



## **AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL  
City of Garland  
Duckworth Building, Goldie Locke Room  
217 North Fifth Street  
Garland, Texas  
February 3, 2015  
7:00 p.m.**

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Duckworth Building is wheelchair accessible. Special parking is available on the north side of the building on Austin Street and may be accessed by a sloped ramp from the street to the door facing Fifth Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRILLE IS NOT AVAILABLE.**

### **CITY COUNCIL GOALS 2020**

(Adopted by Resolution No. 9402 on December 20, 2005)

- **Sustainable quality development and redevelopment**
- **Financially stable government with tax base that supports community needs**
- **Defends rightful powers of municipalities**
- **Fully informed and engaged citizenry**
- **Consistent delivery of reliable City services**
- **Safe, family-friendly neighborhoods**
- **Embrace diversity**

## **MAYORAL PROCLAMATIONS, RECOGNITIONS, AND ANNOUNCEMENTS**

The Mayor may present proclamations and recognize attendees or award winners, and may make announcements regarding upcoming City events and matters of interest to citizens. There will be no Council deliberations or votes on these matters.

## **CONSENT AGENDA**

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has been briefed on these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the January 20, 2015 Regular Meeting.

2. Consider approval of the following bids:

a. **Raised Pavement Markers Term Contract** **Bid No. 4879-15**

**Total Highway Maintenance, LLC** **\$317,850.00**

*This request is to install and maintain raised pavement markers for various types of lane markings throughout the City. This will be a term contract with four optional renewals.*

b. **Hydraulic Telescopic Crane Truck Open Market** **Bid No. 5083-15**

**Altec Industries, Inc.** **\$433,616.00**

*This request is for the purchase of a hydraulic telescopic crane truck to be used by GP&L in their daily operations.*

**c. Wayfinding Signs for Downtown Garland**

**Bid No. 5016-15**

**FSG Signs**

**\$423,598.00**

*This request is to provide and install wayfinding signs that will provide directions and guide the public to Downtown Garland destinations.*

- 3. Consider by minute action authorizing the City Manager to approve the Information Technology Strategic Plan for the City of Garland Nicholson Memorial Library System, August 2013.**

*At the January 20, 2015 Work Session, Council considered authorizing the approval of the Information Technology Strategic Plan for the City of Garland Nicholson Memorial Library System, August 2013, to permit Garland's library system to continue to be accredited by the Texas State Library and Archives Commission and receive the services granted to accredited libraries.*

- 4. Consider by minute action authorizing the City Manager to execute Change Order #2 with Hill & Wilkinson General Contractors in the amount of \$194,349.**

*At the February 2, 2015 Work Session, Council was scheduled to consider authorizing Change Order #2 in the amount of \$194,349 to relocate the Lyles House from temporary storage to the southwest quadrant of Heritage Crossing.*

- 5. Consider approving by minute action an employment agreement with William E. Dollar to continue his employment in the position of City Manager.**

*Council is requested to approve an employment agreement with William E. Dollar to continue his employment in the position of City Manager.*

- 6. Consider approving by minute action an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.**

*Council is requested to approve an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.*

7. **Consider approving by minute action an employment agreement with Jedson Johnson in the position of City Auditor.**

*Council is requested to approve an employment agreement with Jedson Johnson to continue his employment in the position of City Auditor.*

8. **Consider an ordinance ordering and providing notice of a General Election for the City of Garland, Texas to be held on the 9<sup>th</sup> day of May, 2015 and providing an effective date.**

*Council is requested to order and provide notice of a General Election to be held on May 9, 2015 for the purpose of electing a Mayor and Council members for Districts 3, 6, 7, and 8.*

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **Speaker Regulations:**

**Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.**

9. **Hold a public hearing and approve an ordinance amending Ordinance No. 6747 of the City of Garland, ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating Kraft Foods Group, Inc. to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank as an enterprise project.**

*At the February 2, 2015 Work Session, Council was scheduled to consider nominating Kraft Foods Group, Inc. for a Texas Enterprise Project designation based on job retention.*

**10. Citizen comments.**

*Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.*

**11. Adjourn.**

*All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Verizon FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at [www.garlandtx.gov](http://www.garlandtx.gov). Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.*

The City Council of the City of Garland convened in regular session at 7:00 pm on Tuesday, January 20, 2015 in the Goldie Locke Room, 217 North Fifth Street, Garland, Texas, with the following members present.

