\_\_\_\_, in his capacity as Mayor of the City of Garland.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

\_\_\_\_\_  
PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

\_\_\_\_\_

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February 10, 2015

Ms. Carol Clark  
Tax Assessor/Collector  
City of Garland  
217 N. 5th Street  
Garland, Texas 75040

Via electronic-mail

Re: Offer by Habitat for Humanity of Greater Garland, Inc. to purchase 1309 Burke Drive

Dear Ms. Clark:

The above referenced property was struck off to the City of Garland on August 6, 2013 at a Sheriff's Sale pursuant to delinquent tax suit No. TX12-40431, CITY OF GARLAND AND GARLAND ISD v. TRUSTEES OF FAITH AND MIRACLES MINISTRIES. CITY OF GARLAND AND GARLAND ISD v. TRUSTEES OF FAITH AND MIRACLES MINISTRIES. The property was struck off for the assessed value in the Judgment, \$12,000.00. The total Judgment amount at the sale was \$54,178.48. Habitat for Humanity of Greater Garland, Inc. has offered to purchase this property for \$7,730.00. The property is currently assessed by the Dallas Central Appraisal District at \$12,000.00.

The costs and distribution of net proceeds are:

Court Costs		\$818.04
Sheriff's Costs of Sale		\$1,435.18
Publication Fees		\$330.00
Net Court Costs and Costs of Sale		<u>\$2,583.22</u>
Personnel and Overhead		<u>\$1,500.00</u>
Total City Reimbursement		<u>\$1,500.00</u>
City of Garland	24.9%	\$909.73
Garland ISD	55.5%	\$2,022.92
Dallas County	19.6%	\$714.14
Total Tax Distribution		<u>\$3,646.78</u>
Net Court Costs and Costs of Sale		\$2,583.22
Total City Reimbursement		\$1,500.00
Total Tax Distribution		\$3,646.78
Total Sale Price		<u>\$7,730.00</u>

C. Clark  
February 10, 2015  
Page Two

Please note that as a part of this transaction, all post-judgment taxes for the years 2013 will be paid at closing exclusive of the above amounts. The total amount of post-judgment taxes will be approximately \$270.00 of which the City of Garland will receive approximately \$74.00.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$54,178.48, or the market value as stated in the judgment, \$12,000.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City Council approves this transaction, please forward to me the executed Deed. I will contact Habitat for Humanity of Greater Garland, Inc. to complete the transaction.

If you have any questions or need additional information, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Douglas Burnside", with a long, sweeping horizontal stroke extending to the right.

J. Douglas Burnside  
Attorney at Law



**Meeting: Work Session**

**Date: February 16, 2015**

# Policy Report

---

## Police Contact Data

### **ISSUE:**

In accordance with the Texas “Racial Profiling” statute (Texas Code of Criminal Procedure Article 2.131 through 2.138), the Garland Police Department has been collecting police contact data for the purpose of identifying and responding to concerns regarding racial profiling since the statute’s implementation in 2002. In accordance with the law, the Police Department is required to submit this report to the City Council by March 1<sup>st</sup> of each year for the data from the previous calendar year.

### **OPTIONS:**

For discussion purposes only. No action is required by City Council.

### **RECOMMENDATION:**

Staff recommends that the City Council accept the report as submitted.

### **COUNCIL GOAL:**

Fully informed and engaged citizenry

### **BACKGROUND:**

Chapter 2 of the Texas Code of Criminal Procedure includes a prohibition of “racial profiling” by peace officers. It requires that law enforcement agencies adopt a detailed written policy on racial profiling, and implement a process by which an individual may file a complaint if the individual believes that a police officer engaged in racial profiling with respect to that individual. In addition, the statute requires, among other things, that the department provide public education relating to the agency’s complaint process.

The Code of Criminal Procedure Article 2.131 – 2.138 requires all agencies to report racial profiling data to the Texas Commission on Law Enforcement (TCOLE) as well as to their “governing body” (City Council).

The Garland Police Department has met all the requirements related to policies, procedures, and reporting requirements related to Racial Profiling.

**ATTACHMENTS:**

GPD General Order #20.08-Racial Profiling  
Police Contact Data Reports  
Racial Profiling Complaint Summary

Submitted By:

Approved By:

Mitch Bates  
Chief of Police

William E. Dollar  
City Manager

Date: February 16, 2015

Date: February 16, 2015

## RACIAL PROFILING



General Order # 20.08

Issued: December 31, 2001

Revised: February 26, 2010

- I. **PURPOSE:** The purpose of this policy is to unequivocally state that racial and ethnic profiling in law enforcement are totally unacceptable, to provide guidelines for officers to prevent such occurrences, and to protect our officers when they act within the dictates of the law and policy from unwarranted accusations.
  
- II. **DEFINITIONS:**
  - A. **Racial Profiling** - a law enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
  - B. **Reasonable Suspicion** - also known as articulable suspicion. Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.
  - C. **Acts Constituting Racial Profiling** - are acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest based upon an individual's race, ethnicity, national origin or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.
  - D. **Race or Ethnicity** - means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.
  - E. **Motor Vehicle Stop** means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

20.08

**III. POLICY:**

It is the policy of the Garland Police Department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, an infraction of the law. Racial Profiling by Garland Police Officers is totally unacceptable and is strictly prohibited in all areas, including traffic contacts, field contacts and in asset seizure and forfeiture efforts.

**IV. PROCEDURES:**

- A. No person shall be detained without reasonable suspicion except where otherwise provided for in the law, e.g. detaining those who present an immediate danger to themselves to prevent injury.
- B. All motor vehicle stops will be recorded using the audio/video equipment provided in each vehicle regularly used to stop traffic (Motorcycles may use audio equipment only), see also, General Order 30.14 "Mobile Video & Audio Recording Equipment".
- C. In each motor vehicle stop in which a citation is issued and/or an arrest is made the following information shall be recorded on the citation or in the Jail record keeping system (JMS) as appropriate: the race or ethnicity of the individual detained; and whether a search was conducted and, if so, whether the individual detained consented to the search, and whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual.
- D. In the absence of a specific, credible report containing a physical description, a person's race, ethnicity, or national origin shall not be a factor in determining reasonable suspicion for a stop.

**V. COMPLAINTS OF RACIAL PROFILING:**

- A. Any person may file a complaint with the Internal Affairs Unit of the department if they feel they have been stopped or searched based on racial profiling, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
- B. Any officer or supervisor contacted by a person who wishes to file such a complaint shall refer the person to the Internal Affairs Unit by providing the name and phone number of the Internal Affairs Unit supervisor. The officer or supervisor shall also obtain the name and phone number of the person making the complaint, if they will provide it, and forward this information to the Internal Affairs Unit supervisor.

- C. The Internal Affairs Unit shall investigate complaints of racial profiling in the same manner as other complaints. If a complaint involves a stop in which a mobile video or audio recording was made, a copy of the recording will be promptly provided to the police officer who is the subject of the complaint on written request of the officer to the Chief of Police. A copy of the video and audio or audio record of the stop will be maintained until final disposition of the complaint. The Internal Affairs Unit will report the findings of the investigation in writing along with recommendations for disciplinary action or changes in policy, training, or tactics to the Chief of Police.
- D. Any officer found to have engaged in racial profiling in violation of this policy would be subject to corrective disciplinary action up to and including removal from the classified service of the City.

**VI. REVIEW PROCESS:**

A sample of the video recordings made by officers will be reviewed quarterly by Lieutenants and Captains. Each Lieutenant from the Department will review one randomly selected tape made during the previous 90 days. These tapes will be reviewed in their entirety and each reviewing Lieutenant will complete a Tape Review Worksheet. Of these reviewed tapes, seven will be randomly selected and reviewed by each Captain of the Department, except one captain who will be responsible for coordinating the review process. Each reviewing captain will also complete a Tape Review Worksheet for each tape reviewed. The worksheets will be forwarded to the Chief of Police for review. Any concerns raised in reference to racial profiling by this review process shall be forwarded to the Internal Affairs Unit for investigation. An annual administrative review of agency practices, including citizen concerns, will be conducted at the direction of the Chief of Police.

**VII. TRAINING OF ENFORCEMENT PERSONNEL:**

The Garland Police Department shall meet the educational requirements related to racial profiling in the Occupations Code Section 1701.253 and 1701.402, established by the Texas Commission on Law Enforcement Officer Standards and Education (T.C.L.E.O.S.E.) and all other mandated training. The Garland Police Academy will incorporate training on the issue of racial profiling in conjunction with the Basic Academy and mandated "Cultural Diversity" training for in-service personnel.

**VIII. PUBLIC EDUCATION:**

The Garland Police Department shall provide written material, in English and Spanish, detailing the department's complaint process. The material shall be available in the lobby of the police building and through the office of Internal Affairs. The department will periodically highlight the complaint process through use of its community access cable television program and through general mailings in conjunction with utility billing.

20.08

**IX. REPORT TO CITY COUNCIL AND TEXAS COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION:**

An annual report relating to motor vehicle stops in which a citation is issued and to arrests resulting from those stops, including information relating to: the race or ethnicity of the individual detained; and whether a search was conducted and, if so, whether the individual detained consented to the search and whether the Peace Officer knew the race or ethnicity of the individual detained before detaining that individual will be submitted to the City Council and Texas Commission on Law Enforcement Officer Standards and Education by no later than March 1 of each year for the preceding calendar year.

**X. PRIOR ORDERS:**

From and after the effective date of this order, it shall be in full force and effect and shall govern the operations of this department with regard to its subject matter. Former orders, policies, directives and memoranda relating to the subject matter are hereby specifically revoked and they shall be of no force and effect from and after the date of issuance of this order.

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Mitchel L. Bates  
Chief of Police

*Index As:*     Pedestrian Stop / Profiling  
                     Profiling  
                     Traffic Stop / Profiling



Garland Police Department  
Citation, Arrest and Search Profile Data  
01/01/2014...12/31/2014  
All Stops

Number of motor vehicle stops:	1.	28448	Citation Only	
	2.	968	Arrest Only	
	3.	500	Both	
	4.	29916	Total	
Race or Ethnicity:	5.	6014	African	
	6.	1474	Asian	
	7.	11302	Caucasian	
	8.	11091	Hispanic	
	9.	1	Middle Eastern	
	10.	34	Native American	
	11.	29916	Total	
Race or Ethnicity Known prior to stop?:	12.	768	Yes	
	13.	29148	No	
	14.	29916	Total	
Search Conducted?:	15.	766	Yes	
	16.	29150	No	
	17.	29916	Total	
Was Search Consented?:	18.	244	Yes	
	19.	522	No	
	20.	766	Total	



Garland Police Department  
 Citation, Arrest and Search Profile Data  
 01/01/2014...12/31/2014  
 All Stops

Ethnicity	Total Traffic Stops		Race Known Prior to Stop		Traffic Stops Resulting in a Citation		Traffic Stops Resulting in an Arrest		Searched		Searched by Consent		Searched by Probable Cause	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Total Asian	1474	4.9%	24	0.1%	1460	5.0%	14	1.4%	10	1.3%	5	2.0%	5	1.0%
Total Black	6014	20.1%	228	0.8%	5731	19.8%	283	29.2%	206	26.9%	56	23.0%	150	28.7%
Total Hispanic	11091	37.1%	276	0.9%	10689	36.9%	402	41.5%	317	41.4%	101	41.4%	216	41.4%
Total Middle Eastern	1	0.0%	0	0.0%	0	0.0%	1	0.1%	0	0.0%	0	0.0%	0	0.0%
Total Native American	34	0.1%	1	0.0%	33	0.1%	1	0.1%	0	0.0%	0	0.0%	0	0.0%
Total White	11302	37.8%	239	0.8%	11035	38.1%	267	27.6%	233	30.4%	82	33.6%	151	28.9%
<b>TOTAL</b>	<b>29916</b>		<b>768</b>		<b>28948</b>		<b>968</b>		<b>766</b>		<b>244</b>		<b>522</b>	

# Garland Police Department

## 2014 Racial Profiling Complaint Summary

During the calendar year of 2014 the Garland Police Department Internal Affairs Division received and investigated three (3) citizen complaints of racial profiling. One of the complaints was received on January 22, 2014. The incident occurred in December of 2013, but the complaint was not filed until January 2014.

<u>Case #</u>	<u>*Contact</u>	<u>Race</u>	<u>Allegation</u>	<u>*Case Disposition</u>
14-01F	Traffic	B	Stopped and cited based on race	Unfounded 03/26/14
14-08F	Traffic	H	Cited based on race	Unfounded 06/20/14
14-10I	Traffic	H	Stopped and cited based on race	Unfounded 01/09/15

### \* Contact Type

Traffic – Officer initiated contact of motorist

Pedestrian – Officer initiated contact of individuals not in vehicles

Call – Contact with citizens in response to reported incidents (not self-initiated)

### \* Case Disposition

Sustained – Allegation was true

Not Sustained – Not enough evidence to determine if incident occurred or not

Exonerated – Incident occurred but the officer's actions were justified

Unfounded – Allegation was without merit or false



Meeting: Work Session

Date: February 16, 2015

# Policy Report

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## **ABANDONMENT OF DRAINAGE EASEMENT ON E. OATES ROAD IN HERON'S BAY ESTATES NO. 2, TO FIRST TEXAS HOMES, INC.**

### **ISSUE**

Consider the abandonment of a 20' wide Drainage Easement in proposed Heron's Bay Estates No. 2 addition.

### **OPTIONS**

1. Abandon the easement.
2. Take no action.

### **RECOMMENDATION**

Approve Option 1. Unless otherwise directed by Council, staff will prepare a resolution authorizing the Mayor to sign a Deed Without Warranty abandoning the easement for the March 3, 2015 Regular Meeting.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment  
Financially Stable Government with Tax Base that Supports Community Needs  
Safe, Family-Friendly Neighborhoods

### **BACKGROUND**

1. On January 4, 2007 the City acquired a drainage easement for the improvement of Heron's Bay Estates No. 1.
2. The Heron's Bay Estates No. 2 residential subdivision is currently being developed over the drainage easement. The original drainage easement was required by the City for offsite drainage conveyance. The proposed plans of Heron's Bay Estates Phase 2 will provide dedicated street right-of-way over the existing drainage easement rendering it obsolete. A proposed residential lot is encumbered by a small portion of the drainage easement.

3. Council action is required to abandon the easement.

### **CONSIDERATION**

1. The drainage easement is no longer required due to improvements being constructed by the developer. Improvements include the extension of E. Oates Rd. as a part of the subdivision complete with an underground drainage system. The abandonment would allow the developer to construct a residential home on the encumbered lot and better utilize the property.
2. The City Attorney's Office has reviewed this information.

### **ATTACHMENTS**

1. Copy of original easement instrument and exhibit.
2. Location Map

Submitted By:

Michael C. Polocek, P.E.  
Director of Engineering

Date: February 16, 2015

Approved By:

William E. Dollar  
City Manager

Date: February 16, 2015

EXHIBIT A



20061219001784230 12/19/2006 02:07:24 PM EM 1/5

DRAINAGE EASEMENT



EASEMENT 20070003305

5 PGS

STATE OF TEXAS

§ KNOW ALL BY THESE PRESENTS:

COUNTY OF DALLAS

§

That Rose Hill Saint Venture ("Grantor(s)"[whether one or more]), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor(s), including the benefits to be obtained by Grantor(s) by reason of the construction of the improvements contemplated herein, the sufficiency of which is hereby acknowledged, paid in hand by the City of Garland, Texas, a Texas home-rule municipality, ("Grantee"), has **GRANTED AND CONVEYED**, and by these presents does **GRANT AND CONVEY** unto Grantee a perpetual privilege, right, and easement (the "Easement") in and to those certain lots, tracts, or parcels of land situated in the County of Dallas, State of Texas, and more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Easement Area").

The Easement hereby granted is for the purpose of giving to Grantee, its successors and assigns, the right to:

- (1) construct, reconstruct, alter, rebuild, and perpetually maintain drainage facilities over, under, upon, across, and within the Easement Area;
- (2) divert, re-channel, or alter the course of the drainage of surface or flood waters within the Easement Area, including the right to increase the rate, efficiency or effectiveness of drainage flows by removing soil, trees or any other type of drainage impediments within the Easement Area; and
- (3) the right to enter the Easement Area to inspect, operate, repair, replace and remove those drainage facilities.

TO HAVE AND TO HOLD the Easement, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors, assigns, and the public forever.