Mayor	Douglas Athas
Mayor Pro Tem	Jim Cahill
Deputy Mayor Pro Tem	Marvin 'Tim' Campbell
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B.J. Williams
Council Member	Billy Mack Williams
Council Member	Lori Barnett Dodson
Council Member	Scott LeMay

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	Interim City Secretary	Debra Booth

CALL TO ORDER: Mayor Athas called the meeting to order. Council Member Anita Goebel led the Invocation followed by the Pledge of Allegiance.

The Mayor recognized members of Boy Scout Troop 839.

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, seconded by Deputy Mayor Pro Tem Campbell, to approve items 1, 2a, 2b, 2c, 2d, 2e, 3a, 3b, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17. Motion carried, 9 ayes, 0 nays.

1. APPROVED \*\* Minutes of the January 6, 2015 Regular Meeting of the City of Garland City Council.

2a. APPROVED \*\* Bid No. 4760-14 in the amount of \$152,229.92 to Bibliotheca ITG, LLC to provide all labor and materials to insert and

program RFID tags in library materials and to correct tag coding errors.

2b. APPROVED \*\*

Bid No. 4921-15 in the amount of \$413,667.18 to Stuart Irby (\$376,061.08) with an Optional Contingency (\$37,606.10) for the purchase of 34 spun concrete structures for the 138 kV Bryan East Wood Pole Replacement project. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required.

2c. APPROVED \*\*

Bid No. 4922-15 in the amount of \$178,640.00 to National Pole & Structure (\$162,400.00) with an Optional Contingency (\$16,240.00) for the purchase of four tubular steel structures for the 138 kV Bryan Wood Pole Replacement Project. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required.

2d. APPROVED \*\*

Bid No. 4953-15 in the amount of \$505,000.00 to Denali Services (\$305,000.00) and DFW Materials (\$200,000.00) to provide trucking services to haul various roadway materials to and from job sites for the Street Department. Awarding primary and secondary vendors will give the department the flexibility to efficiently manage multiple projects.

2e. APPROVED \*\*

Bid No. 5009-15 in the amount of \$1,745,880.00 to APAC-Texas, Inc. to provide hot and cold mix asphalt for various Street Department projects throughout the City.

3a. APPROVED \*\*

Ordinance No. 6751 amending the zoning laws of the City of Garland by approving a Specific Use Permit for an Antenna, Commercial Type 2 on a 600 square foot leased area of property zoned General business District and located at 4105 Broadway Boulevard. (Zoning File No. 14-46, AT&T Mobility DBA Crown Castle)

Due to conflict of interest Mayor Athas abstained from voting on this issue.

- 3b. APPROVED \*\* Ordinance No. 6752 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Restaurant with Drive-through on property zoned Shopping Center District containing 0.085-acres and located north of the northwest intersection of South Garland Avenue and West Miller Road. (Zoning File No. 14-48 MUY Hamburger Partners, LLC)
4. APPROVED\*\* Approval by minute action authorizing the City Manager to execute Change Order C with Metro Fire Specialist, Inc. in the amount of \$58,262.00 to add compressed air foam systems to two of the three engine pumpers on order through Bid No. 4511-14 that was approved by Council on July 1, 2014.
5. APPROVED \*\* Approval by minute action authorizing the City Manager to execute Change Order No. 1 in the amount of \$360,000 with Jerusalem Corporation to provide additional concrete finish work at various locations throughout the city.
6. APPROVED \*\* Ordinance No. 6753 authorizing the issuance of “City of Garland, Texas General Obligation Refunding Bonds, Series 2015A”; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; providing for the redemption of certain outstanding obligations of the City; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement.
7. APPROVED \*\* Ordinance No. 6754 authorizing the issuance of “City of Garland, Texas General Obligation Refunding Bonds, Taxable Series 2015B”; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; providing for the



redemption of certain outstanding obligations of the City; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement.

8. APPROVED \*\*

Ordinance No. 6755 authorizing the issuance of "City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2015", pledging the net revenues of the City's electric utility system to the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and an Escrow Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement.