EXECUTED this the 18<sup>th</sup> day of DEC, 2006

GRANTOR:

Daniel Howard

ACKNOWLEDGMENT

STATE OF TEXAS

§

COUNTY OF ~~DALLAS~~ Collin

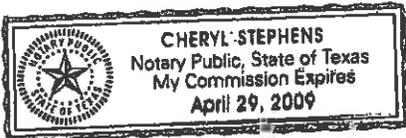
§

This instrument was acknowledged before me on the 18<sup>th</sup> day of December, 2006 by Daniel Howard

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18<sup>th</sup> day of December, 2006

Cheryl Stephens

Notary Public in and for the State of Texas



Typed or Printed Name of Notary

My Commission Expires: \_\_\_\_\_

# EXHIBIT A

**EXHIBIT "A"**  
**20' DRAINAGE EASEMENT ~ 0.354 ACRES**  
**SHEET 1 OF 3**

## LEGAL DESCRIPTION

BEING a tract of land out of the John Little Survey, Abstract No. 761 located in the City of Garland, Dallas County, Texas, being part of that tract of land conveyed to Rosehill Joint Venture as recorded in Volume 2005184, Page 1584, Dallas County Deed Records, and being more particularly described as follows:

COMMENCING at a one-half inch iron rod set in the east line of said Rosehill Joint Venture tract, said point being the west corner of Lot 2, Block 7, Shores of Eastern Hills No. 6 as recorded in Volume 2004021, Page 22, Dallas County Deed Records, said point also being in the east line of Country Club Road South;

THENCE North 43 degrees 51 minutes 53 seconds West, 135.54 feet to a point for corner;

THENCE North 01 degrees 08 minutes 07 seconds East, 21.21 feet to a point for corner;

THENCE North 46 degrees 08 minutes 07 seconds East, 4.30 feet to a point for corner;

THENCE North 43 degrees 51 minutes 53 seconds West, 35.00 feet to THE POINT OF BEGINNING;

THENCE North 46 degrees 08 minutes 07 seconds East, 239.21 feet to a point for corner;

THENCE Northeasterly, 320.17 feet along a curve to the left having a radius of 1,995.00 feet, a central angle of 09 degrees 11 minutes 42 seconds, a tangent of 160.43 feet and a chord bearing and distance North 41 degrees 32 minutes 16 seconds East, 319.82 feet, to a point for corner;

THENCE Northeasterly, 64.61 feet along a curve to the right having a radius of 70.00 feet, a central angle of 52 degrees 53 minutes 03 seconds, a tangent of 34.81 feet and a chord bearing and distance North 63 degrees 22 minutes 57 seconds East, 62.34 feet, to a point for corner;

THENCE North 89 degrees 49 minutes 29 seconds East, 94.05 feet to a point for corner;

THENCE North 00 degrees 10 minutes 31 seconds West, 20.00 feet to a point for corner;

THENCE South 89 degrees 49 minutes 29 seconds West, 94.05 feet to a point for corner;

THENCE Southwesterly, 83.07 feet along a curve to the left having a radius of 90.00 feet, a central angle of 52 degrees 53 minutes 03 seconds, a tangent of 44.76 feet and a chord bearing and distance South 63 degrees 22 minutes 57 seconds West, 80.15 feet, to a point for corner;

THENCE Southwesterly, 316.96 feet along a curve to the right having a radius of 1975.00 feet, a central angle of 09 degrees 11 minutes 42 seconds, a tangent of 158.82 feet and a chord bearing and distance South 41 degrees 32 minutes 16 seconds West, 316.62 feet, to a point for corner;

# EXHIBIT A

**EXHIBIT "A"**  
**20' DRAINAGE EASEMENT ~ 0.354 ACRES**  
**SHEET 2 OF 3**

THENCE South 46 degrees 08 minutes 07 seconds West, 60.92 feet to a point for corner;

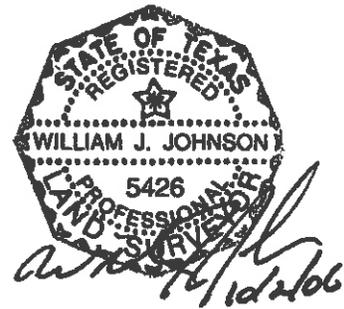
THENCE North 73 degrees 51 minutes 53 seconds West, 50.09 feet to a point for corner;

THENCE South 16 degrees 08 minutes 07 seconds West, 20.00 feet to a point for corner;

THENCE South 73 degrees 51 minutes 53 seconds East, 38.54 feet to a point for corner;

THENCE South 46 degrees 08 minutes 07 seconds West, 155.20 feet to a point for corner;

THENCE South 43 degrees 51 minutes 53 seconds East, 20.00 feet to the POINT OF BEGINNING and containing 15,400 square feet or 0.354 acres of land.



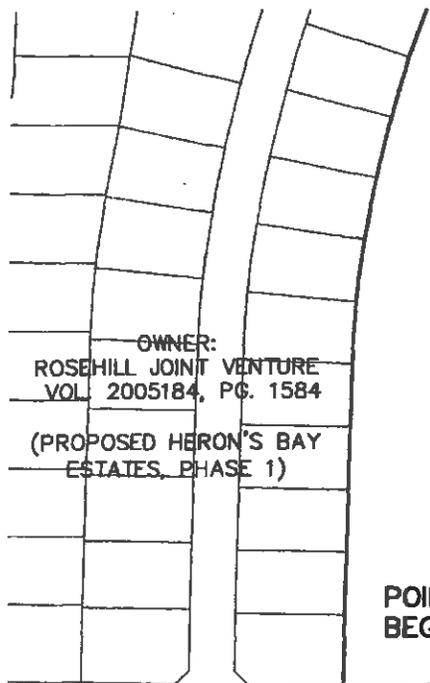
# EXHIBIT A

## EXHIBIT A (PAGE 3 OF 3) DRAINAGE EASEMENT

### LINE TABLE

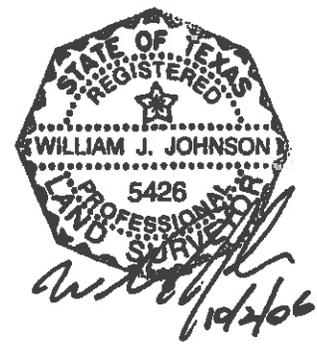
LINE	BEARING	DISTANCE
L1	N43°51'53"W	135.54'
L2	N01°08'07"E	21.21'
L3	N46°08'07"E	4.30'
L4	N43°51'53"W	35.00'
L5	N48°08'07"E	239.21'
L6	N89°49'29"E	94.05'
L7	N00°10'31"W	20.00'
L8	S89°49'29"W	94.05'
L9	S46°08'07"W	60.92'
L10	N73°51'53"W	50.09'
L11	S16°08'07"W	20.00'
L12	S73°51'53"E	38.54'
L13	S46°08'07"W	155.20'
L14	S43°51'53"E	20.00'

NOTE: BEARINGS BASED ON PLAT OF  
HERON'S BAY ESTATES, PH. 1 (PENDING).  
THE MOST EASTERLY NORTHEAST LINE OF  
SAID ADDITION HELD AS N43°51'53"W.

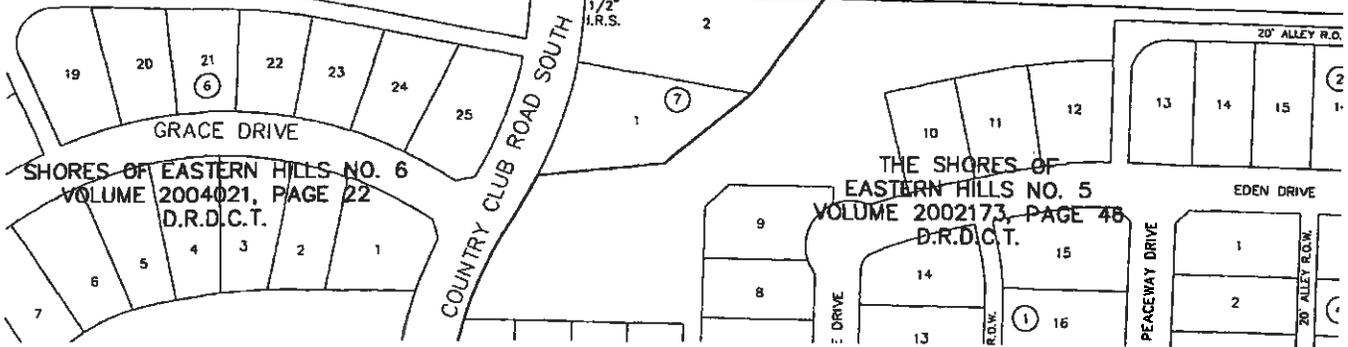
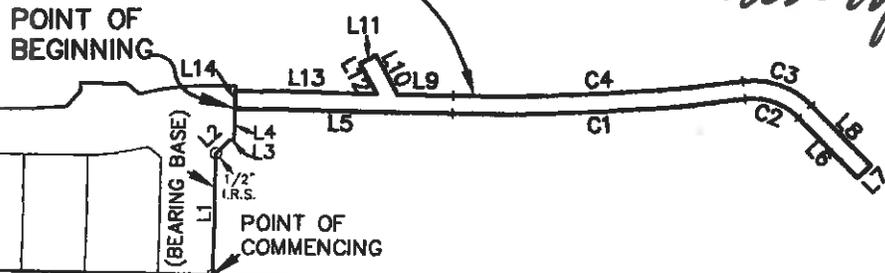