9. APPROVED \*\*

Resolution No. 10175 adopting the revised Project and Financing Plan for the Downtown/Forest-Jupiter Tax Increment Financing Reinvestment Zone (TIRZ#1). The plan has been revised to reflect the use of resources of the TIRZ Fund for the City Center Project.

10. APPROVED \*\*

Resolution No. 10176 approving the sale of real property, 151 Lake Drive; authorizing the Mayor to execute a deed conveying the property to Michael and Kimberla Turner for \$10,000.

11. APPROVED \*\*

Resolution No. 10177 approving the sale of real property, 325 Davidson Circle; authorizing the Mayor to execute a deed conveying the property to Sufi Properties, Inc. for \$15,000.

12. APPROVED \*\*

Resolution No. 10178 approving the sale of real property, 501 Rosewood Hills Drive; authorizing the Mayor to execute a deed conveying the property to Judson Stafford for \$20,000.

13. APPROVED \*\* Resolution No. 10179 approving the sale of real property, 541 Henderson Circle; authorizing the Mayor to execute a deed conveying the property to Sufi Properties, Inc. for \$12,000.
14. APPROVED \*\* Resolution No. 10180 approving the sale of real property, 2822 Churchill Way; authorizing the Mayor to execute a deed conveying the property to Mark Campbell for \$10,000.
15. APPROVED \*\* Resolution No. 10181 approving the sale of real property, 1609 Flores Drive; authorizing the Mayor to execute a deed conveying the property to Sufi Maria De L. Gonzalez de Lopez for \$11,270.
16. APPROVED \*\* Resolution No. 10182 requesting the members of the 84th Legislative Session of the State of Texas support legislation that increases funding for the Texas Recreation & Parks Account and the Large County & Municipality Recreation & Parks Account Local Park Grant Programs, and the Texas State Park System pertaining to matching grants to acquire and develop local parks.
17. APPROVED \*\* Resolution No.10183 appointing Rene Dowl as City Secretary for the City of Garland.
18. APPROVED Consider the application of Wing City requesting approval of a variance to section 33A-400 of the Comprehensive Zoning Ordinance regarding the distance from an establishment that sells or serves alcoholic beverages to a church or school. This property is located at 1456 Belt Line Road, Suite 120, Garland, Texas. (File BW 15-01, District 7)
- The applicant is requesting approval of a variance to reduce the required distance of 300 feet from an establishment that sells or serves alcoholic beverages to a church or school.

Mayor Athas opened the public hearing at 7:11 p.m. speakers on this item were Anita Russelmann, Director of Planning, and Robi Minies.

Motion was made by Council Member LeMay, seconded by Council Member Goebel, to close the public hearing at 7:25 p.m. and approve the request.

Motion carried, 7 ayes, 2 nays (Cahill, Billy Mack Williams)

19. CITIZEN COMMENTS Speaking on Citizen Comments was M. Shaikh.

There being no further business to come before the Council, Mayor Athas adjourned the meeting at 7:29 p.m.

CITY OF GARLAND, TEXAS

APPROVED: \_\_\_\_\_  
Douglas Athas, Mayor

ATTEST: \_\_\_\_\_  
Interim City Secretary



## Purchasing Report

### **RAISED PAVEMENT MARKERS TERM CONTRACT**

**PURCHASE JUSTIFICATION:**

The purpose of this contract is to install and maintain raised pavement markers for various types of lane marking throughout the city. This is a Term Contract with four (4) optional renewals. The unit price will remain firm for the first term, and any subsequent changes must be justified and mutually agreed upon. Expenditures will not exceed the appropriated funds.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Total Highway Maintenance, LLC	All	\$317,850.00
<b>TOTAL:</b>		<u>\$317,850.00</u>

**BASIS FOR AWARD:**

**Lowest Responsible Bid**

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.  
Director of Procurement

William E. Dollar  
City Manager

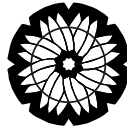
Date: 01/23/15

Date: 02/03/15

<b><u>FINANCIAL SUMMARY:</u></b>	
Total Project/Account: \$	N/A
Expended/Encumbered to Date:	N/A
Balance: \$	N/A
This Item:	317,850
Proposed Balance: \$	N/A
Matt Monedero	01/23/15
Budget Analyst	Date
Ron Young	01/23/15
Budget Director	Date

<b>Operating Budget:</b> <input checked="" type="checkbox"/> <b>CIP:</b> <input type="checkbox"/> <b>Year:</b> <u>2014-15</u>
<b>Document Location:</b> <u>Pages 96-97</u>
<b>Account #:</b> 451-6999 (Primarily 831-4693-6063)
<b>Fund/Agency/Project – Description:</b> Term Contract – Install and maintain raised pavement markers for various types of lane marking throughout the city
<b>Comments:</b> Term Contract sets price but does not commit funds. Expenses will be charged to accounts as incurred.