OWNER:  
ROSEHILL JOINT VENTURE  
VOL. 2005184, PG. 1584  
  
(PROPOSED HERON'S BAY  
ESTATES, PHASE 1)

OWNER:  
ROSEHILL JOINT VENTURE  
VOL. 2005184, PG. 1584  
  
(FUTURE DEVELOPMENT)



20' DRAINAGE ESMT.  
(BY THIS DOCUMENT)  
15,400 S.F.



### CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	9°11'42"	1995.00'	320.17'	160.43'	N 41°32'16" E	319.82'
C2	52°53'03"	70.00'	64.61'	34.81'	N 63°22'57" E	62.34'
C3	52°53'03"	90.00'	83.07'	44.76'	S 63°22'57" W	80.15'
C4	9°11'42"	1975.00'	316.96'	158.82'	S 41°32'16" W	316.62'

SCALE: 1" = 200'	DATE 7/17/06	DRAWN WJ	PROJECT CLH001
---------------------	-----------------	-------------	-------------------

# EXHIBIT A

**FILED AND RECORDED**



OFFICIAL PUBLIC RECORDS

A handwritten signature in black ink, appearing to be "JFW".

John F. Warren, County Clerk  
Dallas County TEXAS

January 04, 2007 08:38:20 AM

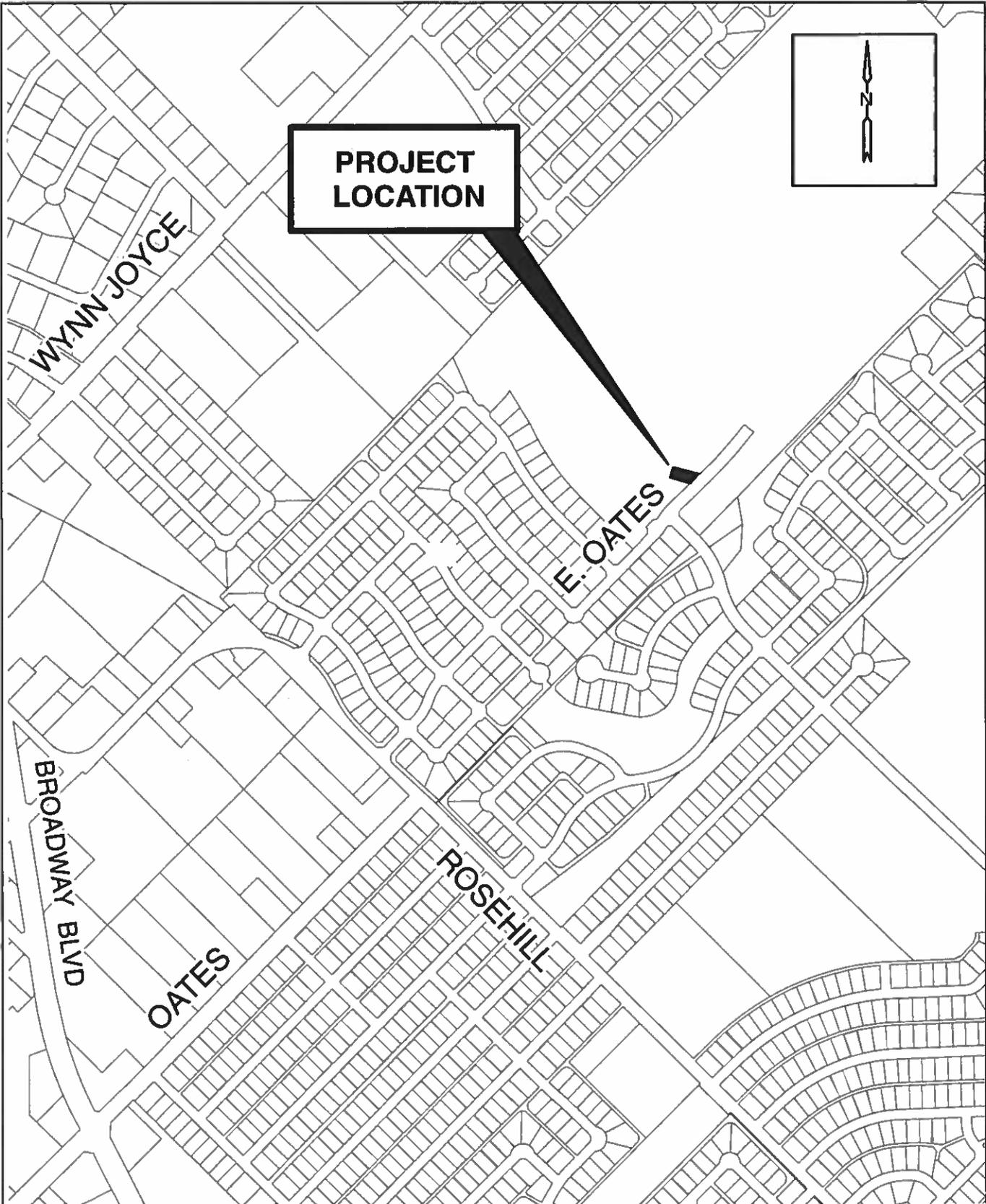
FEE: \$28.00

20070003305

Filed and Recorded  
Official Public Records  
Brenda Taylor, County Clerk  
Collin County, TEXAS  
12/19/2006 02:07:24 PM  
\$32.00 TFOSTER  
20061219001784230



A handwritten signature in black ink, appearing to be "Brenda Taylor".



**PROJECT  
LOCATION**



**DRAINAGE EASEMENT ABANDONMENT  
HERON'S BAY ESTATES NO. 2**

Scale: NTS  
 File: Heron  
 Date: 02/06/2015  
 Drawn: GAV

SHEET  
 1  
 OF  
 1



# Policy Report

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## 2014-15 BUDGET AMENDMENT NO. 2

### ISSUE

Amend the 2014-15 Adopted Budget in order to appropriate available funds for the following:

- (1) Projects approved in last year's Budget but not completed by the fiscal year-end.
- (2) Rollover of open Purchase Orders from the 2013-14 fiscal year.
- (3) Grant and other funds recently awarded to the City.
- (4) Expenditures not anticipated in the 2014-15 Adopted Budget.

### OPTIONS

- (A) Approve Budget Amendment No. 2 as proposed.
- (B) Approve portions of Budget Amendment No. 2.
- (C) Do not approve Budget Amendment No. 2.

### RECOMMENDATION

Option (A) – Approve Budget Amendment No. 2 as proposed. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 3, 2015 Regular Meeting.

### COUNCIL GOAL

**“Financially Stable Government with Tax Base that Supports Community Needs”**

Budget amendments allow the City to respond to changing situations and needs in a manner that permits flexibility while ensuring financial integrity and controls.