# **GARLAND**

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## **PURCHASING**

### **Executive Summary Bid 4879-15 Raised Pavement Markers**

**Recommended Vendor:**

Total Highway maintenance, LLC

**Total Recommended Award:**

\$317,850.00

**Basis for Award:**

Lowest Responsible Bid

**Purpose:**

The purpose of this contract is to install and maintain raised pavement markers for various types of lane markings throughout the City. This will be a term contract with four (4) optional renewals.

**Evaluation:**

Requests for bids were issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated. Total Highway Maintenance, LLC was the lowest responsible bidder meeting all specifications and providing the lowest total bid.

**Recommendation:**

Staff recommends awarding the term contract to Total Highway Maintenance, LLC as the lowest responsible bidder.

**Funding Information:**

Blanket Account 451-6999 to be reconciled to appropriate CIP and Departmental accounts upon expenditure of funds.

**Department Director:**

Paul Luedtke, Director of Transportation, 972-205-2432



## Purchasing Report

### HYDRAULIC TELESCOPIC CRANE TRUCK OPEN MARKET

**PURCHASE JUSTIFICATION:**

This request is for the purchase of one (1) Hydraulic Telescopic Crane Truck to be used by GP&L in their daily operations. This truck is being purchased through the NJPA Purchasing Cooperative Contract 31014. Funding was approved in the 2014 Capital Improvement Program.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Altec Industries, Inc.	1	\$433,616.00
	<b>TOTAL:</b>	<u>\$433,616.00</u>

**BASIS FOR AWARD:**

**Cooperative Purchase**

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.  
Director of Procurement

William E. Dollar  
City Manager

Date: 01/21/15

Date: 02/03/15

<b><u>FINANCIAL SUMMARY:</u></b>	
Total Project/Account: \$	450,000
Expended/Encumbered to Date:	-0-
Balance: \$	450,000
This Item:	433,616
Proposed Balance: \$	16,384
Trent Schulze	01/22/15
Budget Analyst	Date
Ron Young	01/22/15
Budget Director	Date

Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/>	Year: <u>2014</u>
Document Location:	<u>Page E01</u>	
Account #:	<u>210-3599-3142801-9009</u>	
Fund/Agency/Project – Description:	<u>Electric Utility CIP – Transmission Lines</u>	
Comments:		







# **GARLAND**

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## **PURCHASING**

### **Executive Summary** **Bid 5083-15** **Hydraulic Telescopic Crane Truck**

**Recommended Vendor:**

Altec Industries, Inc.

**Total Recommended Award:**

\$433,616.00

**Basis for Award:**

Cooperative Purchase

**Purpose:**

The purpose of this contract is to purchase one (1) new Hydraulic Telescopic Crane Truck to be used by GP&L in their daily operations.

**Evaluation:**

This truck is being provided through the NJPA Purchasing Cooperative Contract 31014.

**Recommendation:**

Staff recommends awarding the Hydraulic Telescopic Crane Truck to Altec Industries, Inc.

**Funding Information:**

210-3599-3142801-9009

**Department Director:**

Terry Anglin, Fleet Services Director, 972-205-3524



## Purchasing Report

### WAYFINDING SIGNS FOR DOWNTOWN GARLAND OPEN MARKET

**PURCHASE JUSTIFICATION:**

The purpose of this contract is to provide and install wayfinding signs that will provide directions and guide the public to Downtown Garland destinations. FSG Signs was the lowest responsible bidder meeting all specifications and providing the lowest total bid. This item is a part of the Downtown Streetscape & Redevelopment Design project approved in the 2014 Capital Improvement Program (CIP). However, a majority of the funding is scheduled for inclusion in the 2015 CIP. With Council's approval, funding will be made available in advance of the 2015 CIP. There is no Debt Issuance required to fund this project.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
FSG Signs	All	\$423,598.00
	<b>TOTAL:</b>	<b>\$423,598.00</b>

**BASIS FOR AWARD:**

**Lowest Responsible Bid**

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.  
\_\_\_\_\_  
Director of Procurement

William E. Dollar  
\_\_\_\_\_  
City Manager

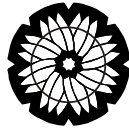
Date: 01/23/15

Date: 01/27/15

<b><u>FINANCIAL SUMMARY:</u></b>	
Total Project/Account: \$ <u>1,761,000</u>	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: <u>2014</u>
Expended/Encumbered to Date: <u>385,486</u>	Document Location: <u>Page ED02</u>
Balance: \$ <u>1,375,514</u>	Account #: <u>692-1509-1002700-9002</u>
This Item: <u>423,598</u>	Fund/Agency/Project – Description: CIP / Economic Development / Downtown Streetscape & Redevelopment Design
Proposed Balance: \$ <u>951,916</u>	Comments: A majority of the funding is scheduled for inclusion in the 2015 CIP. There is no Debt Issuance required to fund this project.
Matt Watson <u>01/27/15</u>	
Budget Analyst <u>Date</u>	
Matt Watson for Ron Young <u>01/27/15</u>	
Budget Director <u>Date</u>	







# **GARLAND**

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## **PURCHASING**

### **Executive Summary** **Bid 5016-15** **Wayfinding Signs for Downtown Garland**

**Recommended Vendor:**

FSG Signs

**Total Recommended Award:**

\$423,598.00

**Basis for Award:**

Lowest Responsible Bid

**Purpose:**

The purpose of this contract is to provide and install wayfinding signs that will provide directions and guide the public to Downtown Garland destinations.

**Evaluation:**

Requests for bids were issued in accordance with Purchasing procedures. Nine (9) bids were received and evaluated. FSG Signs was the lowest responsible bidder meeting all specifications and providing the lowest total bid.

**Recommendation:**

Staff recommends awarding the wayfinding signs and installation to FSG Signs as the lowest responsible bidder.

**Funding Information:**

100-1503-6062

**Department Director:**

Paul Luedtke, Director of Transportation, 972-205-2432



# City Council Item Summary Sheet

Work Session

Date: February 3, 2015

Agenda Item

## CONSIDER APPROVAL OF LIBRARY INFORMATION TECHNOLOGY STRATEGIC PLAN

### Summary of Request/Problem

The Texas State Library and Archives Commission amended the rules for library accreditation, effective Nov. 30, 2014, requiring that the library long-range plan approved by the governing body must now include a technology element. Approval of *The Information Technology Strategic Plan for the City of Garland Nicholson Memorial Library System, August 2013*, will permit Garland's library system to continue to be accredited by the Texas State Library and Archives Commission and receive the services granted to accredited libraries.

The City Council was briefed on this issue at their January 20 Work Session and directed staff to bring forth the item for their consideration.

### Recommendation/Action Requested and Justification

As reviewed by the Library Board, It is requested the *Information Technology Strategic Plan for the City of Garland Nicholson Memorial Library System, August 2013*, be approved by minute action of the City Council as required for continued accreditation of Garland's library system.

**Submitted By:**

**Claire Bausch, Director  
Library Services**

**Approved By:**

**William E. Dollar  
City Manager**



# City Council Item Summary Sheet

Work Session

Date: February 3, 2015

Agenda Item

## Heritage Park Relocations – Change Order #2

### Summary of Request/Problem

Staff is requesting Council to consider a change order to relocate the Lyles House from temporary storage to the southwest quadrant of Heritage Crossing. This item was scheduled for Council consideration at the February 2, 2015 Work Session.

### Recommendation/Action Requested and Justification

Approve by minute action authorizing the City Manager to execute a change order to the “Heritage Park Relocations and SW Quadrant of Walnut Pedestrian Corridor” contract with Hill & Wilkinson General Contractors in the amount of \$194,349.00.