**BACKGROUND**

**(1) Carry-Over of 2013-14 Incomplete Projects**

**(a) Street Upgrades**

The FY 2013-14 Revised Budget for the Infrastructure Repair & Replacement Fund included \$1,100,000 for Street Pavement Improvements, Traffic Marking Improvements, and Direct Materials for the Street Department. Budget Amendment No. 2 proposes to increase FY 2014-15 operating appropriations by \$1,100,000 to complete the following projects: Pavement Improvements on Centerville Road from O'Banion Road to I.H. 635 (Lyndon B. Johnson Freeway) - \$943,400; Arterial Traffic Marking Improvements on Kingsley Road from I.H. 635 to Broadway Boulevard - \$36,600; Centerville Road from Broadway Boulevard to I.H. 635 - \$29,500; Campbell Road from Jupiter Road to Brand Road - \$15,500; Plano Road from Forest Lane to Buckingham Road - \$15,000; Rowlett Road from Broadway Boulevard to Roan Road - \$10,000; Required Maintenance on the Asphalt Roads from the City of Garland's City Limits to the Entrance into the C.M. Hinton, Jr., Regional Landfill - \$50,000.

A Budget Amendment is required due to the timing of the expenditures only. There is no additional financial impact.

**(b) Rolled-Forward Economic Development Funds**

The FY 2013-14 Revised Budget for the Economic Development Department included \$422,831 to move the department into new office space, acquire furniture, and hire staff to fill vacant positions. Budget Amendment No. 2 proposes to increase FY 2014-15 operating appropriations by \$422,831 since the Economic Development Department's move to a new office has been delayed.

A Budget Amendment is required due to the timing of the expenditures only. There is no additional financial impact.

**(c) Other Miscellaneous Project Carryovers which include:**

- 1) General Fund:
  - a) Landfill - \$100,000 for repairs to the Landfill Gas Collection and Control System
  - b) Planning - \$5,025 to produce videos promoting the City's neighborhood programs for use on CGTV, the City website, and the Garland Neighborhood Management Academy (GNMA).

- 2) Equipment Replacement Fund - \$146,200 for two loader backhoes for GP&L.

A Budget Amendment is required due to the timing of the expenditures only. There is no additional financial impact.

**(2) Rolled-Forward Encumbrances from Fiscal Year 2013-14**

When an order is placed for goods or services, a Purchase Order is issued that encumbers the budgeted funds. This has the effect of reserving the funds for future payment of the items covered in the Purchase Order. Every year on September 30<sup>th</sup> – when the fiscal year ends, there are open Purchase Orders related to goods or services that have been ordered but not yet received. Accordingly, the funds reserved for these open Purchase Orders are still in the year-end fund balances since the transactions are not yet completed.

Because the purchase of these open items was authorized by Council in the previous fiscal year (2013-14), the City's practice has been to roll these encumbrances forward into the current fiscal year (2014-15). This has the effect of increasing the current year's appropriation by the amount of the open Purchase Orders or encumbrances. The funding to cover the expenditures is available in the fund balance since payment was not made before the close of the fiscal year.

The projected fund balance for the current fiscal year is unaffected by the "roll-forward," because it was assumed in the 2014-15 Adopted Budget that the expenditures would be completed in the prior year. The presence of the funds in the fund balance is above and beyond what the Budget assumes for the 2014-15 year-end balance.

Budget Amendment No. 2 proposes that encumbrances totaling \$6,973,215 be rolled forward to 2014-15. Of the total rollover amount, \$837,393 is related to the General Fund. Attachment A provides a detailed listing by fund of individual outstanding encumbrances over \$25,000.

A Budget Amendment is required due to the timing of the expenditures only. There is no additional financial impact.

**(3) Mid-Year Adjustments to Public Safety Grants**

**a) Office of Emergency Management – Federal Grant**

During the FY 2014-15 budget preparation process, information needed by the Office of Emergency Management regarding the State Homeland Security Program Law Enforcement Terrorism Prevention Activity

(SHSP LETPA) Grant was unavailable, and no request was submitted for this particular grant. The City of Garland has since received notice that it has been awarded \$36,796 in SHSP LETPA funding for the current year to purchase a Nano X-Ray Unit to be used by Garland's Explosives and Ordinance Disposal (EOD) Unit. Budget Amendment No. 2 proposes appropriating these Federal grant funds for FY 2014-15.

**b) Office of Emergency Management – Federal Grant**

Subsequent to receiving approval of \$31,400 as part of the FY 2014-15 Operating Budget, the Office of Emergency Management received notice that the City's award had been increased to \$81,537. This funding will be used to enhance the City's Special Weapons and Tactics (SWAT) Team capabilities in order to maintain its designation by Federal Emergency Management Agency (FEMA) Type I Team through the purchase of night vision devices and personal protective equipment. Budget Amendment No. 2 proposes the appropriation of an additional \$50,137 in funding for this grant in FY 2014-15 to purchase additional equipment.

**(4) Expenditures Not Anticipated in the 2014-15 Adopted Budget**

**(a) Reallocation of Narcotic Seizure Funds – Police Department**

During the 2014-15 budget process and at the request of Police, City Council approved the expenditure of \$120,000 in Narcotic Seizure Funds to Dallas County for the annual contract with the Dallas Sheriff's Department Transport Unit (which transports prisoners from the Garland Detention Center to the Dallas County Jail on a daily basis). After the approval of this annual expenditure by the Garland City Council, the Dallas County Commissioners Court approved the County budget which included the funds necessary to operate the Transport Unit for the first time in many years. Thus, there is no longer a need to utilize the \$120,000 in Garland Narcotic Seizure Funds for this purpose.

The Police Department seeks approval to reallocate \$50,000 of those funds for the purchase of approximately 50 new, upgraded tactical shotguns including some peripheral equipment for use by Patrol Officers and other Police first-responders. These new shotguns would replace the current shotguns, many of which were purchased in the 1970s and 1980s. The age of these older weapons is resulting in some potential safety issues. In addition, none of the current shotguns are outfitted with night sites or mounted lights (required for use after dark) or tactical slings (necessary for mobility). Further, revised/updated training would be initiated prior to issuance of the new shotguns.

The current shotguns would be returned to the manufacturer on a trade-in basis to reduce the actual cost of the newly purchased shotguns. No new funding is necessary for this purchase.

**(b) Planning & Community Development – Eastern Hills Redevelopment Study**

In the current fiscal year, City Council directed that a consultant be hired to provide planning services to evaluate the redevelopment potential of the former Eastern Hills Country Club property for residential use and to facilitate a process involving the property owner, a prospective developer, surrounding homeowners, and the City of Garland with the objective of determining a general development concept for the property that can be supported by the various stakeholders. Budget Amendment No. 2 proposes an increase of \$98,395 to the Planning Department's operating budget to cover this unanticipated cost.

**(c) Other Miscellaneous Expenditure Adjustments include:**

- 1) General Fund:
  - a) Fire – Additional vehicle equipment required to outfit a Battalion Chief's vehicle scheduled for routine replacement in FY 2014-15 - \$13,000
  - b) Health – Feral Cat, Trap, Neuter, and Release Pilot Program - \$24,940
  - c) Landfill – Brush-grinding resulting from wind storm - \$52,000
  - d) Police – Overtime costs for the Sound Vision Event - \$45,728

The Fire Vehicle Equipment, Feral Cat Pilot Program, Landfill Brush-Grinding, and Police Overtime for the Sound Vision Event will be funded by the excess balance in the General Fund.

**FINANCIAL CONSIDERATIONS**

The Street Upgrades projects, the Economic Development Department Office Move, other Miscellaneous Project Carryovers, and outstanding Purchase Orders carried forward were fully funded in the FY 2013-14 Budget, and the funds required to cover these expenditures remain within each fund's respective fund balance. As a result, there is no financial impact from approval of these items. Federal Grant Funds were awarded to provide equipment for Public Safety. The Fire Vehicle Equipment, Feral Cat Pilot Program, and Landfill Brush-Grinding will be fully funded by the available fund balance in the General Fund.

2014-15 BUDGET AMENDMENT NO. 2

Page 6

Budget Amendment No. 2 proposes to appropriate funds as follows:

<u>Equipment Replacement Fund</u>	
Two Loader Backhoes for GP&L	\$ 146,200
<u>General Fund</u>	
Economic Development	422,831
Fire – Vehicle Equipment	13,000
Health – Feral Cat Pilot Program	24,940
Landfill – Gas Collection and Control System	100,000
Landfill – Brush-Grinding Resulting from Wind Storm	52,000
Planning – Promotion Videos	5,025
Planning – Eastern Hills Redevelopment Study	98,395
Police – Overtime for Sound Vision Event	45,728
<u>Infrastructure Repair &amp; Replacement Fund</u>	
Street Repair and Replacement Projects	1,100,000
<u>Narcotic Seizure Fund</u>	
Dallas County Approved Funding for Prisoner Transports	(120,000)
50 Tactical Shotguns for Police Department	50,000
<u>Public Safety Grant Fund</u>	
Nano X-Ray Unit	36,796
Night Vision Devices and Protective Equipment	50,137
<u>Various Funds</u>	
Rollover of Purchase Order Encumbrances	<u>6,973,215</u>
TOTAL SUPPLEMENTAL APPROPRIATION	<u>\$8,998,267</u>

**ATTACHMENT(S)**

Attachment A – Schedule of Open Encumbrances being Rolled Forward

Attachment B – Schedule of Proposed Amendments by Fund

Submitted By:

Ron Young  
Director  
Budget & Research

Date: February 16, 2015

Approved By:

William E. Dollar  
City Manager

Date: February 16, 2015

**ATTACHMENT A**  
**2013-14 Rollover**  
**(With Detail of PO's Over \$25,000)**

<i>Fund/Department</i>	<i>PO Description</i>	<i>Amount Outstanding 9-30-14</i>
<b><u>General Fund</u></b>		
Economic Development	Wayfinding Program	\$50,909
	Bush Tollway Initiative	47,545
	Professional Services	25,000
Fire	Firefighter Clothing	\$25,999
Planning & Community Development	Bush Tollway Initiative	\$26,393
Parks, Recreation & Cultural Arts	Wynne Pool Repairs	\$38,775
Police	Ammunition	\$39,632
Transportation	Thoroughfare Study	\$92,256
Non-Departmental	Cost Allocation Study	\$49,685
	Professional Services	30,575
Various	PO's Under \$25,000	\$410,624
<b>Sub-Total General Fund</b>		<b>\$837,393</b>
<b><u>Electric Utility Fund</u></b>		
	Service Contracts	\$144,697
	Professional Services	96,875
	PO's Under \$25,000	271,668
<b>Sub-Total Electric Utility Fund</b>		<b>\$513,240</b>
<b><u>Information Technology Fund</u></b>		
	Resident Opinion Survey	\$63,000
	IT Leaders Workgroup Training	82,644
	Software Maintenance Contract	44,255
	Hardware Maintenance Contract	64,324
	Communication Server	49,772
	PO's Under \$25,000	95,548
<b>Sub-Total Information Technology Fund</b>		<b>\$399,543</b>
<b><u>Information Technology Replacement Fund</u></b>		
GP&L	Security Video Recorders	\$29,788
IT	Network Hardware	87,328
	PO's Under \$25,000	69,314
<b>Sub-Total Information Technology Replacement Fund</b>		<b>\$186,430</b>

**ATTACHMENT A**  
**2013-14 Rollover**  
**(With Detail of PO's Over \$25,000)**

<i>Fund/Department</i>	<i>PO Description</i>	<i>Amount Outstanding 9-30-14</i>
<b><u>Equipment Replacement Fund</u></b>		
Police - Patrol	Radar, Cameras, & Labor for Police Vehicles	\$210,133
Police - Patrol	2014 Chevrolet Caprices	94,859
Police - Patrol	2015 Chevrolet Caprices	54,313
Police - Patrol	2015 Ford Transit Connect	54,313
Parks - Ground Maintenance	Ford F-450 Chassis w/Mounted Compactor	62,071
Parks - Ground Maintenance	Ford F-450 Chassis w/Mounted Compactor	62,071
GP&L - Distribution Operations	Rear-Mount. Press. Digger/Freightliner Chassis	271,151
GP&L - Distribution Operations	Altec Digger Derrick w/Freightliner Chassis	210,075
GP&L - Distribution Operations	Altec Aerial Device w/Freightliner Chassis	209,047
GP&L - Distribution Operations	Altec Aerial Device w/Freightliner Chassis	206,187
GP&L - Distribution Operations	Altec Aerial Device w/Freightliner Chassis	203,392
GP&L - Distribution Operations	Altec Digger Derrick w/Freightliner Chassis	184,996
GP&L - Distribution Operations	Altec Articulating Device	140,165
GP&L - Distribution Operations	Altec Articulating Aerial Truck	107,263
GP&L - Distribution Operations	2015 Ford F-350 Super Duty w/Extended Cab	72,950
GP&L - Distribution Operations	2015 Ford E-350 Cutaway Van	55,272
GP&L - Olinger Plant	Sports Utility Vehicles	46,320
GP&L - Olinger Plant	Pickup, 3/4-Ton, Crew Cab Diesel	33,598
GP&L - Electric Transmission	Altec Aerial Device w/Freightliner Chassis	230,242
GP&L - Electric Transmission	Altec Aerial Device w/Freightliner Chassis	229,819
GP&L - Electric Transmission	Altec Digger Derrick w/Freightliner Chassis	221,939
GP&L - Electric Transmission	2015 Ford F-450 Super Duty w/Extended Cab	54,988
Wastewater - Collection	2015 Ford F-250 Crew Cab w/Long Bed	30,272
Wastewater - Collection	2015 Ford F-250 Crew Cab w/Short Bed	29,949
Wastewater - Collection	2015 Ford F-250 Extended Cab w/Long Bed	31,029
Wastewater - Treatment	SUV 4-Door, Mid-Size	31,407
Street - Maintenance	1-Ton Crew Cab Pickups w/Stake Beds	98,730
Customer Service - Meter Reading	Compact Pickup w/Extended Cab	47,434
	PO's Under \$25,000	243,776
<b>Sub-Total Equipment Replacement Fund</b>		<b>\$3,527,761</b>
<b><u>Infrastructure Repair &amp; Replacement Fund</u></b>		
	Ford Pickup w/Stake Bed	\$32,910
	Street Replacement - Lake Hubbard Parkway	164,766
	Street Replacement - Brookview	153,653
	Street Replacement - Shiloh Road	94,957
	Mixer and Reclaimer Machine Rental	46,830
	PO's Under \$25,000	1,001
<b>Sub-Total Infrastructure Repair &amp; Replacement Fund</b>		<b>\$494,117</b>

**ATTACHMENT A**  
**2013-14 Rollover**  
**(With Detail of PO's Over \$25,000)**

<u>Fund/Department</u>	<u>PO Description</u>	<u>Amount Outstanding 9-30-14</u>
<u>Water Utility Fund</u>		
	Professional Services	\$49,908
	Backhoe Trailer	49,296
	PO's Under \$25,000	27,224
	<b>Sub-Total Water Utility Fund</b>	<u>\$126,428</u>
<u>Wastewater Utility Fund</u>		
	Professional Services	\$364,249
	Repair Services	207,461
	PO's Under \$25,000	46,950
	<b>Sub-Total Wastewater Utility Fund</b>	<u>\$618,660</u>
<u>All Other Funds</u>	PO's Under \$25,000	<u>\$269,643</u>
<u>TOTAL OUTSTANDING PO's</u>		<u>\$6,973,215</u>