**Submitted By:**

**Martin E. Glenn  
Deputy City Manager**

**Approved By:**

**William E. Dollar  
City Manager**



# AIA<sup>®</sup>

## Document G701™ – 2001

### Change Order

<b>PROJECT</b> <i>(Name and address):</i> Garland Heritage Park and Walnut Pedestrian Corridor 393 N. Sixth Street Garland, TX 75040	<b>CHANGE ORDER NUMBER:</b> 002 <b>DATE:</b> January 28, 2015	<b>OWNER:</b> <input checked="" type="checkbox"/> <b>ARCHITECT:</b> <input type="checkbox"/> <b>CONTRACTOR:</b> <input checked="" type="checkbox"/> <b>FIELD:</b> <input type="checkbox"/> <b>OTHER:</b> <input type="checkbox"/>
<b>TO CONTRACTOR</b> <i>(Name and address):</i> Hill & Wilkinson Construction Group, Ltd. 2703 Telecom Parkway, Suite 120 Richardson, TX 75082	<b>ARCHITECT'S PROJECT NUMBER:</b> PO #21008 <b>CONTRACT DATE:</b> Award Date: 5/7/13 <b>CONTRACT FOR:</b> General Construction	

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)*  
Relocation of Lyles House to Heritage Crossing.

The original Guaranteed Maximum Price was	\$	<u>1528309</u>
The net change by previously authorized Change Orders	\$	<u>63700</u>
The Guaranteed Maximum Price prior to this Change Order was	\$	<u>1,592,009.00</u>
The Guaranteed Maximum Price will be increased by this Change Order in the amount of	\$	<u>194349</u>
The new Guaranteed Maximum Price including this Change Order will be	\$	<u>1,786,358.00</u>

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is April 11, 2015

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

<hr/>	Hill & Wilkinson Construction Group, Ltd.	City of Garland
<b>ARCHITECT</b> <i>(Firm name)</i>	<b>CONTRACTOR</b> <i>(Firm name)</i>	<b>OWNER</b> <i>(Firm name)</i>
<hr/>	2703 Telecom Parkway, Suite 120 Richardson, TX 75082	PO Box 469002 Garland, TX 75046
<b>ADDRESS</b>	<b>ADDRESS</b>	<b>ADDRESS</b>
<hr/>	<hr/>	<hr/>
<b>BY</b> <i>(Signature)</i>	<b>BY</b> <i>(Signature)</i>	<b>BY</b> <i>(Signature)</i>
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<b>DATE</b>	<b>DATE</b>	<b>DATE</b>



# City Council Item Summary Sheet



Work Session

Date: February 3, 2015

Agenda Item

## City Manager Employment Agreement

### Summary of Request/Problem

Council is requested to approve an employment agreement with William E. Dollar to continue his employment in the position of City Manager.

### Recommendation/Action Requested and Justification

Consider approving by minute action an employment agreement with William E Dollar to continue his employment as City Manager.

Submitted By:

Approved By:

**William E. Dollar**  
City Manager

# City Council Item Summary Sheet



Work Session

Date: February 3, 2015

Agenda Item

## City Attorney Employment Agreement

### Summary of Request/Problem

Council is requested to approve an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.

### Recommendation/Action Requested and Justification

Consider approving by minute action an employment agreement with Brad Neighbor to continue his employment as City Attorney.

Submitted By:

Approved By:

**William E. Dollar**  
City Manager

# City Council Item Summary Sheet



Work Session

Date: February 3, 2015

Agenda Item

## City Auditor Employment Agreement

### Summary of Request/Problem

Council is requested to approve an employment agreement with Jedson Johnson in the position of City Auditor.

### Recommendation/Action Requested and Justification

Consider approving by minute action an employment agreement with Jedson Johnson to continue his employment as City Auditor.

Submitted By:

Approved By:

**William E. Dollar**  
City Manager



# City Council Item Summary Sheet

Work Session

Date: 2/3/15

Agenda Item

## Ordering and Providing Notice of a General Election

### Summary of Request/Problem

In accordance with the charter of the City of Garland and the laws of the State of Texas, Council is requested to order and provide notice of a General Election to be held on May 9, 2015 for the purpose of electing a Mayor and Council members for Districts 3, 6, 7, and 8.

### Recommendation/Action Requested and Justification

Approve an ordinance ordering and providing notice of a General Election for the City of Garland to be held on the 9<sup>th</sup> day of May, 2015.

**Submitted By:**

**Eloyce René Dowl  
City Secretary**

**Approved By:**

**William E. Dollar  
City Manager**

**ORDINANCE NO.**

**AN ORDINANCE ORDERING AND PROVIDING NOTICE OF A GENERAL ELECTION FOR THE CITY OF GARLAND, TEXAS TO BE HELD ON THE 9th DAY OF MAY, 2015 AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:**

**Section 1**

**ELECTION ORDER FOR JOINT ELECTION AND NOTICE OF ELECTION**

There is hereby ordered a general election to be participated in by the qualified voters of the City of Garland, Texas, to be held on the second Saturday in May, being the 9th day of May, 2015, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing a Mayor who represents the City at-large and for the purpose of electing one Councilmember each to respectively represent Districts 3, 6, 7 and 8.

Candidates for Districts 3, 6, 7 and 8 must reside in each respective District. Every qualified voter within Districts 3, 6, 7 and 8 may cast one vote for a candidate for the respective district within which such voter resides. Every qualified voter within the City may cast one vote for Mayor.

The candidate for each respective office who shall receive a majority of all votes cast for the office for which that person is a candidate shall be declared elected.

The election shall be held as a joint election pursuant to a joint election agreement by and between the City of Garland, Dallas County, and such other political subdivisions as may be participating in the joint election. Pursuant to the joint election agreement, the Dallas County Election Administrator shall serve as election administrator for the election and who shall appoint such election officials as may be required by law, according to the terms of the law and the joint election agreement.

**Section 2**

**RUN-OFF ELECTION**

In the event any candidate fails to receive a majority of all votes cast for the office for which that person is a candidate, a run-off election shall be held on the 13th day of June, 2015 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of resolving the run-off for each office for which a candidate did not receive a majority of all votes cast at the general election.

**Section 3**  
**POSITIONS OF NAMES OF CANDIDATES ON BALLOTS**

The positions of the names of the candidates for the general election and, if necessary, for the run-off election, shall be determined by lot in an open meeting to be held at the offices of the City Secretary located at Garland City Hall. The City Secretary shall notify each candidate of the time of the meeting to draw lots and shall preside at the drawing.

**Section 4**  
**POLLING PLACES**

The polling places for the election shall be those established by the Dallas County Elections Administrator by virtue of the joint election agreement.

**Section 5**  
**EARLY VOTING**

The main early voting place is the Dallas County Records Building, 509 Main Street, Dallas, Texas 75202. A voter lawfully registered to vote in Dallas County may vote at any authorized early voting location. Within the City of Garland, early voting by personal appearance shall be conducted locally at Richland College - Garland Campus, 675 W. Walnut Street, Garland, Texas 75040. Applications for ballot by mail shall be mailed to:

Toni Pippins-Poole, Early Voting Clerk  
Dallas County Elections Department, 8th Floor  
Health and Human Service Building  
2377 N. Stemmons Freeway, Suite 820  
Dallas, Texas 75207

**Early Voting for the General Election:**

Early voting by personal appearance for the general election shall be conducted on weekdays beginning on Monday, April 27, 2015 through Friday, May 1, 2015 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, May 2, 2015 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, May 3, 2015 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, May 4, 2015 through Tuesday, May 5, 2015 between the hours of 7:00 a.m. and 7:00 p.m. Applications for ballots by mail for the general election must be received no later than the close of business on April 27, 2015.

**Early Voting for a Run-off Election:**

Early voting by personal appearance for the run-off election, if a run-off election is necessary, shall be conducted on Monday, June 1, 2015 through Friday, June 5, 2015 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, June 6, 2015 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, June 7, 2015 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, through Tuesday, June 8-9, 2015 between the hours of 7:00 a.m. to 7:00 p.m.

**Section 6**

**NOTICE OF ELECTION; PUBLICATION AND POSTING**

This election order shall constitute a notice of election and this notice shall be:

(1) published at least once, not earlier than the 30th day or later than the 10th day before the general election day, which publication shall include a complete listing of all polling places; and

(2) posted on the bulletin board used for posting notices of the meetings of the City Council, which copy shall also include a complete listing of all polling places, not later than the 21st day before the general election.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of February, 2015.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary



# City Council Item Summary Sheet

Work Session

Date: February 3, 2015

Agenda Item

## Texas Enterprise Zone Nomination – Kraft Foods Group, Inc.

### Summary of Request/Problem

At the February 2, 2015 Work Session, Council was scheduled to consider nominating Kraft Foods Group, Inc. for a Texas Enterprise Project designation based on job retention.