## ATTACHMENT B

### Proposed Budget Amendment FY 2014-15 Operating Budget

	<u>BA #1</u>	<u>BA #2</u>	<u>BA #2 PO Rollover</u>	<u>Total Budget Amendments</u>
<b>REVENUES AND EXPENDITURES</b>				
<b>Sources of Funds:</b>				
Additional Revenue - Public Safety Grant Fund	\$0	\$86,933	\$0	\$86,933
General Fund Transfer to Infrastructure Fund (Street Dept.)	2,174,250	0	0	2,174,250
Fund Balance - Prior Year	3,268,250	1,938,119	6,973,215	12,179,584
Total Funds Provided	<u>\$5,442,500</u>	<u>\$2,025,052</u>	<u>\$6,973,215</u>	<u>\$14,440,767</u>
<b>Use of Funds - Expenditures:</b>				
General Fund (See detail in Notes)	\$3,268,250	\$761,919	\$837,393	\$4,867,562
Electric Utility Fund	0	0	513,240	513,240
Water Utility Fund	0	0	126,428	126,428
Wastewater Utility Fund	0	0	618,660	618,660
Environmental Waste Services Fund	0	0	15,000	15,000
Infrastructure Repair & Replacement Fund	2,174,250	1,100,000	494,117	3,768,367
Stormwater Management Fund	0	0	2,567	2,567
Recreation Performance Fund	0	0	22,050	22,050
Public Safety Grant Fund	0	86,933	0	86,933
Narcotic Seizure Funds	0	(70,000)	0	(70,000)
Equipment Replacement Fund	0	146,200	3,527,761	3,673,961
Customer Service Fund	0	0	13,265	13,265
Facilities Management Fund	0	0	112,992	112,992
Fleet Services Fund	0	0	100,824	100,824
Information Technology Fund	0	0	399,543	399,543
IT Replacement Fund	0	0	186,430	186,430
Public Health / Immunization Grant Fund	0	0	2,945	2,945
Total Expenditures	<u>\$5,442,500</u>	<u>\$2,025,052</u>	<u>\$6,973,215</u>	<u>\$14,440,767</u>
<b>Notes:</b>				
General Fund -				
Budget & Research	\$0	\$0	\$906	\$906
City Attorney	0	0	15,420	15,420
Economic Development	0	422,831	178,499	601,330
Emergency Management	50,000	0	0	50,000
Engineering	0	0	6,615	6,615
Fire	320,000	13,000	163,930	496,930
Health	50,000	24,940	0	74,940
Human Resources	0	0	2,186	2,186
EWS - Disposal (Landfill)	0	152,000	0	152,000
Library	250,000	0	12,514	262,514
Municipal Court	0	0	16,820	16,820
Parks, Recreation & Cultural Arts	164,000	0	118,521	282,521
Planning & Community Development	0	103,420	41,716	145,136
Police	0	45,728	101,980	147,708
Purchasing	0	0	5,770	5,770
Transfer to Infrastructure Repair & Replacement Fund	2,174,250	0	0	2,174,250
Transportation	260,000	0	92,256	352,256
Non-Departmental	0	0	80,260	80,260
Sub-Total General Fund	<u>\$3,268,250</u>	<u>\$761,919</u>	<u>\$837,393</u>	<u>\$4,867,562</u>



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## The Fortress Company

### Summary of Request/Problem

The Fortress Company is the parent of four separate entities: Fortress Railing Products, Fortress Fence Products, OZCO Building Products and Fortress Customs. All of the businesses are nationally and internationally known brands in the home improvement, residential, and commercial building industries. In 2014, the company had a 38% growth in sales. Fortress has quickly out grown its headquarters, needing both more office and warehouse space and has spent the past two years looking for its long term home.

As part of the Garland Economic Development Partnership's (GEDP's) Business attraction program of encouraging quality development in the City of Garland, the GEDP's Economic Development Steering Committee (EDSC) recommends to the Garland City Council the following:

- General Support for the Project
- Chapter 380 Finance Grant – Total of \$1000,000 over three years

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Approved By:**

**William E. Dollar**  
**City Manager**



# GARLAND ECONOMIC DEVELOPMENT STEERING COMMITTEE

Project Recommendation to the Garland City Council

January 29, 2015

## The Fortress Company Recruitment Project

The Fortress Company is the parent of four separate entities: Fortress Railing Products, Fortress Fence Products, OZCO Building Products and Fortress Customs. Founded in 2002 out of a long standing Richardson company, Woodmark International, Fortress has accomplished tremendous success, growing from a small division to a strong mid-size business. All of the businesses are nationally and internationally known brands in the home improvement, residential and commercial building industries. Focused heavily on the growing outdoor living segment, Fortress is leading a niche that is on the rise. In 2014, the company had a 38% growth in sales. The Richardson distribution center and main office is also home base for all corporate functions including their North American customer service, R&D, accounting marketing and sales support. Fortress has quickly out grown its headquarters, needing both more office and warehouse space and has spent the past two years looking to find its long term home.

This 88,000 sf. facility sitting on 10 acres was built in 1968 and requires significant building improvement. The Fortress Company plans to invest over \$3 million for upgrading the entire building in order to relocate all four groups, including headquarters and distribution center.

With this relocation, the Fortress Company is anticipating to bring over 50 jobs and \$2.6 million new BPP value to Garland. We believe that this is a great addition to Garland's industrial community.

As part of GEDP's Business attraction program of encouraging quality development in the City of Garland, the GEDP's EDSC recommends to the Garland City Council the following:

- General Support for the Project
- Chapter 380 Finance Grant – Total of \$100,000 over three years

**Committee Member Attendees:** Mayor Douglas Athas, City Council Anita Goebel, City Council Scott LeMay, City Manager Bill Dollar, GSD Vice President Larry Glick, GSD Superintendent Dr. Bob Morrison, Chamber Chair Barry Young, Chamber Vice Chair Chad Brumit, Chamber CEO Paul Mayer

**\* Approved unanimously**

# ECONOMIC IMPACT ANALYSIS

The Fortress Company							
							Points
<b>ECONOMIC IMPACTS:</b>	<b>Full-time jobs</b>	<b>Annual Payroll</b>	<b>RE Value</b>	<b>BPP Value</b>	<b>Sales Tax</b>	<b>GP&amp;L (KWH/yr)</b>	
1726 & 1718 1st Street	52	\$ 2,700,000	\$ 3,100,000	\$ 2,650,000	\$ -	300,000	
<b>Total Points:</b>	5	27	21	17	0	6	<b>76</b>
<div style="display: flex; justify-content: space-between;"> <div style="border: 2px solid black; padding: 5px; width: 30%;"> <p><b>City Property Tax Revenue</b></p> <p>Property Tax Revenue     \$        21,843</p> <p>BPP Tax Revenue            \$        18,672</p> <p><b>City Sales Tax</b>                \$            -</p> <hr/> <p><b>Total City Tax Revenues</b>     \$        40,515</p> </div> <div style="width: 30%; padding-left: 20px;"> <p style="background-color: #FFFF00; padding: 5px;">Building improvement current value on DCAD: \$1,860,000</p> <p style="background-color: #C8E6C9; padding: 5px;">average \$52,000 (not include benefits)</p> </div> </div>							

\*Minimum of 100 points generally required for tax abatement consideration



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## Transportation Report

### Summary of Request/Problem

Dean International, the City's transportation consultant, will update Council on the following:

- Transportation Program Updates
  - IH-635
  - IH-30
  - Annual Missions Update
    - Austin
    - Washington, D.C.
- Strategic Events Update
- Advocacy Group Update
- Transportation Updates
  - TEX-21
  - Regional Policy
  - Federal Policy
  - State Update

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Approved By:**

**William E. Dollar**  
City Manager



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## Preview of 2015 Proposed CIP

### Summary of Request/Problem

Staff will provide an overview of the 2015 Proposed Capital Improvement Program (CIP), which will be formally presented by the City Manager at the February 17<sup>th</sup>, 2015, Regular City Council Meeting.

### Schedule for Review and Approval:

Feb. 16	Mon.	Preview of 2015 Proposed CIP to Council
Feb. 17	Tues.	City Manager Presentation of 2015 Proposed CIP to Council
Feb. 21	Sat.	Budget Work Session – 10:00 A.M.
Feb. 21	Sat.	Public Hearing – 1:00 P.M.
Mar. 2	Mon.	Council Work Session – Deliberations
Mar. 3	Tues.	Public Hearing and Adoption of 2015 CIP – 7:00 P.M.

As shown in the schedule above, Budget Sessions for review of the proposed capital plan will take place on Saturday, February 21<sup>st</sup>, and Monday, March 2<sup>nd</sup>, 2015. A Public Hearing on the CIP will be held on February 21<sup>st</sup> and March 3<sup>rd</sup>, 2015, with final adoption proposed to take place on March 3<sup>rd</sup>, 2015.

### Recommendation/Action Requested and Justification

Information only.

#### Submitted By:

**Ron Young**  
Director of Budget and Research

#### Approved By:

**William E. Dollar**  
City Manager



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## Public Safety Committee Report

### Summary of Request/Problem

Council Member BJ Williams, chair of the Public Safety Committee, will provide a committee report on the following items:

- Residential Parking on Narrow Streets
- Overnight Parking Fee
- Police Training and Procedures for Enforcement and/or Apprehension Situations

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Mitchel L. Bates**  
Chief of Police

**Approved By:**

**William E. Dollar**  
City Manager



# City Council Item Summary Sheet

Work Session

Date: February 16, 2015

Agenda Item

## Health and Code Compliance Departmental Update - 2014

### Summary of Request/Problem

Staff will provide an update on Health and Code Compliance departmental activities in 2014.

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Richard Briley  
Managing Director of Health &  
Code Compliance**

**Approved By:**

**William E. Dollar  
City Manager**



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## Animal Services Study Update

### Summary of Request/Problem

Staff will provide an update on the status of the Third-Party Assessment of Animal Services.

### Recommendation/Action Requested and Justification

Council discussion.

#### Submitted By:

**Richard Briley**  
Managing Director of Health & Code  
Compliance

#### Approved By:

**William E. Dollar**  
City Manager



**COMPETITIVE SEALED PROPOSAL #5069-15  
ANIMAL SERVICES STUDY**

**SUBMISSION:**

All Competitive Sealed Proposals (bids/proposals), in electronic or hard copy, shall include this document, the signature page and all additional documents as required. Bids shall be submitted electronically, or if submitting in hard copy, placed in a sealed envelope, signed by a person having the authority to bind the firm in a contract and marked clearly on the outside as outlined below. If submitting hard copy, submit one (1) original, two (2) copies and one (1) electronic version (thumb drive preferred).

**FACSIMILE OR EMAIL TRANSMITTALS WILL NOT BE ACCEPTED.**

Submission of Bid:

All documents may be submitted electronically via <http://www.bidsync.com>

Or by mail/hand-deliver to:     200 North Fifth Street  
  Purchasing Department, 2nd Floor  
  Proposal: #5069-15  
  Closing:     **3:00 P.M., January 22, 2015**  
Label Envelope:     **"Bid No. 5069-15: Animal Services Study"**

**CLOSING:**

ALL RESPONSES MUST BE RECEIVED IN CITY OF GARLAND PURCHASING OFFICE BEFORE PROPOSAL CLOSING DATE AND TIME – NO EXCEPTIONS.

**LATE PROPOSALS:**

Bids received in the Purchasing office after submission deadline will be returned unopened and will be considered void and unacceptable. The City of Garland is not responsible for lateness of mail, carrier, etc. and time/date stamp clock in Purchasing Office shall be the official time of receipt. The City of Garland reserves the right to reject any and all bids and to waive any informality in the bids received.

**QUESTIONS:**

Any questions, Technical and/or Non-Technical pertaining to this bid must be submitted through [www.bidsync.com](http://www.bidsync.com). The deadline to ask questions is January 8<sup>th</sup> at 12:00 P.M. local time.



# GARLAND

## **THIRD-PARTY ASSESSMENT GARLAND ANIMAL SERVICES**

### **SCOPE OF SERVICES:**

- 1) Perform a review of the written policies and administrative practices used by Garland Animal Services. Compare the Garland Animal Services operations against similar sized cities in the Metroplex.
- 2) Perform a basic review of the Garland Code of Ordinances, Chapter 22, Article 1 (Animal Services). Compare the Garland animal services ordinance against national “best practices.”
- 3) Review the meetings of the Animal Services Advisory Committee and assess if the group is operating in compliance with Garland Code of Ordinances and the Texas Health & Safety Code.
- 4) Assess performance measures tracked by Garland Animal Services and benchmark the performance measures against similar sized cities in the Metroplex.
- 5) Determine a standardized definition of “adoptable animal” and provide a suggested list of resources necessary to place all animals that meet the definition.
- 6) Perform a review of the Garland Animal Services departmental budget & revenues. Benchmark the expenditures and fees for services against similar sized cities in the Metroplex.
- 7) Assess Garland Animal Services current staffing levels against staffing indicators from other similar sized cities in the Metroplex.
- 8) Assess the capacity and design of the Garland Animal Shelter. Compare the Garland Animal Shelter to Animal Shelters in similar sized cities in the Metroplex.
- 9) Perform a review of the Animal Shelter inventory control software. Observe animal management and tracking systems.

- 10) Perform a review of the Garland Animal Services field operations. Assess shifts, dispatched call priorities, average response time, and the information management system used for field operations.
- 11) Perform a review of the Garland Animal Services euthanasia procedure by document and observation.
- 12) Assess use of Downtown Pet Adoption Center.
- 13) Evaluate the use and effectiveness of the Rescue Coordinator position. Recommend best practices to increase community rescue partnerships.

**PROPOSAL FORMAT:**

- 1) Company introduction – 2 pages
- 2) List of assigned personnel – 2 page2
- 3) List of five (5) similar projects – 2 pages
- 4) List of current references – 1 page
- 5) Project methodology – 2 pages
- 6) Pricing proposal – 1 page

**EVALUATION CRITERIA:**

Price within budget (\$20,000 - \$25,000):	40 points maximum
Experience with Similar Projects:	35 points maximum
Staff Qualifications:	15 points maximum
References:	10 points maximum



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## TMPA Update

### Summary of Request/Problem

At the request of Council Members Lori Barnett Dodson and Stephen W. Stanley, staff will provide an update on TMPA issues related to the 84<sup>th</sup> Legislative Session. Council is requested to discuss and provide direction, if required.

### Recommendation/Action Requested and Justification

Council discussion and direction.

**Submitted By:**

**Jeff Janke**  
Electric Managing Director

**Approved By:**

**William E. Dollar**  
City Manager



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## Streetlight Program

### Summary of Request/Problem

At the request of Council Member B.J. Williams and Deputy Mayor Pro Tem Tim Campbell, staff will brief Council on the results of citizen's survey on streetlight outages and Garland Power and Light's (GP&L) Light-emitting Diode (LED) Streetlights Conversion Project 2015.

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Jeff Janke**  
**Electric Managing Director**

**Approved By:**

**William E. Dollar**  
**City Manager**



## A New Era of Streetlights in Garland

### Garland's Streetlights

The City of Garland has an extensive and mature streetlight system; however, with age comes the need for additional maintenance and upgrades.

The current system consists of an estimated 12,000 thoroughfare and residential lights. To maintain the system, Garland Power & Light (GP&L) has two dedicated crews consisting of four employees, three bucket trucks, and one pickup.

Even with two dedicated crews providing system maintenance, GP&L has seen an increase in streetlight outages over the past several years.

### New Technology

Because of the aging streetlight system, GP&L will begin the LED Streetlight Conversion Project in 2015. This project will convert the current high



pressure sodium (HPS) luminaires to new light-emitting diode (LED) luminaires. In addition, GP&L will also change the poles to a more decorative, modern pole and repair

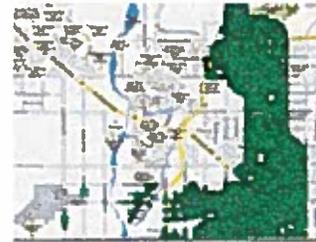
underground wires. This conversion will be completed in five to seven years.

The new LED lights will provide a modern appearance and create a more reliable system. In addition, the LED lights are expected to reduce streetlight energy consumption by an estimated 60 to 70 percent.

### Enhanced Streetlight Control

Another technological enhancement is a new streetlight management solution. This will allow GP&L to monitor and control the streetlight system with real-time data.

The streetlight management solution will allow GP&L to monitor the system remotely and view any failures immediately, as well as isolate potential streetlight outages. Because of this, GP&L will be able to more quickly respond to and repair failures on the system.



The streetlight management solution will provide GP&L the capability to approach streetlight outages more proactively, which will decrease the number of customer calls, increase efficiencies in making repairs, and reduce the resources needed to maintain the system.

Additionally, energy usage will be reduced with the scheduling of on/off times for the entire system and the elimination of "day-burners" (lights that stay on during the day because of photovoltaic failures).

### Conclusion

The need for updating and modernizing the City of Garland's streetlight system will be met by the completion of these projects. The enhancements will provide for a more reliable streetlight system to the community through the proactive, real-time identification of actual and potential streetlight failures. In addition, these projects will provide for a more cost-effective and energy responsible streetlight system through the use of energy efficient lighting and the scheduling of streetlight illumination.

*Jonas Whitehead*  
*Distribution Director*  
*Garland Power & Light*



# City Council Item Summary Sheet

**Work Session**

Date: February 16, 2015

**Agenda Item**

## Congress for the New Urbanism (CNU)

### Summary of Request/Problem

At the request of Council Members Stephen W. Stanley, Lori Barnett Dodson and Deputy Mayor Pro Tem Tim Campbell, Council is requested to discuss the Congress for the New Urbanism Organization (CNU), CNU 23 Conference to be held in Dallas on April 29, 2015 and the City's sponsorship and participation in the Legacy Charrette Project associated with the CNU 23 Conference.

### Recommendation/Action Requested and Justification

Council discussion and direction.

**Submitted By:**

**Martin E. Glenn  
Deputy City Manager**

**Approved By:**

**William E. Dollar  
City Manager**