### Recommendation/Action Requested and Justification

Approve an ordinance ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating Kraft Foods Group, Inc. to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank as an enterprise project.

**Submitted By:**

**Martin E. Glenn**  
Deputy City Manager

**Approved By:**

**William E. Dollar**  
City Manager



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO.6747 OF THE CITY OF GARLAND, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (THE "ACT"), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, NOMINATING KRAFT FOODS GROUP, INC. TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM ("EDT") THROUGH THE ECONOMIC DEVELOPMENT BANK (THE "BANK") AS AN ENTERPRISE PROJECT; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Garland, Texas desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in certain areas of the City and to provide employment to residents of such area; and

**WHEREAS**, the project or activity is not located in an area designated as an enterprise zone; and

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Act, KRAFT FOODS GROUP, INC. has applied to the City for designation as an enterprise project; and

**WHEREAS**, the City finds that KRAFT FOODS GROUP, INC. meets the criteria for tax relief and other incentives adopted by the City on the grounds that it will be located at a qualified business site, and will create a higher level of employment, economic activity and stability; and

**WHEREAS**, after due notice and a public hearing, on November 18, 2014, the City of Garland enacted Ordinance No. 6747 nominating Kraft Foods Group, Inc. as an enterprise project, but said ordinance contained scrivener's errors that are corrected herein;

**WHEREAS**, a public hearing to consider this Ordinance was held by the City Council on February 3, 2015;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS THAT:**

## Section 1

The City nominates KRAFT FOODS GROUP, INC. for enterprise project status.

## Section 2

The following local incentives, at the election of the City Council, are or will be made available to the nominated project or activity of the qualified business:

- A. The City may abate taxes on the increase in value of real property improvements and eligible personal property that locate in a designated enterprise zone. The level of abatement shall be based upon the extent to which the business receiving the abatement creates jobs for qualified employees, in accordance with the City of Garland Tax Abatement Policy, and with qualified employee being defined by the Act.
- B. The City may provide the programs to improve and increase the value of real estate and new investment, including:
  - 1) local sales tax refund;
  - 2) tax increment financing;
  - 3) freeport exemption; or
  - 4) chapter 380 grants.
- C. The City may provide regulatory relief to businesses, including:
  - 1) zoning changes or variances;
  - 2) exemptions from impact fees, or inspection fees; or
  - 3) streamlined permitting.
- D. The City may provide enhanced municipal services to businesses, including:
  - 1) improved police and fire protection; or
  - 2) institution of community crime prevention programs.
- E. The City may provide improvements in community facilities, including:
  - 1) capital improvements in water and sewer facilities; or

2) road repair.

F. The City may provide improvements to housing, including:

- 1) low-interest loans for housing rehabilitation, improvement, or new construction; or
- 2) transfer of abandoned housing to individuals or community groups.

G. The City may provide businesses and industrial development services, including:

- 1) low-interest loans and grants for businesses;
- 2) creation of special one-stop permitting and problem resolution centers or ombudsmen; or
- 3) promotion and marketing services.

H. The City, through its funding of other agencies, may provide job training and employment services to businesses, including:

- 1) retraining programs;
- 2) literacy and employment skills programs;
- 3) vocational education; or
- 4) customized job training.

### **Section 3**

The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

### **Section 4**

The City Council hereby directs and designates the Vice President of Economic Development, Garland Chamber of Commerce/Garland Economic Development Partnership, as the City's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in the enterprise zone or affected by an enterprise project.

## **Section 5**

The City Council finds that KRAFT FOODS GROUP, INC. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- B. KRAFT FOODS GROUP, INC. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site not located in an enterprise zone in the governing body's jurisdiction and at least thirty-five (35%) of the business' new employees will be residents of an Enterprise Zone or economically disadvantaged individuals;
  
- C. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area;
  
- D. The designation of KRAFT FOODS GROUP, INC. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

## **Section 6**

The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate on February 3, 2020.

## **Section 7**

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

[SIGNATURE PAGE FOLLOWS]

PASSED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2015.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary