

Council Chambers at City Hall
Tuesday, June 3, 2025
7 p.m.



William E. Dollar Municipal Building
200 N. Fifth St.
Garland, Texas

GARLAND

CITY OF GARLAND REGULAR MEETING OF THE CITY COUNCIL

The Garland City Council extends to all visitors a sincere welcome. We value your interest in our community and your participation in the meetings of this governing body. Visit GarlandTX.gov/Council for a full list of meeting dates.

The Council Chambers at Garland City Hall is wheelchair accessible, and ADA parking is available on State Street as well as in the public parking garage behind City Hall. Persons who may need assistive listening devices or interpretation/translation services are asked to contact the City Secretary's Office at 972-205-2404 as soon as possible prior to the meeting so that we may do all we can to provide appropriate arrangements.

Garland City Council meetings are livestreamed and available on-demand at GarlandTX.tv. They are also broadcast on Spectrum Channel 16, Frontier Channel 44 and AT&T Uverse Channel 99. Closed captioning is available for each in English and Spanish.

NOTICE: Pursuant to Section 551.127 of the Texas Government Code, one or more members of the City Council may attend this meeting by internet/video remote means. A quorum of the City Council, as well as the presiding officer, will be physically present at the above identified location. Members of the public that desire to make a public comment must attend the meeting in person. It is possible that members of other City boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other City boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda for this meeting, which occur at this meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

It is a custom and tradition of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of each Regular Meeting. Members of the audience are invited but not required to participate. The decision to participate is strictly a matter of personal choice. It has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during this meeting.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations, recognize attendees or accomplishments, and make announcements regarding City events or other matters of interest to citizens including but not limited to listed items. There will be no Council discussion or votes on these matters.

- Pet of the Month
- Proclamation Recognizing the Garland Parks and Recreation Department's pursuit of National accreditation through the Commission for Accreditation of Park and Recreation Agencies (CAPRA)

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of these items at a previous Work Session, and approval of the consent agenda authorizes the City Manager or his designee to execute each item. The Mayor will announce the consent agenda and provide an opportunity for members of the audience, as well as Council, to request that any item be removed and considered separately.

1. Approve the minutes of the May 13, 2025 Special Meeting
2. Approve the minutes of the May 20, 2025 Regular Meeting

3. Approve the following bids:

a. City of Garland Advanced Metering Infrastructure

Bid No. 0367-23

Sensus, USA

\$35,780,699.04

This request is to obtain an advanced metering system for electric and water meters. This award includes all materials, system implementations, and system integrations to the various City software platforms. An owner's contingency is included for any additional services that may be required.

4. Consider an Ordinance Related to the Issuance of Water and Wastewater Revenue Refunding Bonds, Series 2025

Authorize the issuance of Water and Wastewater Revenue Refunding Bonds. Council was briefed on this item at the June 2, 2025 Work Session.

5. Consider an Ordinance related to the issuance of General Obligation Improvement Bonds, Series 2025

Authorize the issuance, sale, and delivery of up to \$21 million in principal amount of General Obligation Improvement Bonds, Series 2025. Council was briefed on this item at the June 2, 2025 Work Session.

6. Consider an Ordinance to Issue Certificates of Obligation, Series 2025

Authorize the issuance of the Certificates and delegating the authority to certain City Officials to execute certain documents relating to the sale of the certificates. Council was briefed on this item at the April 15, 2025 Regular Meeting.

7. Consider an Agreement Regarding City Pension Obligation Bonds

Authorize an agreement with the TMRS system pertaining to the City of Garland, General Obligation Pension Bonds. Council was briefed on this item at the June 2, 2025 Work Session.

8. Abandonment of Utility Easement and Sanitary Sewer Utility Easement in Digital Realty Addition

Approve a resolution authorizing an Abandonment of Utility Easement and a Sanitary Sewer Utility Easement in the Digital Realty subdivision to the current owner, Digital Garland Campbell, L.P. Council was briefed on this item at the May 19, 2025 Work Session.

ITEMS FOR INDIVIDUAL CONSIDERATION

Members of the audience may provide public comment in favor, in opposition or about any of the items for individual consideration. Anyone wishing to speak must fill out a speaker card (located at the entrance to the Council Chambers) and give it to the City Secretary in advance of the respective agenda item. Speakers are grouped by agenda item and will be called in the order of the agenda. All comments and testimony are to be presented from the podium. The Mayor may impose a time limit and may provide for rebuttal.

9. Hold public hearing(s) on the following Case(s):

a. Consider a request by Everest Gas and Food Mart Inc. for approval of a variance regarding a distance less than the 300 feet minimum separation to South Garland High School from an establishment that sells alcoholic beverages. Everest Gas and Food Mart Inc., which currently sells beer & wine, will need a new wine and beer retailer's permit due to expire in July. The site is located at 3301 Broadway Boulevard in District 4. (File BW 25-01)

Consider and take appropriate action on the application of Everest Gas and Food Mart Inc., requesting approval of a variance regarding a distance less than the 300 feet minimum separation to South Garland High School from an establishment that sells alcoholic beverages. Everest Gas and Food Mart Inc., which currently sells beer & wine, will need a new wine and beer retailer's permit due to expiration in July. The site

is located at 3301 Broadway Boulevard. (District 4) (File BW 25-01)

b. Garland Development Code (GDC) Amendment 25-05

Hold a public hearing to consider amendments to Chapter 2 Zoning Regulations, Attachment 1 - Land use chart and Article 4, Division 4 Mixed-Use Districts as it relates to the permitted land uses and development regulations for the Urban Residential (UR) and Urban Business (UB) districts.

- c. Consider a request by City of Garland for approval of a change in zoning from multiple zoning districts including but not limited to Industrial (IN), Community Retail (CR), and Planned Developments with IN and CR base zoning to Urban Residential (UR) and Urban Business (UB) Districts. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S. Garland Avenue in District 5.**

Consider and take appropriate action on the application of City of Garland, requesting approval of a change in zoning from multiple zoning districts including but not limited to Industrial (IN), Community Retail (CR), and Planned Developments with IN and CR base zoning to Urban Residential (UR) and Urban Business (UB) Districts. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S. Garland Avenue. (District 5) (File Z 25-08)

- d. Consider a request by Trak Group Inc. for approval of 1) a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR) District and 2) a Concept Plan for the existing Fuel Pumps, Retail use. The site is located at 3420 W. Walnut Street in District 6.**

Consider and take appropriate action on the application of Trak Group Inc., requesting approval of a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR). The site is located at 3420 W. Walnut Street. (District 6) (File Z 24-02)

- e. Consider a request by Urban Strategy for approval of 1) a Major Waiver to Chapter 7, Table 7-7 of the Garland Development Code for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and monument sign standards and 2) a Downtown Development Plan to allow for a church expansion and addition, including a Major Waiver for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and monument sign standards on a property zoned Downtown (DT) District, Uptown (U) sub-district. The site is located at 801 W. Avenue D in District 2. (File DD 24-04)**

Consider and take appropriate action on the application of Urban Strategy, requesting a Major Waiver from the Garland Development Code for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and monument sign standards. The site is located at 801 W. Avenue D (District 2) (File DD 24-04)

- f. Consider a request by The Kroger Co. for approval of 1) a Specific Use Provision (SUP) for Fuel Pumps, Retail Use and 2) a Concept Plan for a Fuel Pumps, Retail Use. The site is located at 6850 N. Shiloh Road in District 1.**

Consider and take appropriate action on the application of The Kroger Co., requesting approval of a Specific Use Provision for Fuel Pumps, Retail use. The site is located at 6850 N. Shiloh Road. (District 1) (File Z 25-03)

- g. Consider a request by CCM Engineering for approval of 1) an Amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces. The site is located at 2126 Rowlett Road in District 3.**

Consider and take appropriate action on the application of CCM Engineering, requesting approval of an amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces. The site is located at 2126 Rowlett Road. (District 3) (File Z 25-16)

CITIZEN COMMENTS

Members of the audience wishing to address issues not on the meeting agenda may have three minutes to speak. However, according to the Texas Open Meetings Act, Council is prohibited from discussing any item not on the posted agenda.

ADJOURN

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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 to 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]*

Mission

We serve to grow public trust and a thriving Garland community, today and for the future.

Vision

Garland will be an engaged and vibrant community that residents proudly call home.

Strategic Focus Areas



Safe Community



Well-Maintained
City Infrastructure



Reliable, Cost-Efficient
Utility Services



Sound Governance
and Finances



Vibrant Neighborhoods
and Commercial Centers



Customer-Focused
City Services



Growing
Economic Base



Future-Focused
City Organization



Enhanced Quality of
Life through Amenities,
Arts and Events



Commercially Thriving
Downtown

Each year, the City Council reviews and updates its goals for the Garland community and City operations. City management uses these goals to guide operational priorities, decision-making and resource allocation.



GARLAND
CITY COUNCIL STAFF REPORT

City Council Regular Session

1.

Meeting Date: 06/03/2025

Title: Approval of Minutes

Submitted By: Courtney Vanover, Public Information Coordinator

Strategic Focus Area: Future-Focused City Organization

Issue/Summary

Approve the minutes of the May 13, Special Meeting

Background

N/A

Consideration / Recommendation

Consider approval of the May 13, 2025 Special Meeting Minutes as presented.

Attachments

May 13, 2025 Special Meeting Minutes

DRAFT



GARLAND

MINUTES

The City Council of the City of Garland convened in special session at 7:00 p.m. on Tuesday, May 13, 2025, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: Mayor Scott LeMay
Mayor Pro Tem Ed Moore
Deputy Mayor Pro Tem Margaret Lucht
Councilmember B.J. Williams
Councilmember Jeff Bass
Councilmember Kris Beard
Councilmember Carissa Dutton
Councilmember Dylan Hedrick
Councilmember Joe Thomas Jr.
Councilmember Chris Ott

Staff Present: City Manager Jud Rex
Assistant City Manager Phil Urrutia
City Attorney Brian England
City Secretary Jennifer Stubbs
Public Information Coordinator Courtney Vanover

1. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consideration and Possible Approval of an Order Canvassing the returns and declaring the results of a Special Bond Election held on May 3, 2025

Adopt the ordinance canvassing the May 3, 2025 Special Election results.

Councilmember Dutton made a motion to approve the ordinance. Councilmember Hedrick seconded the motion. All voted in favor. The motion carried.

2. Consider Approval of an Ordinance Canvassing and Declaring the Results of the General Election for Mayor and City Councilmembers for Districts 3, 6, 7, and 8 held on May 3, 2025 and Issue Certificates of Election to the Newly Elected Councilmembers

Adopt the ordinance canvassing the May 3, 2025 General Election results.

Councilmember Hedrick made a motion to approve the ordinance. Mayor Pro Tem Moore seconded the motion. All voted in favor. The motion carried.

3. Call a Runoff Election Pursuant to Ordinance No. 7568 and the May 3, 2025 General Election Results

Call a runoff election to be held on June 7, 2025 for the purpose of electing a Mayor, as no candidate received a majority of the votes cast in the May 3, 2025 General Election; providing for the conduct and administration of the election in accordance with applicable laws; providing a severability clause; and providing an effective date.

Deputy Mayor Pro Tem Lucht made a motion to approve the ordinance. Councilmember Williams seconded the motion. All voted in favor. The motion carried.

4. Conduct Swearing in Ceremony

Conduct swearing in ceremony to the newly elected members of the City Council of the City of Garland, Texas, following the May 3, 2025 General Election.

The following Councilmembers were sworn in: Councilmember Ed Moore representing District 3, Councilmember Carissa Dutton representing District 6, Councilmember Joe Thomas Jr. representing District 7, and Councilmember Chris Ott representing District 8.

5. ADJOURN

Submitted By:

Scott LeMay, Mayor

Jennifer Stubbs, City Secretary



GARLAND
CITY COUNCIL STAFF REPORT

City Council Regular Session

2.

Meeting Date: 06/03/2025

Title: Approval of Minutes

Submitted By: Courtney Vanover, Public Information Coordinator

Strategic Focus Area: Future-Focused City Organization

Issue/Summary

Approve the minutes of the May 20, 2025 Regular Meeting

Background

N/A

Consideration / Recommendation

Consider approval of the May 20, 2025 Regular Meeting Minutes.

Attachments

05.20.2025 Draft Minutes



MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, May 20, 2025, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: Mayor Scott LeMay
Mayor Pro Tem Ed Moore
Deputy Mayor Pro Tem Margaret Lucht
Council Member Jeff Bass
Council Member Kris Beard
Council Member B.J. Williams
Council Member Carissa Dutton
Council Member Dylan Hedrick
Council Member Chris Ott

Staff Present: City Manager Jud Rex
Deputy City Manager Mitch Bates
Assistant City Manager Crystal Owens
Assistant City Manager Phil Urrutia
City Attorney Brian England
Planning and Development Director Nabila Nur
City Secretary Jennifer Stubbs

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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Mayor Pro Tem Moore provided the legislative prayer and led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations, recognize attendees or accomplishments, and make announcements regarding City events or other matters of interest to citizens including but not limited to listed items. There will be no Council discussion or votes on these matters.

- Proclamation Honoring the Retirement of Fort Battad: Celebrating 20 Years of Excellence at the Coleman Tennis Center

Mayor LeMay presented a proclamation honoring the retirement of Fort Battad, recognizing his 20 plus years of service at the Jack Coleman Tennis Center and his contributions to the tennis community in Garland.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion.

Council has had the opportunity to review each of these items at a previous Work Session, and approval of the consent agenda authorizes the City Manager or his designee to execute each item. The Mayor will announce the consent agenda and provide an opportunity for members of the audience, as well as Council, to request that any item be removed and considered separately.

Mayor Pro Tem Moore made a motion to approve the consent agenda as presented. Councilmember Bass seconded the motion. All voted in favor. The motion carried.

1. **Approve the minutes of the May 6, 2025 Regular Meeting**
2. **Approve the following bids:**
 - a. **APPROVED Construction Award for Seneca Drive & Cascade Drive Water Main Improvements** **Bid No. 0792-25**

Tri-Con Services, Inc. \$964,900.00

This request is to award a contract for construction of the Seneca Drive and Cascade Drive Water Main Improvements project.
 - b. **APPROVED Engineering Project Management Services for Five 2019 Bond Projects** **Bid No. 1018-25**

Walter P. Moore and Associates, Inc. \$990,000.00

This request is to obtain engineering project management services for five 2019 Bond Capital Improvement Projects: Country Club Park Estates Drainage; Saturn Springs Estates; Bottleneck Improvements Package 4; Shiloh Road - Kingsley Road to Miller Road; and Shiloh Road - Miller Road to Forest Lane.
 - c. **APPROVED Construction Contract Award for Pleasant Valley Road/Elm Grove Road Pavement Rehabilitation** **Bid No. 0529-25**

Rabine Paving Texas, LLC \$2,584,908.50

This request is to award a construction contract to Rabine Paving Texas, LLC in the amount of \$2,584,908.50 for the rehabilitation of Pleasant Valley Road and Elm Grove Road.
 - d. **APPROVED Meadowcreek Park Channel Improvements** **Bid No. 0309-25**

Stoic Civil Construction, Inc. \$1,625,000.00

This request is for the construction of the Meadowcreek Branch Channel Improvements project. This project is the second phase of the Greenbelt Drainage Improvements Program.
 - e. **APPROVED Term Contract Award for Asphalt Materials** **Bid No. 0784-25**
Austin Asphalt, Inc. \$1,000,000.00
Texas Materials, Inc. \$500,000.00

This request is to award term contracts for asphalt materials to support the Street Department's maintenance program. This approval is for a one-year term per contract with up to two renewal options.
 - f. **APPROVED Duck Creek 42" Interceptor Main Rehabilitation Phase 5** **Bid No. 0944-25**

Insituform Technologies, LLC \$4,548,364.00

This request is for Phase 5 of the Duck Creek 42" Interceptor Main Rehabilitation Project. This

phase will consist of cleaning and relining approximately 5,796 feet of 42" wastewater interceptor main from near Edgebrook Drive south to Miller Road along Duck Creek.

- g. APPROVED Design of Paving, Drainage, and Utility Improvements for Brazos Street, Kathleen Court, and Trinity Street** **Bid No. 1050-25**

Walter P. Moore & Associates, Inc. \$401,594.00

This request is for the design of paving, drainage, and utility improvements to Brazos Street, Kathleen Court, and Trinity Street.

- h. APPROVED Stream 213 Sanitary Sewer Interceptor at Spring Creek** **Bid No. 1046-25**

Garver, LLC \$317,729.00

This request is to provide professional engineering services for the design of a new 24" sewer main replacement near Stream 213 in Winters Park from Apollo Road to Spring Creek. This pipeline will replace an aging pipeline with substantial infiltration and remove a capacity constraint within the sanitary sewer network. This project was identified in the sanitary sewer master plan. The project will also include sanitary sewer improvements on Forest Cove Lane, north of Apollo Road, in order to connect the system to the new pipeline at Apollo.

3. APPROVED Ordinance Amendment of Chapter 22 of the Code of Ordinances

Council is requested to consider an amendment to Section 22.06, Miscellaneous Fees: Adoption Procedure for dogs and cats, of Chapter 22 "Health" of the Code of Ordinances that would allow for the discretionary reduction of waiver of fees. Council was briefed on this item at the May 5, 2025 Work Session.

4. APPROVED Authorize the City Manager or his designee to execute the Interlocal Agreement between the City of Garland and the City of Terrell

Approve the terms and conditions of a Master Interlocal Radio System Service Agreement between the City of Terrell and the City of Garland. This agreement outlines the radio system technical support services provided by the City of Garland to the City of Terrell. Council was briefed on this item at the May 5, 2025 Work Session.

5. APPROVED Interlocal Agreement with the City of Richardson for the Intersection at Campbell and Jupiter Roads

Approve a resolution authorizing the City Manager to execute an Interlocal Agreement (ILA) with the City of Richardson for the design, construction, maintenance, and operation of Campbell Road and Jupiter Road Intersection improvements. Council was briefed on this item at the May 5, 2025 Work Session.

6. APPROVED Shiloh Road Project - Acquisition of Real Property Located at 2328 Proctor Street

Council is requested to consider by minute action the approval of a purchase agreement and relocation assistance package negotiated with Chester B. Harp, Jr., having Power-of-Attorney for Cleta Harp and as Trustee of the Cleta M. Harp Supplemental Needs Trust created under the Will of Chester B. Harp, for the acquisition of the right-of-way from real property located at 2328 Proctor Street (Parcel E-40), and authorize the City Manager to execute such documents necessary to complete the transaction.

7. APPROVED Shiloh Road Project - Acquisition of Real Property Located at 2329 Huskey Street

Council is requested to consider the approval of a purchase agreement and relocation assistance package negotiated with Irma Rojas for the acquisition of the right-of-way from real

property located at 2329 Huskey Street (Parcel E-41), and authorize the City Manager to execute such documents necessary to complete the transaction.

ITEMS FOR INDIVIDUAL CONSIDERATION

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8. North Texas Municipal Water District Appointment

Consider by minute action the appointment of a City of Garland representative to the North Texas Municipal Water District Board.

Motion made by Mayor Pro Tem Moore to appoint Lori Barnett Dodson to the North Texas Municipal Water District Board. Councilmember Williams seconded the motion. All voted in favor. The motion carried.

9. Hold public hearing on the following Case:

a. APPROVED Public Hearing and Consideration of an Ordinance to approve the Youth Programs Standards of Care

Approve an ordinance for the Youth Programs Standards of Care to meet the requirements of Texas Human Resource Code, Section 42.041(b)(14) to exempt recreational programs for children operated by municipalities from state child care licensing. Council was briefed on this item at the May 5, 2025 Work Session.

Mayor LeMay opened up the public hearing for the Youth Programs Standards of Care. There being no speakers, the public hearing was closed. Mayor Pro Tem Moore made a motion to approve the item as presented. Deputy Mayor Pro Tem Lucht seconded the motion. All voted in favor. The motion carried.

10. Hold public hearing on the following Zoning Case:

a. TABLED Consider a request by Everest Gas and Food Mart Inc., requesting a variance regarding a distance less than the 300 feet minimum separation to South Garland High School from an establishment that sells alcoholic beverages. An Everest Gas and Food Mart Inc., which currently sells beer & wine, will need a new wine and beer retailer's permit due to expiration in July. The site is located at 3301 Broadway Boulevard. (District 4) (File BW 25-01)

Consider and take appropriate action on the application of Everest Gas and Food Mart Inc., requesting a variance regarding a distance less than the 300 feet minimum separation to South Garland High School from an establishment that sells alcoholic beverages. An Everest Gas and Food Mart Inc., which currently sells beer & wine, will need a new wine and beer retailer's permit due to expiration in July. The site is located at 3301 Broadway Boulevard. (District 4) (File BW 25-01)

Mrs. Nur provided a presentation and answered questions of the Council.

Speakers on the item: Sanjay Sah, Applicant, Lindsey Fiegelman and Nilesh Golakig, property owner.

Councilmember Williams made a motion to table this item until the June 3, 2025 Regular Meeting. Councilmember Bass seconded the motion. All voted in favor. The motion carried.

CITIZEN COMMENTS

Members of the audience wishing to address issues not on the meeting agenda may have three minutes to speak. However, according to the Texas Open Meetings Act, Council is prohibited from discussing any item not

on the posted agenda.

Matthew Vernon Banks, Simon Mathew, Shyam Sendar Garneshram, Saanvi Patel, David Houg and Jorge Flores.

ADJOURN

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Mayor LeMay adjourned the meeting at 8:03 p.m.

Submitted By:

Scott LeMay, Mayor

Jennifer Stubbs, City Secretary



GARLAND
PURCHASING REPORT

City Council Regular Session

3. a.

Meeting Date: 06/03/2025

Item Title: City of Garland Advanced Metering Infrastructure

Submitted By: Darrell Cline, GP&L General Manager &
CEO

Bid Number: 0367-23

Purchase Justification:

This request is to obtain an advanced metering system for electric and water meters. This award includes all materials, system implementations, and system integrations to the various City software platforms. An owner's contingency is included for any additional services that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Eleven (11) bids were received and evaluated based on the published criteria. A multi-stage evaluation process began by shortlisting the three (3) highest-scored respondents. Shortlisted respondents were then invited to deliver oral presentations to the evaluation committee. After subsequent site visits were conducted with the remaining top two (2) respondents, Sensus, USA is recommended as offering the Best Value for the City.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Sensus, USA	All	\$32,530,699.04
Owner's Contingency		3,250,000.00
	TOTAL:	\$35,780,699.04

Basis for Award:

Best Value

Purchase Requisition #:

53687

Fiscal Impact

Total Project/Account: \$32,552,795 *

Expended/Encumbered to Date (Including this Item): \$35,780,699

Proposed Balance: \$(3,227,904)*

Account #: Various

Fund/Dept/Project Description and Comments:

Water CIP / Advanced Metering Infrastructure Project	\$17,169,800
Electric CIP / Various Improvements Program	\$18,610,899
Total	\$35,780,699

*This project will continue into 2028 and additional funding is included in 2026, 2027, and 2028, as projected in the 2025 CIP.

*The completion of this project will require an increase to the Total Project Budget of an estimated \$3.2 Million in the Water CIP and Electric CIP. The additional funding request will be incorporated into the 2026 Proposed CIP.

Attachments

Bid Recap 0367-23

Budget Type:

CIP

Fiscal Year:

2025

Document Location:	Prop. CIP - Pages 211 and 285		
Budget Director Approval:	Allyson Bell Steadman	Approval Date:	05/27/2025
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	05/23/2025



GARLAND
CITY COUNCIL STAFF REPORT

City Council Regular Session

4.

Meeting Date: 06/03/2025

Title: Consider an Ordinance Related to the Issuance of Water and Wastewater Revenue Refunding Bonds, Series 2025

Submitted By: Matt Watson, Chief Financial Officer

Strategic Focus Area: Sound Governance and Finances

Issue/Summary

Consider refunding approximately \$55 million of Water and Sewer System Commercial Paper Notes, Series 2015 with Water and Sewer System Revenue Refunding Bonds, Series 2025. The purpose of this transaction is to refund a portion of variable rate commercial paper notes with fixed rate long-term debt and to generate debt service savings. In addition, the Council is requested to consider appointing a pricing officer and delegating to the pricing officer the authority to approve on behalf of the City the terms of sale of these bonds and establishing parameters for the approval of such matters by the pricing officer.

Background

The Water and Sewer System Commercial Paper Program finances various capital improvement projects for the Water and Sewer System. Funding capacity for this program is \$90 million. Due to current market conditions, the City of Garland has an opportunity to refund \$55 million of variable rate commercial paper notes with fixed rate long-term Water and Sewer System Revenue Refunding Bonds.

Consideration / Recommendation

The Refunding Bonds will be fixed rate debt with a 20-year amortization period.

Attachments

Draft Ordinance

ORDINANCE NO. ____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF CITY OF GARLAND, TEXAS, WATER AND SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2025; ESTABLISHING THE OBLIGATIONS TO BE REFUNDED WITH PROCEEDS OF SAID BONDS; PROVIDING FOR SAID BONDS TO BE ISSUED AS TAXABLE BONDS OR TAX-EXEMPT BONDS; APPOINTING A PRICING OFFICER AND DELEGATING TO THE PRICING OFFICER THE AUTHORITY TO APPROVE ON BEHALF OF THE CITY THE TERMS OF SALE OF SAID BONDS AND THE OFFERING DOCUMENTS FOR SAID BONDS; ESTABLISHING CERTAIN PARAMETERS FOR THE APPROVAL OF SUCH MATTERS BY THE PRICING OFFICER; PLEDGING THE NET REVENUES OF THE CITY'S WATER AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF ONE OR MORE A PAYING AGENT/REGISTRAR AGREEMENT, AND PURCHASE AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE

**THE STATE OF TEXAS
COUNTIES OF DALLAS, COLLIN AND ROCKWALL
CITY OF GARLAND**

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WHEREAS, the City of Garland, Texas (the "City") is an "Issuer" under Section 1371.001(4)(A), Texas Government Code, being (i) a home-rule municipality that: (A) adopted its charter under Section 5, Article XI, Texas Constitution; (B) has a population of 50,000 or more; and (C) has outstanding long-term indebtedness that is rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for a long-term obligation; and

WHEREAS, the City has heretofore issued its Previously Issued Bonds (as such term is hereinafter defined); and

WHEREAS, in the ordinances authorizing the issuance of the Previously Issued Bonds, the City reserved the right to issue additional parity bonds secured by a lien on and pledge of the Net Revenues (hereinafter defined) of the City's Water and Sewer System (the "System") on a parity with the Previously Issued Bonds; and

WHEREAS, the City Council (the "Council") of the City, in accordance with the provisions of Texas Government Code, Chapter 1371 ("Chapter 1371"), has heretofore authorized by ordinance and provided for the issuance of "City of Garland, Texas Water and Sewer System Commercial Paper Notes, Series 2015" (the "Commercial Paper Notes") in an aggregate principal

amount not to exceed \$90,000,000 for the purpose of financing additions, improvements and extensions to the System; and

WHEREAS, Chapter 1371 and Chapter 1207, Texas Government Code, as amended ("Chapter 1207"), authorizes the City to issue refunding bonds to refund all or a portion of its outstanding obligations to refund obligations issued in connection with an Eligible Project (as defined in Section 1371.001(2), Texas Government Code) of the System, including capital assets and facilities incident and related to the operation, maintenance and administration thereof; and

WHEREAS, the Council has determined that it is in the best interest of the City to issue the bonds hereinafter authorized (the "Bonds") secured by a first lien on and pledge of the Net Revenues on a parity with the Previously Issued Bonds for the purposes, among other things, of refunding all or a portion of the Commercial Paper Notes (the "Refunded CP Notes") to restructure a portion of the City's System debt service requirements by extending the debt to mature over a term that is generally commensurate with the expected life of the System facilities and/or to provide rate relief for System ratepayers; and

WHEREAS, all of the Refunded CP Notes mature or are subject to redemption prior to maturity within 20 years of the date of the Bonds hereinafter authorized; and

WHEREAS, the Council hereby finds and determines that the manner in which the refunding of the Commercial Paper Notes is being executed does not make it practicable to make the determination required by Texas Government Code, Section 1207.008(a)(2) in connection with the refunding and refinancing of the Commercial Paper Notes into long-term obligations; and

WHEREAS, the Bonds hereinafter authorized are to be issued and delivered pursuant to the laws of the State of Texas, including Texas Government Code Chapters 1207, 1502 and 1371, as amended; and

WHEREAS, pursuant to the provisions of Chapter 1207, the Council is authorized to issue refunding bonds and deposit the proceeds of sale directly with the place of payment for the Refunded CP Notes, as appropriate, or other authorized depository, and such deposits, when made in accordance with said statutes, and ordinance authorizing the issuance of the Refunded CP Notes, shall constitute the making of firm banking and financial arrangements for the defeasance, discharge and payment of the Refunded CP Notes at their maturity or redemption date; and

WHEREAS, the bonds to be issued pursuant to the terms and provisions of this Ordinance will be secured by a lien on and a pledge of the Net Revenues that is on a parity with the pledge of and lien on the Net Revenues that secures the payment of the Previously Issued Bonds; and

WHEREAS, the Council finds and determines that it is in the best interest of the City and its inhabitants to proceed with the issuance of bonds to provide funds for the purposes hereinafter specified, and specifically to refund the Refunded CP Notes in the amounts specified by a Pricing Officer in the Pricing Certificate, each as defined below; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. ch. 551; NOW, THEREFORE

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

SECTION 1. INCORPORATION OF RECITALS. The recitals set forth in the preambles hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

SECTION 2. PURPOSE OF THE BONDS. The Bonds are hereby authorized to be issued in one or more series and delivered in the aggregate principal amount of \$58,000,000, specified in one or more certificates executed pursuant to Section 4 of this Ordinance, which supplements and completes this Ordinance (each, a "Pricing Certificate"), for the public purpose of providing funds to refund a portion of the City's outstanding System indebtedness and to pay the costs incurred in connection with the issuance of the Bonds.

SECTION 3. DESIGNATION OF THE BONDS. Unless otherwise provided in the respective Pricing Certificate, each bond issued pursuant to this Ordinance shall be designated: "CITY OF GARLAND, TEXAS, WATER AND SEWER SYSTEM REVENUE REFUNDING BOND, [TAXABLE] SERIES 2025," and initially there shall be issued, sold, and delivered hereunder fully registered bonds, without interest coupons, payable to the respective Owners thereof (with the initial bonds being made payable to the initial purchaser identified in the respective Pricing Certificate, or to the registered assignee or assignees of said bonds or any portion or portions thereof. The Bonds shall be in the respective denominations and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

SECTION 4. DELEGATION TO PRICING OFFICER.

(a) As authorized by Chapter 1207 and Section 1371.053, Texas Government Code, the City Manager and the City's Finance Director, are each hereby authorized to act on behalf of the City in selling and delivering the Bonds (of which officers, the officer executing a Pricing Certificate shall be hereinafter referred to as, and shall for all purposes be, the "Pricing Officer" with respect to such series) in one or more series, and, in addition to any other authorization provided in this Ordinance, each Pricing Officer is authorized to determine: (i) the amount of the Refunded CP Notes that shall be refunded by a series of Bonds; (ii) the Bond Date of a series of Bonds and any additional or different designation or title by which a series of Bonds shall be known; (iii) the date that interest shall begin to accrue on a series of Bonds; (iv) the identity of the purchaser or purchasers of a series of Bonds and the terms under which a series of Bonds shall be sold including the price at which the Bonds will be sold; (v) the years in which the Bonds of a series will mature and the principal amount to mature in each of such years; (vi) the rate of interest to be borne by each such maturity; (vii) the interest payment and record dates, the price and terms, if any, upon and at which the Bonds shall be subject to redemption prior to maturity at the option

of the City, as well as any mandatory sinking fund redemption provisions; (viii) whether the Bonds of a series shall be issued on a tax-exempt basis or on a taxable basis and whether Bonds issued as tax-exempt obligations shall be designated as "qualified tax-exempt obligations" as defined in section 265(b)(3) of the Internal Revenue Code of 1986, as amended; (ix) whether the types of securities and obligations that may be used as Government Obligations for a series shall be limited; (x) whether to obtain a policy of bond insurance from a Bond Insurer if bond insurance is deemed beneficial to the City to achieve the objectives of the refunding; and (xi) all other matters relating to the issuance, sale, and delivery of the Bonds and the refunding of the Refunded CP Notes, including without limitation establishing the redemption date for and effecting the redemption of the Refunded CP Notes. All of the determinations specified above shall be set forth in a Pricing Certificate.

(b) Notwithstanding anything in this Section 4 to the contrary, the authority of each Pricing Officer shall be governed by the following requirements:

- (i) the aggregate original principal amount of all Bonds issued pursuant to this Ordinance shall not exceed \$58,000,000;
- (ii) no Bond shall bear interest at a rate that exceeds the maximum rate provided by State law;
- (iii) the maximum maturity for a series of Bonds shall not extend beyond March 1, 2045; and
- (iv) the delegation made hereby shall expire if not exercised by the Pricing Officer through execution of the Pricing Certificate on or prior to the date that is six months after the adoption of this Ordinance by the City Council.

(c) In establishing the aggregate principal amount of a series of Bonds, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (b) hereof, which shall be sufficient in amount to provide for the purposes for which the Bonds are authorized and to pay costs of issuing the Bonds. The Bonds may be sold by public offering (either through a negotiated or competitive offering) or by private placement. If the Bonds are sold by private placement, the Pricing Certificate shall so state, and the Pricing Certificate may make changes to this Ordinance to effect such private placement, including the provisions hereof that pertain to the book-entry-only procedures (including eliminating the book-entry-only system of registrations, payment and transfers) and to the provisions of Section 36 hereof relating to the Rule 15c2-12 undertaking pertaining to the applicable series of Bonds (including eliminating or replacing such undertaking with an agreement to provide alternative disclosure information).

(d) In satisfaction of Section 1201.022(a)(3)(B), Texas Government Code, the Council hereby determines that the delegation of the authority to the Pricing Officer to approve the final terms of the Bonds set forth in this Ordinance is, and the decisions made by the Pricing Officer pursuant to such delegated authority and incorporated into the Pricing Certificate will be, in the City's best interests, and the Pricing Officer is hereby authorized to make and include in the Pricing Certificate a finding to that effect.

SECTION 5. CHARACTERISTICS OF THE BONDS.

(a) Registration. The City shall keep or cause to be kept at the corporate trust office of Zions Bancorporation, National Association, Amegy Bank Division, Houston, Texas (the "Paying Agent/Registrar"), books or records for the registration of the transfer, conversion and exchange of the Bonds of a series (the "Registration Books"), and the City hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the City and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The City shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The City shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(b) Transfer, Conversion and Exchange. Except as provided in Section 7(a) of this Ordinance, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the City or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Chapter 1201, Government Code, as amended, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds that initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General and registered by the Comptroller of Public Accounts.

(c) Payment of Bonds and Interest. The City hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the applicable series of Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the City and the Paying Agent/Registrar with respect to the Bonds,

and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(d) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Owners thereof, (ii) shall be in the denominations, (iii) may be converted and exchanged for other Bonds, (iv) may be transferred and assigned, (v) shall have the characteristics, (vi) shall be signed, sealed, (duly impressed, or placed in facsimile), executed (by manual or facsimile signature of the Mayor and City Secretary of the City (or in the Mayor's absence, of the Mayor Pro Tem) (or in the City Secretary's absence, of the Deputy City Secretary)) and authenticated, (vii) shall be payable, (viii) may and shall be redeemed prior to their scheduled maturities, and (ix) shall be administered and the Paying Agent/Registrar and the City shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance (as modified in a Pricing Certificate). The Bond initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF BOND.

(e) Conditional Notice of Redemption. With respect to any optional redemption of the Bonds, unless certain prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the City, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

SECTION 6. CITY TO MAINTAIN A PAYING AGENT/REGISTRAR FOR THE BONDS. The City covenants with the Owners of the Bonds that at all times while the Bonds are outstanding the City will provide a competent and legally qualified bank, trust company, financial institution, or other entity to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be one entity. The City reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than

50 days written notice to the Paying Agent/Registrar, to be effective not later than 45 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the City covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the City. Upon any change in the Paying Agent/Registrar, the City promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each Owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

SECTION 7. AUTHENTICATION OF BONDS; INITIAL BOND.

(a) Authentication. Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the Certificate of Paying Agent/Registrar on all of the Bonds. In lieu of the executed Certificate of Paying Agent/Registrar described above, the Initial Bond delivered on the closing date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided in this Ordinance, manually executed by the Comptroller of Public Accounts of the State or by his duly authorized agent, which certificate shall be evidence that the Initial Bond has been duly approved by the Attorney General of the State and that it is a valid and binding obligation of the City, and has been registered by the Comptroller.

(b) Cancellation of Initial Bond. On the closing date, one initial Bond representing the entire principal amount of the Bonds, payable in stated installments to the purchaser designated in the Pricing Certificate or its designee, executed by manual or facsimile signature of the Mayor (or in the Mayor's absence, of the Mayor Pro Tem) and City Secretary (or in the City Secretary's absence, of the Deputy City Secretary) of the City, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State, will be delivered to such purchaser or its designee. Upon payment for the initial Bond, the Paying Agent/Registrar shall cancel the initial Bond and deliver to the Depository Trust Company on behalf of such purchaser one registered definitive Bond for each year of maturity of the Bonds, in the aggregate principal amount of all of the Bonds for such maturity. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

SECTION 8. BOOK-ENTRY ONLY SYSTEM.

(a) Depository Trust Company. The Bonds issued in exchange for the Bond initially issued to the initial purchaser specified herein shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as provided in subsection (b) hereof, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than an Owner of Bonds, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than an Owner of Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the Owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Registration Books, shall receive a Bond evidencing the obligation of the City to make payments of principal and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the Owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the City is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Bonds.

(b) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the City determines that DTC is incapable of discharging its responsibilities described herein and in the representations letter of the City to DTC or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the City shall (i)

appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate certificated Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

(c) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representations letter of the City to DTC.

SECTION 9. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State to be attached to the Bonds initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance, and with the Bonds to be completed with information set forth in the Pricing Certificate. The Form of Bond shall be completed with information set forth in the Pricing Certificate and shall be attached to the Pricing Certificate as an exhibit thereto.

(a) [Form of Bond]

NO. R-	UNITED STATES OF AMERICA STATE OF TEXAS CITY OF GARLAND, TEXAS WATER AND SEWER SYSTEM REVENUE REFUNDING BOND [TAXABLE] SERIES 2025		PRINCIPAL AMOUNT \$
INTEREST RATE	INITIAL DELIVERY DATE OF BONDS	MATURITY DATE	CUSIP NO.
_____	_____, 2025	March 1, _____	_____
OWNER:			
PRINCIPAL AMOUNT:			DOLLARS

ON THE MATURITY DATE specified above, the City of Garland, in Dallas, Collin and Rockwall Counties, Texas (the "City"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Owner specified above, or registered assigns (hereinafter called the "Owner"), on the Maturity Date specified above, the Principal Amount specified above. The City promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Initial Delivery Date of Bonds set forth above at the Interest Rate per annum specified above. Interest is payable on _____ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the Owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of Zions Bancorporation, National Association, Amegy Bank Division, in Houston, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the Owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the City required by the ordinance authorizing the issuance of this Bond (the "Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Owner hereof, at its address as it appeared on the fifteenth day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the Owner upon presentation and surrender of this Bond for payment or redemption at the principal corporate trust office of the Paying

IF THE DATE for any payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

[THE BONDS OF THIS SERIES maturing on _____ in the years _____ are subject to mandatory redemption prior to maturity in part at random, by lot or other customary method selected by the Paying Agent/Registrar, at par plus accrued interest to the redemption date, and without premium, with funds on deposit in the Interest and Sinking Fund. Such Bonds shall be redeemed by the Paying Agent/Registrar on _____ in each of the years and in the principal amounts, respectively, as are set forth in the following schedule:

⁽¹⁾ Final maturity of Bond.

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optional redemption provision described below and not theretofore credited against a mandatory sinking fund requirement.]

[IN ADDITION TO THE FOREGOING MANDATORY REDEMPTION, the Bonds of this series maturing on and after _____ may be redeemed prior to their scheduled maturities on any date on or after _____, at the option of the City, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the City (provided that a portion of a Bond may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.]

AT LEAST 30 days prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the Owner of each Bond to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bonds or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Owner upon the surrender thereof for cancellation, at the expense of the City, all as provided in the Ordinance.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Ordinance, this Bond may, at the request of the Owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate Owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate Owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The

form of Assignment printed or endorsed on this Bond may be executed by the Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Bond or portion thereof will be paid by the City. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the City, resigns, or otherwise ceases to act as such, the City has covenanted in the Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Owners of the Bonds.

THE BONDS CONSTITUTE SPECIAL OBLIGATIONS of the City and, together with currently outstanding Bonds Similarly Secured (as defined in the Ordinance) and any Additional Bonds (as defined in the Ordinance), if issued, are payable solely from and equally secured by a first lien on and pledge of the Net Revenues of the System. The Bonds do not constitute a legal or equitable pledge, charge, lien or encumbrance upon any property of the City or the System, except with respect to the Net Revenues.

THE OWNER HEREOF shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

THE CITY EXPRESSLY RESERVES THE RIGHT to issue Additional Bonds in all things on a parity with the Bonds, payable solely from and equally secured by the same lien on and pledge of the Net Revenues of the System as the Bonds; provided, however, that any and all such Additional Bonds may be so issued only in accordance with and subject to the covenants, conditions, limitations and restrictions relating thereto which are set out and contained in the Ordinance, to which reference is hereby made for more complete and full particulars.

IT IS HEREBY CERTIFIED AND RECITED that the issuance of the Bonds is duly authorized by law; that all acts, conditions and things required to exist and to be done precedent to and in the issuance of the Bonds to render the same lawful and valid have been properly done, have happened and have been performed in regular and due time, form and manner as required by the Constitution and laws of the State of Texas and the Ordinance; that the Bonds do not exceed any constitutional or statutory limitation; and that provision has been made for the payment of the principal of and interest on the Bonds by irrevocably pledging the Net Revenues of the System, as herein above recited.

REFERENCE IS HEREBY MADE TO THE ORDINANCE, a copy of which is on file in the Designated Payment/Transfer Office of the Paying Agent/Registrar, and to all of the provisions of which the Owner of this Bond by the acceptance hereof hereby assents, for (1) definitions of terms; (2) the description of and the nature and extent of the security for the payment of the Bonds; (3) the properties constituting the System; (4) the Net Revenues pledged to the payment of the principal of and interest on the Bonds; (5) the nature and extent and manner of enforcement of the lien and pledge securing the payment of the Bonds; (6) the terms and conditions for the issuance of additional revenue obligations; (7) the terms and conditions relating to the transfer or exchange of this Bond; (8) the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Owners; (9) the rights, duties, and obligations of the City and the Paying Agent/Registrar; (10) the terms and provisions upon which the liens, pledges, charges, and covenants made therein may be discharged at or prior to the maturity of this Bond, and this Bond deemed to be no longer Outstanding thereunder; and (11) for the other terms and provisions contained therein. Capitalized terms used herein have the same meanings assigned in the Ordinance.

THIS BOND, subject to certain limitations contained in the Ordinance, may be transferred on the Registration Books only upon its presentation and surrender at the Designated Payment/Transfer Office of the Paying Agent/Registrar, with the Assignment hereon duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by, the Owner hereof, or his duly authorized agent. When a transfer on the Registration Books occurs, one or more new fully registered Bonds of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued by the Paying Agent/Registrar to the designated transferee or transferees.

THE CITY AND THE PAYING AGENT/REGISTRAR, and any agent of either, shall treat the Owner whose name appears on the Registration Books (i) on the Record Date as the owner entitled to payment of interest hereon, (ii) on the date of surrender of this Bond as the owner entitled to payment of principal hereof at its Stated Maturity, in whole or in part, and (iii) on any other date as the owner for all other purposes, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary.

IN CASE ANY PROVISION IN THIS BOND or any application thereof shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. This Bond shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City Council of the City has caused this Bond to be duly executed under the official seal of the City as of the Bond Date.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) [Form of Paying Agent/Registrar's Authentication Certificate]

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed Registration
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Ordinance described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a Bond, Bonds, or a portion of a Bond or Bonds of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

ZIONS BANCORPORATION, NATIONAL
ASSOCIATION, Houston, Texas
Paying Agent/Registrar

By: _____
Authorized Representative

(c) [Form of Assignment]

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

Please insert Social Security or Taxpayer Identification Number of Transferee:

Please print or typewrite name and address, including zip code of Transferee:

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints
_____, attorney, to register the transfer of
the within Bond on the books kept for registration thereof, with full power of substitution in the
premises.

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the Owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

(d) [Form of Registration Certificate of the Comptroller of Public Accounts]

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) [Initial Bond Insertions]

(i) The initial Bond shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Bond, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF GARLAND, TEXAS, in Dallas, Collin and Rockwall Counties, Texas (the "City"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Owner specified above, or registered assigns (hereinafter called the "Owner"), on _____ in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Years</u>	<u>Principal Installments (\$)</u>	<u>Interest Rates (%)</u>
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(Information from Pricing Certificate to be inserted)

The City promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Date of Initial Delivery shown above, at the respective Interest Rate per annum specified above. Interest is payable on _____, and on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to

be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full."

C. The Initial Bond shall be numbered "T-1."

SECTION 10. DEFINITIONS. In addition to such other terms defined elsewhere in this Ordinance, for all purposes of this Ordinance and in particular for clarity with respect to the issuance of the Bonds and the pledge and appropriation of revenues therefor, the following definitions are provided:

(a) The term "Additional Bonds" shall mean the additional parity revenue obligations authorized to be issued in accordance with the terms and conditions prescribed in Section 20 hereof.

(b) The term "Annual Debt Service Requirements" shall mean, for any Fiscal Year, the principal of and interest on all Bonds Similarly Secured coming due at Maturity or Stated Maturity (or that could come due on demand of the owner thereof other than by acceleration or other demand conditioned upon default by the City on such Debt, or be payable in respect of any required purchase of such Debt by the City) in such Fiscal Year, and, for such purposes, any one or more of the following rules shall apply at the election of the City:

(i) Committed Take Out. If the City has entered into a Credit Agreement constituting a binding commitment within normal commercial practice to discharge any of its Funded Debt at its Stated Maturity (or, if due on demand, at any date on which demand may be made) or to purchase any of its Funded Debt at any date on which such Debt is subject to required purchase, all under arrangements whereby the City's obligation to repay the amounts advanced for such discharge or purchase constitutes Funded Debt, then the portion of the Funded Debt committed to be discharged or purchased shall be excluded from such calculation and the principal of and interest on the Funded Debt incurred for such discharging or purchase that would be due in the Fiscal Year for which the calculation is being made, if incurred at the Stated Maturity or purchase date of the Funded Debt to be discharged or purchased, shall be added;

(ii) Balloon Debt. If the principal (including the accretion of interest resulting from original issue discount or compounding of interest) of any series or issue of Funded Debt due (or payable in respect of any required purchase of such Funded Debt by the City) in any Fiscal Year either is equal to at least 25% of the total principal (including the accretion of interest resulting from original issue discount or compounding of interest) of such Funded Debt or exceeds by more than 50% the

greatest amount of principal of such series or issue of Funded Debt due in any preceding or succeeding Fiscal Year (such principal due in such Fiscal Year for such series or issue of Funded Debt being referred to herein as "Balloon Debt"), the amount of principal of such Balloon Debt taken into account during any Fiscal Year shall be equal to the debt service calculated using the original principal amount of such Balloon Debt amortized over the Term of Issue on a level debt service basis at an assumed interest rate equal to the rate borne by such Balloon Debt on the date of calculation;

(iii) Consent Sinking Fund. In the case of Balloon Debt (as defined in clause (ii) above), if the City Manager or the Finance Director or a designee of either shall deliver to the City a certificate providing for the retirement of (and the instrument creating such Balloon Debt shall permit the retirement of), or for the accumulation of a sinking fund for (and the instrument creating such Balloon Debt shall permit the accumulation of a sinking fund for), such Balloon Debt according to a fixed schedule stated in such certificate ending on or before the Fiscal Year in which such principal (and premium, if any) is due, then the principal of (and, in the case of retirement, or to the extent provided for by the sinking fund accumulation, the premium, if any, and interest and other debt service charges on) such Balloon Debt shall be computed as if the same were due in accordance with such schedule, provided that this clause (iii) shall apply only to Balloon Debt for which the installments previously scheduled have been paid or deposited to the sinking fund established with respect to such Debt on or before the times required by such schedule; and provided further that this clause (iii) shall not apply where the City has elected to apply the rule set forth in clause (ii) above;

(iv) Prepaid Debt. Principal of and interest on Bonds Similarly Secured, or portions thereof, shall not be included in the computation of the Annual Debt Service Requirements for any Fiscal Year for which such principal or interest are payable from funds on deposit or set aside in trust for the payment thereof at the time of such calculations (including without limitation capitalized interest and accrued interest so deposited or set aside in trust) with a financial institution acting as fiduciary with respect to the payment of such Debt;

(v) Variable Rate.

(1) Except as hereinafter provided in this subparagraph, the rate of interest on Variable Rate Obligations then proposed to be issued shall be deemed to be the average for the then immediately preceding five (5) years of the SIFMA Index, plus twenty (20) basis points; provided, however, that (i) if, after the issuance of the Variable Rate Obligations then proposed to be issued, more than 20% of the aggregate of the Bonds Similarly Secured Outstanding will bear interest at a variable rate and (ii) any Bond Similarly Secured is then insured by a Bond Insurer, the rate of interest on Variable Rate Obligations then proposed to be issued shall be deemed to be the greater of (x) the most recently announced thirty (30) year Revenue Bond

Index published by The Bond Buyer, a financial journal published, as of the date the Ordinance was adopted, in the City of New York, New York, (y) the rate of interest then borne by any Variable Rate Obligations then Outstanding, or (z) 1.25 times the average variable rate borne by any Variable Rate Obligations then Outstanding during the then immediately preceding twelve month period; and

(2) Except as hereinafter provided in this subparagraph, the rate of interest on Variable Rate Obligations outstanding at the time of such calculation shall be deemed to be the lesser of (i) the then current per annum rate of interest borne by such Variable Rate Obligations or (ii) the average per annum rate of interest borne by such Variable Rate Obligations during the then immediately preceding twelve-month period; provided, however, that for any period during which (a) more than 20% of the aggregate of the Bonds Similarly Secured then Outstanding bear interest at a variable rate and (b) any Bond Similarly Secured is then insured by a Bond Insurer, the rate of interest on such Variable Rate Obligations shall be the greater of (x) the most recently announced 30-year Revenue Bond Index published by The Bond Buyer, a financial journal published, as of the date the Ordinance was adopted, in the City of New York, New York, (y) the rate of interest then in effect with respect to such Variable Rate Obligations in accordance with their terms, or (z) 1.25 times the average variable rate borne by such Variable Rate Obligations during the then immediately preceding twelve month period;

(vi) Guarantee. In the case of any guarantee, as described in clause (ii) of the definition of Debt, no obligation will be counted if the City does not anticipate in its annual budget that it will make any payments on the guarantee. If however, the City is making payments on a guarantee or anticipates doing so in its annual budget, such obligation shall be treated as Bonds Similarly Secured and calculations of Annual Debt Service Requirements with respect to such guarantee shall be made assuming that the City will make all additional payments due under the guaranteed obligation. If the entity whose obligation is guaranteed cures all defaults and the City no longer anticipates making payments under the guarantee, the guaranteed obligations shall not be included in the calculation of Annual Debt Service Requirements;

(vii) Commercial Paper. With respect to any Bonds Similarly Secured issued in the form of commercial paper with maturities not exceeding 270 days, the interest on such Bonds Similarly Secured shall be calculated in the manner provided in clause (v) of this definition and the maturity schedule shall be calculated in the manner provided in clause (ii) of this definition; and

(viii) Credit Agreement Payments. If the City has entered into a Credit Agreement in connection with an issue of Debt, payments due under the Credit Agreement (other than payments made by the City in connection with the termination or unwinding of a Credit Agreement), from either the City or the Credit

Provider, shall be included in such calculation except to the extent that the payments are already taken into account under (i) through (vii) above and any payments otherwise included above under (i) through (vii) which are to be replaced by payments under a Credit Agreement, from either the City or the Credit Provider, shall be excluded from such calculation.

(c) The term "Bond Date" shall mean the dated ate for a series of Bonds as set forth in a Pricing Certificate.

(d) The term "Bond Insurer" shall mean a company licensed to issue policies of municipal bond insurance in the State.

(e) The term "Bonds" shall mean, collectively, the bonds of all series of Bonds authorized, issued and delivered pursuant to this Ordinance.

(f) The term "Bonds Similarly Secured" shall mean, collectively, the Bonds, the Previously Issued Bonds and any Additional Bonds.

(g) The term "City" shall mean the City of Garland, Texas.

(h) The term "Consultant" shall mean an independent firm, person or corporation recognized as having expertise and with a favorable reputation for special skill and knowledge in the operations and financing of municipal water and sewer facilities and systems similar in size to the System.

(i) The term "Credit Agreement" shall mean, collectively, a loan agreement, revolving credit agreement, agreement establishing a line of credit, letter of credit, reimbursement agreement, insurance contract, commitments to purchase Bonds Similarly Secured, purchase or sale agreements, interest rate swap agreements, currency exchange agreements, interest rate floor or cap agreements, or commitments or other contracts or agreements authorized, recognized and approved by the City as a Credit Agreement in connection with the authorization, issuance, security, or payment of Bonds Similarly Secured and on a parity therewith.

(j) The term "Credit Facility" shall mean (i) a policy of insurance or a surety bond, issued by an issuer of policies of insurance insuring the timely payment of debt service on governmental obligations, provided that a Rating Agency having an outstanding rating on Bonds Similarly Secured would rate the Bonds Similarly Secured fully insured by a standard policy issued by the issuer in its two highest generic rating categories for such obligations; and (ii) a letter or line of credit issued by any financial institution, provided that a Rating Agency having an outstanding rating on the Bonds Similarly Secured would rate the Bonds Similarly Secured in its two highest generic rating categories for such obligations if the letter or line of credit proposed to be issued by such financial institution secured the timely payment of the entire principal amount of the Bonds Similarly Secured and the interest thereon; and, in any case, no lower than the rating assigned by a Rating Agency to the Bonds Similarly Secured.

(k) The term "Credit Provider" shall mean any bank, financial institution, insurance

company, surety bond provider, or other entity which provides, executes, issues, or otherwise is a party to or provider of a Credit Agreement.

(l) The term "Debt" shall mean, with respect to the System, all:

(i) indebtedness incurred or assumed by the City for borrowed money (including indebtedness arising under Credit Agreements) and all other financing obligations of the City that, in accordance with generally accepted accounting principles, are shown on the liability side of a balance sheet;

(ii) all other indebtedness (other than indebtedness otherwise treated as Debt hereunder) for borrowed money or for the acquisition, construction, or improvement of property or capitalized lease obligations that is guaranteed, directly or indirectly, in any manner by the City, or that is in effect guaranteed, directly or indirectly, by the City through an agreement, contingent or otherwise, to purchase any such indebtedness or to advance or supply funds for the payment or purchase of any such indebtedness or to purchase property or services primarily for the purpose of enabling the debtor or seller to make payment of such indebtedness, or to assure the owner of the indebtedness against loss, or to supply funds to or in any other manner invest in the debtor (including any agreement to pay for property or services irrespective of whether or not such property is delivered or such services are rendered), or otherwise; and

(iii) all indebtedness secured by any mortgage, lien, charge, encumbrance, pledge or other security interest upon property owned by the City whether or not the City has assumed or become liable for the payment thereof.

For the purpose of determining the "Debt" of the City, there shall be excluded any particular Debt if, upon or prior to the Maturity thereof, there shall have been deposited with the proper depository (a) in trust the necessary funds (or investments that will provide sufficient funds, if permitted by the instrument creating such Debt) for the payment, redemption, or satisfaction of such Debt or (b) evidence of such Debt deposited for cancellation; and thereafter it shall not be considered Debt. No item shall be considered Debt unless such item constitutes indebtedness under generally accepted accounting principles applied on a basis consistent with the financial statements prepared by or for the benefit of the City in prior Fiscal Years.

(m) The term "Fiscal Year" shall mean the 12 month period ending September 30th of each year; provided, however, the City may. change the Fiscal Year to another period of not less than 12 calendar months, but in no event may the Fiscal Year be changed more than one time in any three calendar year period.

(n) The term "Funded Debt" shall mean all Bonds Similarly Secured created or assumed by the City that mature by their terms (in the absence of the exercise of any earlier right of demand), or that are renewable at the option of the City to a date, more than one year after the original creation or assumption of such Debt by the City.

(o) The term "Government Obligations", as used herein, shall mean any then authorized securities or obligations that may be used to defease obligations such as the Bonds under the then applicable laws of the State of Texas.

(p) The term "Maturity" shall mean, when used with respect to any Debt, the date on which the principal of such Debt or any installment thereof becomes due and payable as therein provided, whether at the Stated Maturity thereof or by declaration of acceleration, call for redemption, or otherwise.

(q) The term "Net Revenues" shall mean the gross revenues of the System less the expenses of operation and maintenance, including all salaries, labor, materials, repairs and extensions necessary to render efficient service, provided, however, that only such repairs and extensions as in the judgment of the Council, reasonably and fairly exercised are necessary to keep the System in operation and render adequate service to the City and the inhabitants thereof, or such as might be necessary to meet some physical accident or condition which would otherwise impair the security of any obligations payable from and secured by a lien on the net revenues of the System shall be deducted in determining "Net Revenues." Depreciation shall not be considered an operation or maintenance expense of the System.

(r) The term "New Series 2018 Bonds" shall mean the "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2018", dated May 15, 2018.

(s) The term "Outstanding" when used in this Ordinance with respect to the Bonds means, as of the date of determination, all Bonds and Bonds Similarly Secured theretofore issued and delivered, except:

(i) those Bonds or Bonds Similarly Secured theretofore cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;

(ii) those Bonds or Bonds Similarly Secured for which payment has been duly provided by the City in accordance with the provisions of Section 29 hereof by the irrevocable deposit with the Paying Agent/Registrar of money or Government Obligations, or both, in the amount necessary to fully pay the principal of, premium, if any, and interest thereon to maturity or redemption, as the case may be, provided that, if such Bonds or Bonds Similarly Secured are to be redeemed, notice of redemption thereof shall have been duly given pursuant to the ordinance authorizing the issuance of such Bonds or Bonds Similarly Secured or irrevocably provided to be given to the satisfaction of the Paying Agent/Registrar, or waived; and

(iii) those Bonds or Bonds Similarly Secured that have been mutilated, destroyed, lost or stolen and for which replacement bonds have been registered and delivered in lieu thereof.

(t) The term "Owner," with respect to any Bond shall mean the person in whose name such Bond is registered on the register kept by the Paying Agent/Registrar.

(u) The term "Paying Agent/Registrar" shall mean the person or entity designated as such pursuant to Section 5(a) of this Ordinance.

(v) The term "Previously Issued Bonds" shall mean:

(i) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2016", dated November 15, 2016;

(ii) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2017", dated May 15, 2017;

(iii) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2018", dated May 15, 2018;

(iv) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2018A", dated December 1, 2018;

(v) "City of Garland, Texas, Water and Sewer System Revenue Bonds, New Series 2019", dated June 1, 2019;

(vi) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2019A", dated December 1, 2019;

(vii) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2021", dated January 15, 2021;

(viii) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2022", dated May 1, 2022;

(ix) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, New Series 2023", dated May 1, 2023; and

(x) "City of Garland, Texas, Water and Sewer System Revenue Refunding Bonds, Series 2024", dated May 1, 2024.

(w) The term "Stated Maturity" shall mean, when used with respect to any Debt or any installment of interest thereon, any date specified in the instrument evidencing or authorizing such Debt or such installment of interest as a fixed date on which the principal of such Debt or any installment thereof or the fixed date on which such installment of interest is due and payable.

(x) The term "System" shall mean the City's combined Water and Sewer System, including all present and future extensions, additions, replacements and improvements thereto.

(y) The term "Tax-Exempt Bonds" shall mean any Bond, the interest on which is excludable from gross income for federal income tax purposes.

(z) The term "Taxable Bonds" shall mean any Bond, the interest on which is includable in gross income for federal income tax purposes.

(aa) The term "Term of Issue" shall mean, with respect to any Balloon Debt, a period of time equal to the greater of (i) the period of time commencing on the date of issuance of such Balloon Debt and ending on the final maturity date of such Balloon Debt or (ii) twenty-five (25) years.

(bb) The term "Variable Rate Obligations" shall mean Bonds Similarly Secured that bear interest at a rate per annum which is subject to adjustment so that the actual rate of interest is not ascertainable at the time such Bonds Similarly Secured are issued; provided, however, that upon the conversion of the rate of interest on a Variable Rate Obligation to a fixed rate of interest (whether or not the interest rate thereon is subject to conversion back to a variable rate of interest), such Bond Similarly Secured shall not be treated as a "Variable Rate Obligation" for so long as such Bond Similarly Secured bears interest at a fixed rate.

The City reserves the right to establish accounts within the Bond Fund for the payment of obligations, including specifically obligations incurred under a Credit Agreement, that is declared to be Bonds Similarly Secured in the ordinance authorizing the execution of such Credit Agreement.

SECTION 11. PLEDGE OF REVENUES. The City hereby covenants and agrees that the Net Revenues of the System, with the exception of those in excess of the amounts required for the payment and security of the Outstanding Bonds Similarly Secured, are hereby irrevocably pledged to the payment and security of the Outstanding Bonds Similarly Secured, including the maintenance of the special funds herein created in connection with the issuance of the Bonds, all as hereinafter provided, and it is hereby ordained that the Bonds Similarly Secured, and the interest thereon, shall be equally and ratably secured by a parity first lien on and pledge of the Net Revenues of the System and be valid and binding without any filing or recording except for the filing of this Ordinance in the records of the City.

Texas Government Code, Chapter 1208, as amended, applies to the issuance of the Bonds and the pledge of the revenues granted by the City under this Section of this Ordinance, and such pledge is therefore valid, effective, and perfected. If Texas law is amended at any time while the Bonds are Outstanding and unpaid such that the pledge of the revenues granted by the City under this Section of this Ordinance is to be subject to the filing requirements of Texas Business and Commerce Code, Chapter 9, as amended, then in order to preserve to the Holders of the Bonds the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Texas Business and Commerce Code, Chapter 9, as amended, and enable a filing to perfect the security interest in said pledge to occur.

SECTION 12. RATES AND CHARGES. The City hereby covenants and agrees with the Owners of the Bonds that rates and charges for water and sewer services afforded by the System will be established and maintained to provide revenues sufficient at all times to:

- (a) Pay for all operation and maintenance charges of said System;
- (b) Maintain the Bond Fund; and
- (c) Pay all other outstanding indebtedness against said System as and when the same becomes due.

In determining the rates and charges for water and sewer services afforded by the System, the City can take into account funds transferred from any rate mitigation fund or account and applied to the items specified in (a), (b) and (c) above.

SECTION 13. FUND DESIGNATIONS. The City hereby covenants and agrees that all revenues derived from the operation of the System shall be kept separate and apart from all other funds of the City, and the following Funds or Accounts shall be created and established in connection with the issuance of the Bonds (to the extent such funds have not previously been created and established) and shall continue to be kept and maintained during the period of time any Bonds Similarly Secured and any Additional Bonds are Outstanding, to wit:

(a) City of Garland, Texas Water and Sewer System Fund, hereinafter called the "System Fund," which Fund is kept and maintained at a depository bank of the City.

(b) City of Garland, Texas Water and Sewer System Interest and Sinking Fund, hereinafter called the "Bond Fund," which Bond Fund is hereby declared to be the combined interest and sinking fund created for the payment of principal of and interest on any Outstanding Bonds Similarly Secured, and the same shall continue to be a single fund for the payment of principal of and interest on such Outstanding Bonds Similarly Secured. The Bond Fund shall be kept and maintained at a City depository, as custodian of the pledged revenues, and moneys deposited therein shall be used solely for the purpose of paying the principal of and interest on the Outstanding Bonds Similarly Secured when and as the same become due and payable.

It is specifically provided, however, that the City may change the custodian of the Bond Fund without impairing the obligation of contract with the Owners of the Bonds, if the new custodian for such Fund is a financial institution with trust powers. In no event shall a change of the custodian of the Bond Fund be considered as a change in the purpose for which such Fund was created and established as provided in this Ordinance, and the City covenants that it will cause such Funds to be timely utilized for the respective purposes for which they were created.

The City reserves the right to establish and maintain additional funds and accounts in connection with payment or support of the Outstanding Bonds Similarly Secured and the money on deposit in any such fund or account on the last day of the Fiscal Year may be used for any lawful purpose related to the Outstanding Bonds Similarly Secured and any proposed obligations which would be Bonds Similarly Secured when issued, including being applied to any Net Revenue calculations associated with Additional Bonds.

SECTION 14. SYSTEM FUND. The City hereby covenants and agrees that all revenues and income of every nature derived and to be derived from the operation of the System shall be deposited from day to day as collected into the System Fund, and the reasonable and proper maintenance and operation expenses of the System shall be paid therefrom. All moneys deposited therein which are not required for the payment of maintenance and operating expenses of the System shall be appropriated and used, first to the payment of any principal, interest or reserve requirements of any Outstanding Bonds Similarly Secured, second to the payment of any principal, interest or reserve requirements of any outstanding obligations payable from and secured by a lien on and pledge of the Net Revenues of the System subordinate to the lien on and pledge of the Net Revenues to any Outstanding Bonds Similarly Secured and third, for any purpose authorized by applicable law.

SECTION 15. BOND FUND. The following provisions shall govern the maintenance and use of the Bond Fund: the City covenants that from the funds in the System Fund, after paying or making provision for the payment of the necessary and reasonable expenses of operation and maintenance of the System, the City shall pay into the Bond Fund during each year in which any of the Bonds Similarly Secured are Outstanding, an amount equal to one hundred percent (100%) of the amount required to meet the principal and interest payments falling due on or before the next maturity date of the Outstanding Bonds Similarly Secured. An amount of moneys in the Bond Fund sufficient to pay principal and interest next coming due shall be transferred to the Paying Agent/Registrar on or before the principal or interest payment date.

SECTION 16. DEFICIENCIES IN FUNDS. If in any month the City shall, for any reason, fail to pay into the Bond Fund the full amounts above stipulated, amounts equivalent to such deficiencies shall be set apart and paid into said Fund from the first available and unallocated Net Revenues of the System for the following month or months, and such payments shall be in addition to the amounts otherwise required to be paid into said Fund during such month or months.

SECTION 17. EXCESS REVENUES. Any Net Revenues in excess of those required to establish and maintain the special Funds as herein required may be used for any other lawful purpose.

SECTION 18. SECURITY OF FUNDS. All moneys deposited in the Funds referred to in this Ordinance shall be secured in the manner and to the fullest extent required by the laws of the State for the security of public funds, and shall be used only for the purposes permitted by this Ordinance and the ordinances authorizing the issuance of other Bonds Similarly Secured.

SECTION 19. NO ADDITIONAL OBLIGATIONS TO BE ISSUED ON A BASIS SUPERIOR TO THE BOND SIMILARLY SECURED - OBLIGATIONS OF INFERIOR LIEN AND PLEDGE. The City will not hereafter issue any additional obligations or create or issue evidences of indebtedness for any purpose possessing a lien on the Net Revenues of the System superior to that to be possessed by the Bonds Similarly Secured. The City, however, retains the right to create and issue evidences of indebtedness whose lien on and pledge of the Net Revenues of the System shall be subordinate to that possessed by the Bonds Similarly Secured.

SECTION 20. ISSUANCE OF ADDITIONAL BONDS. In addition to the right to issue obligations of inferior lien as authorized by the laws of the State, the City hereby reserves the right to issue additional parity obligations. The Additional Bonds, when issued, shall be payable from and secured by a lien on and pledge of the Net Revenues of the System in the same manner and to the same extent as the Outstanding Bonds Similarly Secured. The Outstanding Bonds Similarly Secured and any Additional Bonds shall in all respects be of equal dignity. The Additional Bonds may be issued in one or more installments, provided, however, that none shall be issued unless and until the following conditions have been met:

(a) A certificate is executed by the Mayor and Finance Director (or other officer of the City having primary responsibility for the financial affairs of the City) to the effect that no default exists in connection with any of the covenants or requirements of the ordinances authorizing the issuance of all then Outstanding Bonds Similarly Secured;

(b) A certificate is executed by the Mayor and Finance Director (or other officer of the City having primary responsibility for the financial affairs of the City) to the effect that the Bond Fund contains the amount then required to be on deposit therein;

(c) A certificate is executed by a certified public accountant to the effect that, in his or her opinion, the Net Revenues of the System either for the last complete Fiscal Year of the City, or for any 12 consecutive calendar month period ending not more than 90 days prior to the passage of the ordinance authorizing the issuance of such Additional Bonds were, for the calculation period, at least 1.25 times the then current average annual principal and interest requirements for all then Outstanding Bonds Similarly Secured and for the installment or series of Additional Bonds then proposed to be issued and 1.00 times the maximum annual principal and interest requirements for all Outstanding Bonds Similarly Secured after giving effect to the issuance of the Additional Bonds then being issued. However, (i) should the certificate of the accountant certify that the Net Revenues of the System for the period covered thereby were less than required above, and (ii) a change in the rates and charges for water and sewer services afforded by the System became effective at least 60 days prior to the last day of the period covered by the accountant's certificate, and (iii) a Consultant will certify that, had such change in rates and charges been effective for the entire period covered by the accountant's certificate, the Net Revenues of the System covered by the accountant's certificate would have been, in his or her opinion, equal to at least 1.25 times the then current average annual and 1.00 times the maximum annual principal and interest requirements (calculated on a Fiscal Year basis) of the Bonds Similarly Secured after giving effect to the issuance of the proposed Additional Bonds, then, in such event, the coverage specified in the first sentence of this subparagraph (c) shall not be required for the period specified, and such accountant's certificate will be sufficient if accompanied by a Consultant's certificate to the above effect. For purposes of the calculation in this subparagraph (c), Net Revenues as used in this subparagraph (c), shall mean the Net Revenues of the System, but excluding and not deducting any charges or disbursements which under standard accounting practice should be charged to depreciation, betterment or capital expenditures;

(d) The Additional Bonds are scheduled to mature on March 1 or September 1, or both, and the interest thereon is scheduled to be paid on March 1 and September 1, provided, however, if the City issues Variable Rate Obligations, such Variable Rate Obligations may mature and pay

interest on such date or dates provided in the ordinance authorizing the issuance of such Variable Rate Obligations;

(e) All calculations of maximum annual debt service requirements made pursuant to this Section shall be made based upon the actual rate of interest to be borne by the Additional Bonds then proposed to be issued.

Bonds Similarly Secured may be refunded (pursuant to any law then available) upon such terms and conditions as the City may deem to be in the best interest of the City and its inhabitants, and if fewer than all such Outstanding Bonds Similarly Secured are refunded, the proposed refunding bonds shall be considered as "Additional Bonds" under the provisions of this Section, and the certificate(s) required in subdivision (c) shall give effect to the issuance of the proposed refunding bonds (and shall not give effect to the Bonds Similarly Secured being refunded following their cancellation or provision being made for their payment).

SECTION 21. MAINTENANCE AND OPERATION - INSURANCE. The City covenants and agrees that the System shall be maintained in good condition and operated in an efficient manner and at reasonable cost. So long as any of the Bonds are Outstanding, the City agrees to maintain insurance on the System of a kind, and in an amount not less than, customarily carried by municipal corporations in the State engaged in a similar type of business. Nothing in this Ordinance shall be construed as requiring the City to expend any funds which are derived from sources other than the operation of the System, but nothing herein shall be construed as preventing the City from doing so.

SECTION 22. RECORDS - ACCOUNTS - ACCOUNTING REPORTS.

(a) The City hereby covenants and agrees that so long as any of the Bonds remain Outstanding, it will keep and maintain a proper and complete system of records and accounts pertaining to the operation of the System separate and apart from all other records and accounts of the City in accordance with accepted accounting principles prescribed for municipal corporations. The Owner of any Bond or any duly authorized agent or agents of such Owner shall have the right at all reasonable times to inspect all such records, accounts, and data relating thereto, and to inspect the System and all properties comprising same. The City further agrees that as soon as possible following the close of each Fiscal Year it will cause an audit of such books and accounts to be made by an independent firm of certified public accountants or licensed public accountants.

(b) Expenses incurred in making the audits above referred to are to be regarded as maintenance and operating expenses of the System and paid as such.

SECTION 23. REMEDIES IN EVENT OF DEFAULT. In addition to all the rights and remedies provided by the laws of the State, the City covenants and agrees particularly that in the event the City (a) defaults in payments to be made to the Bond Fund as required by this Ordinance or (b) defaults in the observance or performance of any other of the covenants, conditions or obligations set forth in this Ordinance, the Owner or Owners of any Bond shall be entitled to a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body

of the City and other officers of the City to observe and perform any covenant, condition or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power, or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive. Notwithstanding anything in this Ordinance to the contrary, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

SECTION 24. SPECIAL COVENANTS. The City hereby further covenants as follows:

(a) That it has the lawful power to pledge the revenues supporting this issue of Bonds and has lawfully exercised said power under the Constitution and laws of the State, including said power existing under Texas Government Code, Chapter 1502, as amended, that the Bonds when issued, shall be ratably secured under said pledge of income in such manner that one Bond Similarly Secured shall have no preference over any other Bond Similarly Secured.

(b) That, other than for the payment of the Outstanding Previously Issued Bonds and the Bonds herein authorized, the Net Revenues of the System are not in any manner pledged to the payment of any debt or obligation of the City or of the System, except on a basis subordinate to that for the Bonds Similarly Secured.

(c) That, as long as any of the Bonds Similarly Secured or any interest thereon remain Outstanding, the City will not sell or encumber the System or any substantial part thereof; provided that this shall not be construed to prohibit the sale of such machinery, or other properties or equipment which has become obsolete or otherwise unsuited to the efficient operation of the System; also, with the exception of the Additional Bonds expressly permitted by this Ordinance to be issued, it will not encumber the Net Revenues thereof unless such encumbrance is made subordinate to the lien on and pledge of said Net Revenues to any Bonds Similarly Secured.

(d) That no free service of the System shall be allowed, and should the City or any of its agents or instrumentalities make use of the services and facilities of the System, payment of the reasonable value thereof shall be made by the City out of funds from sources other than the revenues and income of the System.

(e) At such time as there are no Bonds Similarly Secured issued prior to the issuance of the New Series 2018 Bonds, the City may sell or exchange at any time and from time to time any properties and facilities constituting the System if the City shall have received a certificate executed by the Finance Director stating that the sale or exchange of such property or facilities will not materially adversely affect the financial condition of the City or its ability to satisfy the System's rate covenants. The proceeds of any such sale or exchange shall be used by the City, at the option of the City, (i) to acquire additional System facilities; (ii) to purchase, defease, or redeem System Debt; or (iii) for any other lawful purpose. Additionally, the portion of property comprising personal property or machinery, properties, and equipment which has become obsolete or

otherwise unneeded in the operation of the System may be sold or otherwise disposed in any manner deemed appropriate by the City acting through the City Manager, the Finance Director or a designee of either of such City representatives.

(f) To the extent that it legally may, the City further covenants and agrees that, so long as any of the Bonds Similarly Secured, or any interest thereon, are Outstanding, no franchise shall be granted for the installation or operation of any competing water or sewer system other than those owned by the City, and the operation of any such system by anyone other than the City is hereby prohibited.

SECTION 25. BONDS ARE SPECIAL OBLIGATIONS. The Bonds are special obligations of the City payable from the pledged Net Revenues of the System, and the Owners thereof shall never have the right to demand payment thereof out of funds raised or to be raised by taxation.

SECTION 26. BONDS ARE NEGOTIABLE INSTRUMENTS. That each of the Bonds shall be deemed and construed to be a "security," and as such a negotiable instrument, within the meaning of Texas Business and Commerce Code, Chapter 8, as amended.

SECTION 27. INVESTMENTS. Moneys in the Bond Fund may at the option of the City be invested or reinvested from time to time in direct obligations of the United States of America, or other obligations permitted by the Texas Public Funds Investment Act, as amended.

SECTION 28. PAYMENT OF BONDS. While any of the Bonds are Outstanding, the Mayor, the Finance Director and the City Secretary, individually or jointly, are hereby authorized to transfer or cause to be transferred to the Paying Agent/Registrar therefor, from funds on deposit in the Bond Fund, amounts sufficient to fully pay and discharge promptly each installment of interest on and principal of the Bonds as the same accrue or mature; such transfer of funds to be made in such manner as will cause immediately available funds to be deposited with the Paying Agent/Registrar for the Bonds on or before the date of payment for the Bonds.

SECTION 29. DEFEASANCE OF BONDS. (a) Any Bond and the interest thereon shall be deemed to be paid, retired, and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Government Obligations that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the City with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the revenues

herein pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Government Obligations, and thereafter the City will have no further responsibility with respect to amounts available to the Paying Agent/Registrar (or other financial institution permitted by applicable law) for the payment of such Defeased Bonds, including any insufficiency therein caused by the failure of the Paying Agent/Registrar (or other financial institution permitted by applicable law) to receive payment when due on the Government Obligations. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in subsection 30(a)(i) or (ii) shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the City expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the City also be invested in Government Obligations, maturing in the amounts and times as hereinbefore set forth, and all income from such Government Obligations received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the City, or deposited as directed in writing by the City. Any Future Escrow Agreement pursuant to which the money and/or Government Obligations are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Government Obligations or the substitution of other Government Obligations upon the satisfaction of the requirements specified in subsection 30(a)(i) or (ii). All income from such Government Obligations received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the City or deposited as directed in writing by the City.

(c) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the City shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(d) In the event that the City elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

SECTION 30. ORDINANCE A CONTRACT; AMENDMENTS. This Ordinance shall constitute a contract with the Owner of any Bond from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Bond remains Outstanding except as permitted in this Section and in Section 36 hereof. The City, may, without the consent of or notice to any Owners of Bonds, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Owners of any Bond, including the curing of any ambiguity, inconsistency or formal defect or omission herein. In addition, the City may, with the written consent of the Owners of Bonds owning a majority in aggregate principal amount of the Bonds

then Outstanding affected thereby, amend, add to or rescind any of the provisions of this Ordinance; provided that, without the consent of all Owners of Outstanding Bonds affected thereby, no such amendment, addition or rescission shall (a) extend the time or times of payment of the principal of, premium, if any, and interest on the Bonds, reduce the principal amount thereof, the rate of interest thereon, or in any other way modify the terms of payment of the principal of, premium, if any, or interest on the Bonds, (b) give any preference to any Bond over any other Bond or (c) reduce the aggregate principal amount of Bonds required for consent to any such amendment, addition or rescission.

SECTION 31. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS. (a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new bond of the same principal amount, maturity, and interest rate, as the damaged, mutilated, lost, stolen, or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen, or destroyed Bonds shall be made by the Owner thereof to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Bond, the Owner applying for a replacement bond shall furnish to the City and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Bond, the Owner shall furnish to the City and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the Owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the City may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement bond, the Paying Agent/Registrar shall charge the Owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen, or destroyed shall constitute a contractual obligation of the City whether or not the lost, stolen, or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued under this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Chapter 1201, Texas Government Code, this Section of this Ordinance shall constitute authority for the issuance of any such replacement bond without necessity of further action by the governing body of the City or any other body or person, and the duty of the replacement of such bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and

deliver such Bonds in the form and manner and with the effect, as provided in Section 5(b) of this Ordinance for Bonds issued in conversion and exchange for other Bonds.

SECTION 32. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION AND ENGAGEMENT; ATTORNEY GENERAL FILING FEE; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED. (a) The Mayor of the City is hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State, and their registration by the Comptroller of Public Accounts of the State. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the City's Bond Counsel and the assigned CUSIP numbers may, at the option of the City, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bonds is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the City, which opinion shall be dated as of and delivered on the date of initial delivery of the Bonds to the initial purchaser. The engagement of such firm as bond counsel to the City in connection with issuance, sale and delivery of the Bonds is hereby approved and confirmed, and the execution and delivery of an engagement letter between the City and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor (or in the absence of the Mayor, the Mayor Pro-tem) of the City and an Authorized Officer (as hereinafter defined) is hereby authorized to execute such engagement letter.

(c) In accordance with the provisions of Section 1202.004, Tex. Gov't Code Ann., in connection with the submission of the Bonds by the Attorney General of Texas for review and approval, a statutory fee (an amount equal to 0.1% principal amount of each series of Bonds, subject to a minimum of \$750 and a maximum of \$9,500) is required to be paid to the Attorney General upon the submission of the transcript of proceedings for the Bonds. The City hereby authorizes and directs that a check in the amount of the Attorney General filing fee for each series of Bonds, made payable to the "Texas Attorney General," be promptly furnished to the City's Bond Counsel, for payment to the Attorney General in connection with his review of the Bonds.

SECTION 33. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE TAX-EXEMPT BONDS. With respect to Bonds that are issued as tax-exempt obligations (as specified in the Pricing Certificate pertaining thereto), the City covenants to refrain from taking any action which would adversely affect, and to take any required action to ensure, the treatment of such as obligations described in Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the City covenants as follows:

(a) to take any action to assure that no more than 10 percent of the proceeds of the Tax-Exempt Bonds or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in Section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the City, with respect to such private business use, do not, under the terms of this Ordinance, or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Tax-Exempt Bonds, in contravention of Section 141(b)(2) of the Code;

(b) to take any action to assure that in the event that the "private business use" described in subsection (a) hereof exceeds 5 percent of the proceeds of the Tax-Exempt Bonds or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate," within the meaning of Section 141(b)(3) of the Code, to the governmental use;

(c) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Tax-Exempt Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of Section 141(c) of the Code;

(d) to refrain from taking any action which would otherwise result in the Tax-Exempt Bonds being treated as "private activity bonds" within the meaning of Section 141(b) of the Code;

(e) to refrain from taking any action that would result in the Tax-Exempt Bonds being "federally guaranteed" within the meaning of Section 149(b) of the Code;

(f) to refrain from using any portion of the proceeds of the Tax-Exempt Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in Section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Tax-Exempt Bonds, other than investment property acquired with

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(1) proceeds of the Tax-Exempt Bonds invested for a reasonable temporary period until such proceeds are needed for the purpose for which the Tax-Exempt Bonds are issued,

(2) amounts invested in a bona fide debt service fund, within the meaning of Section 1.148-1(b) of the Treasury Regulations, and

(3) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Tax-Exempt Bonds;

(g) to otherwise restrict the use of the proceeds of the Tax-Exempt Bonds or amounts treated as proceeds of the Tax-Exempt Bonds, as may be necessary, so that the Tax-Exempt Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(h) to refrain from using the proceeds of the Tax-Exempt Bonds or proceeds of any prior bonds to pay debt service on another issue more than 90 days after the date of issue of the Tax-Exempt Bonds in contravention of the requirements of section 149(d) of the Code (relating to advance refundings); and

(i) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Tax-Exempt Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Tax-Exempt Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

For the purposes of the foregoing (a) and (b), the City understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Tax-Exempt Bonds. It is the understanding of the City that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Tax-Exempt Bonds, the City will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Tax-Exempt Bonds under Section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Tax-Exempt Bonds, the City agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Tax-Exempt Bonds under Section 103 of the Code. In furtherance of such intention, the City hereby authorizes and directs the Mayor (or in the absence of the Mayor, the Mayor Pro-tem), the City Manager or the Finance Director of the City to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the City, which may be permitted by the Code as are consistent with the purpose for the issuance of the Tax-Exempt Bonds.

In order to facilitate compliance with the above covenant (i), a "Rebate Fund" is hereby established by the City for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with Section 148 of the Code.

SECTION 34. COVENANTS REGARDING TAXABLE BONDS.

(a) To the extent required by the Code, and the rules and regulations of the United States Department of the Treasury, it shall be the duty of the Paying Agent/Registrar to report to the owners of the Taxable Bonds and the Internal Revenue Service (i) the amount of "reportable payments," if any, subject to back up withholding during each year and the amount of tax withheld, if any, with respect to the payments on the Taxable Bonds and (ii) the amount of interest or amount

treated as interest, such as original issue discount, on the Taxable Bonds required to be included in the gross income of the owners thereof for federal income tax purposes.

(b) It is the intention of the Issuer that the Taxable Bonds not be obligations described in section 103 of the Code interest on which is excludable from the gross income of the holders and in that regard the Issuer agrees not to file a form 8038 G, or any comparable information return relating to tax-exempt obligations, with the Internal Revenue Service.

SECTION 35. DISPOSITION OF REFINANCED FACILITIES. The City covenants that the property financed with the proceeds of the Refunded CP Notes will not be sold or otherwise disposed in a transaction resulting in the receipt by the City of cash or other compensation, unless the City obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the City shall not be obligated to comply with this covenant if it obtains an opinion of nationally-recognized bond counsel that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

SECTION 36. COMPLIANCE WITH RULE 15c2-12. If the Bonds are sold by private placement, the Pricing Officer may agree to provide for an undertaking in accordance with the Rule (as defined below) or may agree to provide other public information to the purchaser as may be necessary for the sale of the Bonds on the most favorable terms to the City. If the Bonds are sold by public offering, and are subject to the Rule, the following provisions shall apply:

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"Financial Obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) a guarantee of (i) or (ii); provided however, that a "financial obligation" shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The City shall provide annually to the MSRB, in the electronic format prescribed by the MSRB, financial information and operating data (the "Annual Operating Report") with respect to the City of the general type included in Tables 1 through 12 in the final Official Statement authorized by this Ordinance. The City will additionally provide

financial statements of the City (the "Financial Statements"), that will be (i) prepared in accordance with the accounting principles described in Appendix B to the final Official Statement, or such other accounting principles as the City may be required to employ from time to time pursuant to State law or regulation and shall be in substantially the form included in the final Official Statement and (ii) audited, if the City commissions an audit of such Financial Statements and the audit is completed within the period during which they must be provided. The City will update and provide the Annual Operating Report within six months after the end of each fiscal year and the Financial Statements within 12 months of the end of each fiscal year, in each case beginning with the fiscal year ending in and after 2025. The City may provide the Financial Statements earlier, including at the time it provides its Annual Operating Report, but if the audit of such Financial Statements is not complete within 12 months after any such fiscal year end, then the City shall file unaudited Financial Statements within such 12-month period and audited Financial Statements for the applicable fiscal year, when and if the audit report on such Financial Statements becomes available.

(ii) If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any documents available to the public on the MSRB's internet website or filed with the SEC.

(c) Event Notices. The City shall notify the MSRB, in a timely manner not in excess of ten business days after the occurrence of the event, of any of the following events with respect to the Bonds:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. Modifications to rights of holders of the Bonds, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the City;
13. The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary

course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

14. Appointment of a successor trustee or change in the name of the trustee, if material;
15. Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

For these purposes, any event described in the immediately preceding item (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

The City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by subsection (b).

(d) Limitations, Disclaimers, and Amendments.

(i) The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the City in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes the Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the Owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the City in observing or performing its obligations under this Section shall comprise a breach of or default under the Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

(v) The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the Owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the Owners and beneficial owners of the Bonds. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The City may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds.

SECTION 37. SALE OF BONDS AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) The Bonds shall be sold and delivered subject to the provisions of Section 1 and Section 4 and pursuant to the terms and provisions of a bond purchase agreement, notice of sale and bidding instructions or private placement agreement (collectively, the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or

purchasers (collectively, the "Purchaser") of the Bonds shall be designated. The Bonds shall initially be registered in the name of the purchaser thereof as set forth in the Pricing Certificate.

(b) The Pricing Officer is hereby authorized, in the name and on behalf of the City, to approve, distribute, and deliver a preliminary official statement and a final official statement relating to the Bonds to be used by the Purchaser in the marketing of the Bonds.

(c) The Mayor and Mayor Pro Tem, the City Manager, the City Secretary and the Finance Director of the City (each, an "Authorized Officer") shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City a Paying Agent/Registrar Agreement with the Paying Agent/Registrar, a commitment for municipal bond insurance, if the Bonds shall be so insured, and all other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Pricing Certificate, the Bonds, the sale of the Bonds and the Official Statement. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 38. APPROVAL OF TRANSFER OF FUNDS. On or immediately prior to the date of the delivery of the Bonds to the initial purchaser, an Authorized Officer is authorized to transfer and deposit cash from available funds to the paying agent/registrar of the Refunded CP Notes, as applicable, if needed, to accomplish the refunding of the Refunded CP Notes.

SECTION 39. REDEMPTION OF REFUNDED CP NOTES.

(a) Subject to the execution and delivery of the Purchase Agreement with the initial purchaser, the City hereby directs that the Refunded CP Notes be called for redemption or otherwise retired on the dates and at the prices set forth in the Pricing Certificate.

(b) The paying agent/registrar for the Refunded CP Notes is hereby directed to provide the appropriate notice of redemption as required by the Refunded CP Notes (if applicable) and is hereby directed to make appropriate arrangements so that the Refunded CP Notes may be redeemed or otherwise retired on the appropriate redemption or maturity date.

(c) The source of funds for payment of the principal of and interest on the Refunded CP Notes on their maturity or redemption date shall be from the funds deposited with the paying agent for the Refunded CP Notes from amounts deposited with the paying agent/registrar for the Refunded CP Notes from proceeds of the Bonds.

SECTION 40. BENEFITS OF ORDINANCE. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, the Paying Agent/Registrar, and the Owners, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being

intended to be and being for the sole and exclusive benefit of the City, the Paying Agent/Registrar, and the Owners.

SECTION 41. GOVERNING LAW. This Ordinance shall be construed and enforced in accordance with the laws of the State and the United States of America.

SECTION 42. EFFECT OF HEADINGS. The Section headings herein are for convenience of reference only and shall not affect the construction hereof.

SECTION 43. SEVERABILITY. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance or the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 44. PUBLIC NOTICE. It is hereby officially found and determined that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

SECTION 45. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.



GARLAND
CITY COUNCIL STAFF REPORT

City Council Regular Session

5.

Meeting Date: 06/03/2025

Title: Consider an Ordinance related to the issuance of General Obligation Improvement Bonds, Series 2025

Submitted By: Matt Watson, Chief Financial Officer

Strategic Focus Area: Sound Governance and Finances

Issue/Summary

Consider an ordinance to issue up to \$21 million in General Obligation Improvement Bonds, Series 2025. In addition, the ordinance will authorize the appointment of a pricing officer and delegate to the pricing officer the authority to approve on behalf of the City terms of sale of these bonds, establishing parameters for the approval of such matters by the pricing officer. The purpose of this transaction is to provide funding for 2004 and 2019 Bond Program projects identified in the Council-approved 2025 CIP.

Background

The Financial Services Department issues tranches of long-term GO bonds periodically based on project schedules and cash flow needs for projects included in the 2004 and 2019 Bond Program that have been appropriated in the 2025 CIP. Based on current cash flow projections, staff is recommending the issuance of up to \$21 million of tax-exempt General Obligation Improvement Bonds to fund a portion of the bond program projects approved in the 2025 Capital Improvement Program.

Consideration / Recommendation

The GO Improvement Bonds will be fixed rate debt with a 20-year amortization period. The bonds' projected annual debt service payments will not require a tax rate increase and are in alignment with the City's long-term debt model. The exact amount of annual debt service and the interest rate is subject to market conditions between now and the final pricing date.

Attachments

Draft Ordinance

ORDINANCE NO. ____

AN ORDINANCE CONSIDERING ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF UP TO \$21,000,000 IN PRINCIPAL AMOUNT OF "CITY OF GARLAND, TEXAS GENERAL OBLIGATION BONDS, SERIES 2025"; AUTHORIZING THE ISSUANCE OF THE BONDS; DELEGATING THE AUTHORITY TO CERTAIN CITY OFFICIALS TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING TO SAID BONDS; ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

THE STATE OF TEXAS	§
COUNTIES OF DALLAS, COLLIN AND ROCKWALL	§
CITY OF GARLAND	§

WHEREAS, by virtue of elections held within the City of Garland (the "City" or the "Issuer") on May 4, 1991, May 31, 1997, May 15, 2004, May 4, 2019, and May 3, 2025, this City Council became authorized to issue, sell and deliver the general obligation bonds of the Issuer, of which there have been issued heretofore, are authorized to be issued by this Ordinance, and will remain authorized but unissued hereafter, as described in Schedule I attached hereto and incorporated herein.

WHEREAS, the City of Garland, Texas (the "Issuer") is an "issuer" under Section 1371.001(4)(A), Texas Government Code, being (i) a home-rule municipality that: (A) adopted its charter under Section 5, Article XI, Texas Constitution; (B) has a population of 50,000 or more; and (C) has outstanding long-term indebtedness that is rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for a long-term obligation;

WHEREAS, the City Council (the "City Council") of the Issuer has determined that it is in the best interest of the Issuer to issue the bonds hereinafter authorized (the "Bonds") for the purposes stated, with such terms to be included in a pricing certificate (the "Pricing Certificate") to be executed by the Pricing Officer (hereinafter designated) in connection with the initial issuance of each Series of Bonds, all in accordance with the provisions of Section 1371.053, Texas Government Code. The term Pricing Certificate shall mean, collectively, the pricing certificate or pricing certificates for one or more series of Bonds;

WHEREAS, the Bonds hereinafter authorized to be issued and are to be issued, sold and delivered pursuant to the general laws of the State of Texas, including Chapter 1251, Chapter 1331 and Chapter 1371, Texas Government Code; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Texas Government Code Chapter 551; NOW, THEREFORE,

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

SECTION 1. RECITALS, AMOUNT, PURPOSE AND DESIGNATION OF THE BONDS.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The term "Bonds" as used in this Ordinance shall mean and include collectively all bonds initially issued and delivered pursuant to this Ordinance (the "Initial Bonds") and all substitute bonds exchanged therefor, as well as all other substitute bonds and replacement bonds issued pursuant hereto, and the term "Bond" shall mean any of the Bonds. "Series" or "Series of Bonds" means any designated series of Bonds issued pursuant to this Ordinance.

The term "Tax-Exempt Bonds" shall mean any Bond, the interest on which is excludable from gross income for federal income tax purposes.

The term "Taxable Bonds" shall mean any Bond, the interest on which is includable in gross income for federal income tax purposes.

(c) The Bonds of the City of Garland, Texas (the "Issuer") are hereby authorized to be issued and delivered in one or more Series in the maximum aggregate principal amount of \$21,000,000 for the purpose of the acquisition of property and making improvements for public purposes in the Issuer, to wit: (i) \$8,285,000 for parks and recreation facilities and improvements, (ii) \$5,525,000 for street improvements, (iii) \$1,110,000 for drainage improvements, (iv) \$1,660,000 for public safety facilities and improvements, and (v) \$4,420,000 for library improvements (the "Improvement Projects"), and (vi) to pay the costs associated with the issuance of the Bonds (collectively, the "Projects").

(d) Each bond issued pursuant to this Ordinance shall be designated: "CITY OF GARLAND, TEXAS GENERAL OBLIGATION BOND, [TAXABLE] SERIES 2025," with each Series of Bonds having a letter designation following the year, starting with "A", and with such changes as designated by the Pricing Officer pursuant to Section 2. Initially there shall be issued, sold, and delivered hereunder fully registered bonds, without interest coupons, payable to the respective registered owners thereof (with the Initial Bond being made payable to the Purchaser as described in Section 11 hereof), or to the registered assignee or assignees of said Bonds or any portion or portions thereof (in each case, the "Registered Owner"). The Bonds shall be in the respective principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

SECTION 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Section 1371.053, Texas Government Code, as amended, the City Manager or Finance Director (the "Pricing Officer") is hereby authorized to act on behalf of the Issuer in selling and delivering each Series of the Bonds and carrying out the other procedures specified in this Ordinance, including, determining the date of sale of the Bonds, the date of the Bonds, any additional or different designation or title by which the Bonds shall be known, the price at which the Bonds will be sold, the years in which the Bonds will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, whether any series of Bonds will be issued as Tax-Exempt Bonds or Taxable Bonds and all other matters relating to the issuance, sale, and delivery of the Bonds and obtaining municipal bond insurance for all or any portion of the Bonds (including in connection therewith

the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements) and providing for the terms and provisions thereof applicable to the Bonds, all of which shall be specified in the Pricing Certificate; provided that:

- (i) the aggregate original principal amount of the Bonds shall not exceed \$21,000,000 with up to \$8,285,000 of such amount issued for the purposes described in Section 1(c)(i) and (vi) hereof, \$5,525,000 of such amount issued for the purposes described in Section 1(c)(ii) and (vi) hereof, \$1,110,000 of such amount issued for the purposes described in Section 1(c)(iii) and (vi) hereof, \$1,660,000 of such amount issued for the purposes described in Section 1(c)(iv) and (vi) hereof, and \$4,420,000 of such amount issued for the purposes described in Section 1(c)(v) and (vi) hereof;
- (ii) the maximum stated maturity for a series of Bonds shall not exceed beyond February 15, 2045;
- (iii) no Bonds shall bear interest at a rate that exceeds the maximum rate provided by State law;
- (iv) the delegation made hereby shall expire if not exercised by the Pricing Officer through execution of the Pricing Certificate on or prior to the date that is six months after the adoption of this Ordinance by the City Council; and
- (v) on or prior to delivery, the Bonds shall be rated by a nationally recognized rating agency for municipal securities in one of the four highest categories for long-term obligations.

(b) In establishing the aggregate principal amount of a Series of Bonds, the Pricing Officer shall establish an amount not exceeding, in aggregate with any other Series of Bonds, the amount authorized in Subsection (a) hereof, which shall be sufficient in amount to provide for the purposes for which the Series of Bonds are authorized and to pay costs of issuing the Bonds. Each Series of Bonds shall be sold with and subject to such terms as set forth in the Pricing Certificate for such Series.

SECTION 3. CHARACTERISTICS OF THE BONDS.

(a) Registration, Transfer, Conversion and Exchange; Authentication. The Issuer shall keep or cause to be kept at the corporate trust office of Zions Bancorporation, National Association, Amegy Bank Division, Houston, Texas (the "Paying Agent/Registrar") books or records for the registration of the transfer, conversion and exchange of the Bonds (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner

provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

Except as provided in Section 3(c) of this Ordinance, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, as amended, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds that initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General of the State of Texas (the "Attorney General") and registered by the Comptroller of Public Accounts of the State of Texas (the "Comptroller").

(b) Payment of Bonds and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds, and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the past due interest shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Registered Owners thereof, (ii) may or shall be redeemed prior to their scheduled maturities (notice of which shall be given to the Paying Agent/Registrar by the Issuer at least 45 days prior to any such redemption date), (iii) may be converted and exchanged for other Bonds, (iv) may be transferred and assigned, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance (as modified in the Pricing Certificate). The Initial Bonds are not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Certificate, in the form set forth in the FORM OF BOND.

(d) Paying Agent/Registrar for the Bonds. The Issuer covenants with the Registered Owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution, or other entity to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be a single entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 60 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any

time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each Registered Owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(e) Authentication. Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Paying Agent/Registrar's Authentication Certificate substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the Paying Agent/Registrar's Authentication Certificate on all of the Bonds. In lieu of the executed Paying Agent/Registrar's Authentication Certificate described above, an Initial Bond delivered on the closing date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided in this Ordinance, manually executed by the Comptroller or by her duly authorized agent, which certificate shall be evidence that the Initial Bond has been duly approved by the Attorney General and that it is a valid and binding obligation of the Issuer, and has been registered by the Comptroller.

(f) Book-Entry-Only System. The Bonds issued in exchange for an Initial Bond shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as provided in subsection (g) hereof, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner of Bonds, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner of Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the Registered Owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bonds to the

extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Bond evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the Registered Owner at the close of business on the Record Date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

The previous execution and delivery of the Blanket Issuer Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Bonds.

(g) Successor Securities Depository; Transfers Outside Book-Entry-Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the Blanket Issuer Letter of Representations to DTC or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate certificated Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

(h) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Blanket Issuer Letter of Representations to DTC.

(i) Cancellation of Initial Bonds. On the closing date, one Initial Bond, representing the entire principal amount of a Series of the Bonds, payable in stated installments to the purchaser designated in Section 11 or its designee, executed by manual or facsimile signature of the Mayor or Mayor Pro-Tem and City Secretary of the Issuer, approved by the Attorney General, and registered and manually signed by the Comptroller, will be delivered to such purchaser or its designee. Upon payment for such Initial Bond, the Paying Agent/Registrar shall cancel such Initial Bond and deliver to DTC on behalf of such purchaser one registered definitive Bond for each year of maturity of the Bonds, in the aggregate principal amount of all of the Bonds for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

(j) Conditional Notice of Redemption. With respect to any optional redemption of the Bonds, unless the prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Issuer, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such

notice shall be of no force and effect, the Issuer shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

SECTION 4. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Comptroller's Registration Certificate to be attached to the Bonds initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance, and with the Form of Bond to be modified pursuant to, and completed with information set forth in, the Pricing Certificate.

(a) [Form of Bond]

NO. R-	UNITED STATES OF AMERICA STATE OF TEXAS CITY OF GARLAND, TEXAS GENERAL OBLIGATION BOND [TAXABLE] SERIES 2025	PRINCIPAL AMOUNT \$_____
--------	--	--------------------------------

Interest Rate	Dated Date	Maturity Date	CUSIP No.
	_____, 20__	February 15, ____	

REGISTERED OWNER:

PRINCIPAL AMOUNT: _____ DOLLARS

ON THE MATURITY DATE specified above, the City of Garland, Texas, in Dallas, Collin and Rockwall Counties, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date at the Interest Rate per annum specified above. Interest is payable on _____, 20__ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of Zions Bancorporation, National

Association, Amegy Bank Division, in Houston, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Bond (the "Bond Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the last business day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Registered Owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Bond for redemption and payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the Registered Owner of this Bond that on or before each principal payment date, interest payment date, and accrued interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds dated _____, 20__, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$21,000,000 for the purpose of the acquisition of property and making improvements for public purposes in the Issuer, to wit: (i) \$8,285,000 for parks and recreation facilities and improvements, (ii) \$5,525,000 for street improvements, (iii) \$1,110,000 for drainage improvements, (iv) \$1,660,000 for public safety facilities and improvements, and (v) \$4,420,000 for library improvements, and (vi) to pay the costs associated with the issuance of the Bonds.

ON _____, 20__, or on any date thereafter, the Bonds of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

[THE BONDS scheduled to mature on _____ in the years ____ and ____ (the "Term Bonds") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Bonds, on the dates and in the respective principal amounts, set forth in the following schedule:

Term Bond Maturity: February 15, 20__		Term Bond Maturity: February 15, 20__	
Mandatory Redemption Date	Principal Amount	Mandatory Redemption Date	Principal Amount
February 15, 20__	\$ _____	February 15, 20__	\$ _____
February 15, 20__	_____	February 15, 20__	_____
February 15, 20__	_____	February 15, 20__	_____
February 15, 20__ (maturity)		February 15, 20__ (maturity)	

The principal amount of Term Bonds of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Bonds of the same maturity which, at least 50 days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.]

AT LEAST 30 days prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the Registered Owner of each Bond to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bonds or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Registered Owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Registered Owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Ordinance.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, and is

subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date or any prerequisite set forth in such notice of redemption. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received or such prerequisites were not met and shall rescind the redemption.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Bond Ordinance, this Bond may, at the request of the Registered Owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate Registered Owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate Registered Owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The Form of Assignment printed or endorsed on this Bond may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Bond or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owners of the Bonds.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owners of a majority in aggregate principal amount of the outstanding Bonds.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions,

acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each Registered Owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in the Mayor's absence, of the Mayor Pro-Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

[INSERT BOND INSURANCE LEGEND, IF ANY]

(b) [Form of Paying Agent/Registrar's Authentication Certificate]

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

(To be executed if this Bond is not accompanied by an executed Comptroller's Registration Certificate)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a bond, bonds, or a portion of a bond or bonds of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____

ZIONS BANK CORPORATION, NATIONAL
ASSOCIATION, AMEGY BANK DIVISION
Houston, Texas
Paying Agent/Registrar

By: _____
Authorized Representative

(c) [Form of Assignment]

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto
_____.

Please insert Social Security or Taxpayer Identification Number of Transferee

(Please print or typewrite name and address, including zip code, of Transferee.)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

(d) [Form of Comptroller's Registration Certificate]

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) [Initial Bond Insertions]

(i) The Initial Bonds shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Bond, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. ____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF GARLAND, TEXAS, in Dallas, Collin and Rockwall Counties, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on February 15 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Years</u>	<u>Principal Installments (\$)</u>	<u>Interest Rates (%)</u>
--------------	------------------------------------	---------------------------

(Information from Pricing Certificate to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date at the respective Interest Rate per annum specified above. Interest is payable on _____, 20____, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full."

C. The Initial Bond shall be numbered "T-1."

SECTION 5. INTEREST AND SINKING FUND.

(a) A special Interest and Sinking Fund (the "Interest and Sinking Fund") is hereby created solely for the benefit of the Bonds, and the Interest and Sinking Fund shall be established and maintained by the Issuer at an official depository bank of the Issuer. The Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the Issuer, and shall be used only for paying the interest on and principal of the Bonds. All ad valorem taxes levied and collected for and on account of the Bonds, together with any accrued interest received upon sale of the Bonds, shall be deposited, as collected, to the credit of the Interest and Sinking Fund. During each year while any of the Bonds or interest thereon are outstanding and unpaid, the governing body of the Issuer shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on the Bonds as such interest becomes due, and to provide and maintain a sinking fund adequate to pay the principal of its Bonds as such principal matures or is scheduled for redemption (but never less than 2% of the original principal amount of the Bonds as a sinking fund each year). Said tax shall be based on the latest approved tax rolls of the Issuer, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the Issuer for each year while any of the Bonds or interest thereon are outstanding and unpaid; and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of the Bonds, as such interest comes due and such principal matures or is scheduled for redemption, are hereby pledged for such payment, within the limit prescribed by law. If lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Chapter 1208, Texas Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the Issuer under this Section and Section 9, respectively, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bonds are outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, in order to preserve to the Registered Owners of the Bonds a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

SECTION 6. DEFEASANCE OF BONDS.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Government Obligations that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Government Obligations. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in Subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the Registered Owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Government Obligations, maturing in the amounts and times as hereinbefore set forth, and all income from such Government Obligations received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Government Obligations are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Government Obligations or the substitution of other Government Obligations upon the satisfaction of the requirements specified in Subsection (a)(i) or (ii) of this Section. All income from such Government Obligations received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) Unless modified in the Pricing Certificate, the term "Government Obligations" means any securities and obligations now or hereafter authorized by state law that are eligible to discharge obligations such as the Bonds, including (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

SECTION 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the Registered Owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the Registered Owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Ordinance, in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the Registered Owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued under this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Section 1206.022, Texas Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for Bonds issued in conversion and exchange for other Bonds.

SECTION 8. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Initial Bonds and all necessary records and proceedings pertaining to the Initial Bonds pending their delivery and their investigation, examination, and approval by the Attorney General, and their registration by the Comptroller. Upon registration of an Initial Bond said Comptroller (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to the Initial Bond, and the seal of said Comptroller shall be impressed, or placed in facsimile, on the Initial Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

(b) The obligation of the Purchaser to accept delivery of the Bonds is subject to the Purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bonds to the Purchaser. The engagement of such firm as bond counsel to the Issuer in connection with the issuance, sale and delivery of the Bonds is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor or Mayor Pro-Tem, and the Mayor or Mayor Pro-Tem is hereby authorized to execute such engagement letter.

SECTION 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE TAX-EXEMPT BONDS.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Tax-Exempt Bonds as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Tax-Exempt Bonds or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed or refinanced therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Tax-Exempt Bonds, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Tax-Exempt Bonds or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Tax-Exempt Bonds (less amounts deposited into a reserve fund, if

any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Tax-Exempt Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Tax-Exempt Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Tax-Exempt Bonds, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Tax-Exempt Bonds, other than investment property acquired with:

(A) proceeds of the Tax-Exempt Bonds invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of 90 days or less until such proceeds are needed for the purpose for which the bonds are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the rules and regulations of the United States Department of the Treasury ("Treasury Regulations"), and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Tax-Exempt Bonds;

(7) to otherwise restrict the use of the proceeds of the Tax-Exempt Bonds or amounts treated as proceeds of the Tax-Exempt Bonds, as may be necessary, so that the Tax-Exempt Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(8) to refrain from using the proceeds of the Tax-Exempt Bonds or proceeds of any prior bonds to pay debt service on another issue more than 90 days after the date of issue of the Tax-Exempt Bonds in contravention of the requirements of section 149(d) of the Code (relating to advance refundings); and

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Tax-Exempt Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Tax-Exempt Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(9), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Rebate Fund shall not be subject to the claim of any other person, including without limitation the Bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of the Tax-Exempt Bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Tax-Exempt Bonds. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the United States Department of the Treasury pursuant thereto. In the event that regulations

or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Tax-Exempt Bonds, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Tax-Exempt Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Tax-Exempt Bonds, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Tax-Exempt Bonds under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor or Pricing Officer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Tax-Exempt Bonds.

(d) Allocation of, and Limitation on, Expenditures for the Projects. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Improvement Projects on its books and records in accordance with the requirements of the Code. The Issuer recognizes that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Improvement Projects are completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the Issuer recognizes that in order for proceeds to be expended under the Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Bonds, or (2) the date the Bonds are retired. The Issuer agrees to obtain the advice of nationally-recognized bond counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Bonds. For purposes hereof, the issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Projects. The Issuer covenants that the property constituting the Improvement Projects and the projects refinanced by the Bonds will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Tax-Exempt Bonds. For purposes of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Tax-Exempt Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(f) Reimbursement. This Ordinance is intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations.

SECTION 10. COVENANTS REGARDING TAXABLE BONDS.

(a) To the extent required by the Code, and the rules and regulations of the United States Department of the Treasury, it shall be the duty of the Paying Agent/Registrar to report to the owners of the Taxable Bonds and the Internal Revenue Service (i) the amount of “reportable payments,” if any, subject to back up withholding during each year and the amount of tax withheld, if any, with respect to the payments on the Taxable Bonds and (ii) the amount of interest or amount treated as interest, such as original issue discount,

on the Taxable Bonds required to be included in the gross income of the owners thereof for federal income tax purposes.

(b) It is the intention of the Issuer that the Taxable Bonds not be obligations described in section 103 of the Code interest on which is excludable from the gross income of the holders and in that regard the Issuer agrees not to file a form 8038 G, or any comparable information return relating to tax-exempt obligations, with the Internal Revenue Service.

SECTION 11. SALE OF BONDS AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) Each Series of Bonds shall be sold and delivered subject to the provisions of Section 1 and Section 2 hereof through a negotiated sale, competitive sale or private placement and pursuant to the terms and provisions of a purchase contract or a notice of sale and official bid form (in each case, a "Purchase Agreement"), the terms and provisions of which are to be determined by the Pricing Officer in accordance with Section 2 hereof, and in which the purchaser or purchasers of the Bonds (the "Purchaser") shall be designated. The Pricing Officer is hereby authorized to execute and deliver one or more Purchase Agreements for and on behalf of the Issuer. The Bonds shall initially be registered in the name of the Purchaser or its designee.

(b) The Pricing Officer is hereby authorized, in the name and on behalf of the City, to approve, distribute, and deliver a preliminary official statement and a final official statement relating to the Bonds to be used by the Purchaser in the marketing of the Bonds.

(c) The Pricing Officer is authorized, in connection with effecting the sale of the Bonds, to obtain from a municipal bond insurance company so designated in the Pricing Certificate (the "Insurer") a municipal bond insurance policy (the "Insurance Policy") in support of the Bonds. To that end, should the Pricing Officer exercise such authority and commit the Issuer to obtain a municipal bond insurance policy, for so long as the Insurance Policy is in effect, the requirements of the Insurer relating to the issuance of the Insurance Policy as set forth in the Pricing Certificate are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary. The Pricing Officer shall have the authority to execute any documents to effect the issuance of the Insurance Policy by the Insurer, including commitment agreements, membership agreements in mutual insurance companies and other similar agreements.

(d) The Mayor and Mayor Pro Tem, City Manager, Finance Director and City Secretary and all other officers, employees and agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar and all other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Pricing Certificate, the Bonds, the sale of the Bonds, any Purchase Agreement and any official statement or other offering document. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 12. INTEREST EARNINGS ON BOND PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Bonds issued for the Improvement Projects shall be used along with other Bond proceeds for the Improvement Projects; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the

Interest and Sinking Fund. It is further provided, however, that any interest earnings on Bond proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Bonds from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

SECTION 13. CONSTRUCTION FUND OR ACCOUNT; INVESTMENTS.

(a) The proceeds of sale of the Bonds, excluding any accrued interest received from the initial purchaser of the Bonds and any other amounts to be deposited into the Interest and Sinking Fund, shall be deposited in one or more construction funds or accounts for use, along with any investment earnings thereon, by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Improvement Projects as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said funds or accounts, including investment earnings, shall be transferred to the Interest and Sinking fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Bonds (including investment earnings thereon) issued for Improvement Projects and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Bonds will be used as soon as practicable for the purposes for which the Bonds are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

SECTION 14. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"Financial Obligation" means a (i) debt obligation, (ii) derivative instrument entered into in connection with or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) a guarantee of (i) or (ii); provided however, that a "financial obligation" shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in the electronic format prescribed by the MSRB, financial information and operating data (the "Annual Operating Report") with respect to the Issuer of the general type included in the final official statement authorized by this Ordinance, being the information described in the Pricing Certificate. The Issuer will additionally provide financial statements of the Issuer (the "Financial Statements"), that will be (i) prepared in accordance with the accounting principles described in the Pricing Certificate or such other accounting principles as the Issuer may be required to employ from time to time pursuant to State law or regulation and shall be

in substantially the form included in the final official statement and (ii) audited, if the Issuer commissions an audit of such Financial Statements and the audit is completed within the period during which they must be provided. The Issuer will update and provide the Annual Operating Report within six months after the end of each fiscal year and the Financial Statements within 12 months of the end of each fiscal year, in each case beginning with the fiscal year ending in and after 2025. The Issuer may provide the Financial Statements earlier, including at the time it provides its Annual Operating Report, but if the audit of such Financial Statements is not complete within 12 months after any such fiscal year end, then the Issuer shall file unaudited Financial Statements within such 12-month period and audited Financial Statements for the applicable fiscal year, when and if the audit report on such Financial Statements becomes available. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Bonds, if such event is material within the meaning of the federal securities laws:

1. Non-payment related defaults;
2. Modifications to rights of holders of the Bonds;
3. Bond calls;
4. Release, substitution, or sale of property securing repayment of the Bonds;
5. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
6. Appointment of a successor or additional trustee or the change of name of a trustee; and
7. Incurrence of a Financial Obligation of the Issuer or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Issuer, any of which affect security holders.

(ii) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Bonds, without regard to whether such event is considered material within the meaning of the federal securities laws:

1. Principal and interest payment delinquencies;
2. Unscheduled draws on debt service reserves reflecting financial difficulties;
3. Unscheduled draws on credit enhancements reflecting financial difficulties;
4. Substitution of credit or liquidity providers, or their failure to perform;

5. Adverse tax opinions or the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the Bonds, or other material events affecting the tax-exempt status of the Bonds;
6. Tender offers;
7. Defeasances;
8. Rating changes;
9. Bankruptcy, insolvency, receivership or similar event of an obligated person; and
10. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Issuer, any of which reflect financial difficulties.

(iii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes the Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the Registered Owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Notwithstanding anything to the contrary in Section 15 hereof, the provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the Registered Owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the Registered Owners and beneficial owners of the Bonds. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

(e) Amendment of the Rule. The provisions of this Section shall be revised by the Pricing Officer to reflect the requirements of the Rule if the Rule is amended after the adoption of this Ordinance but prior to the delivery of the Bonds so as to permit an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule. The provision of this Section may also be revised by the Pricing Officer prior to the delivery of the Bonds if the Pricing Officer determine such revisions are necessary or desirable. Any such revisions shall be set forth in the Pricing Certificate and are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary.

SECTION 15. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Bonds aggregating in principal amount a majority of the aggregate principal amount of then outstanding Bonds that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Bonds that are the subject of a proposed amendment, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Bonds so as to:

- (1) Make any change in the maturity of any of the affected outstanding Bonds;
- (2) Reduce the rate of interest borne by any of the affected outstanding Bonds;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any affected outstanding Bonds;
- (4) Modify the terms of payment of principal or of interest or redemption premium on affected outstanding Bonds or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of any series of Bonds necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each Registered Owner of the affected Bonds a copy of the proposed amendment. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the Issuer for inspection by all holders of such Bonds.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least a majority in aggregate principal amount of all of the Bonds then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the mailing of the notice as provided for in this Section, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of the mailing of said notice by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of a majority in aggregate principal amount of the affected Bonds then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

For the purposes of establishing ownership of the Bonds, the Issuer shall rely solely upon the registration of the ownership of such Bonds on the Registration Books kept by the Paying Agent/Registrar.

SECTION 16. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered

Owners of the Bonds, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Bonds then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or agents of the Issuer or the members of its governing body.

SECTION 17. APPROPRIATION. To pay the debt service coming due on the Bonds, if any, prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount, which together with capitalized interest received from the sale of the Bonds, if any, will be sufficient to pay such debt service, and such amount shall be used for no other purpose.

SECTION 18. EFFECTIVE DATE. In accordance with the provisions of Texas Government Code Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

SECTION 19. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

SCHEDULE I AUTHORIZED PURPOSES

Authorized Purpose	Date Authorized	Amount Authorized	Total Obligations Heretofore Issued*	Amount Being Issued*	Authorization Remaining
Parks Improvements	5/4/1991	\$ 5,144,000	\$ 5,118,660	\$ -	\$ 25,340
Street Improvements	5/4/1991	42,496,500	42,414,612	-	81,888
Public Safety Improvements	5/4/1991	7,226,086	7,199,376	-	26,710
Parks Improvements	5/31/1997	12,370,000	12,370,000	-	0
Various Street Improvements	5/31/1997	72,210,000	71,145,292	-	1,064,708
Drainage Improvements	5/31/1997	10,570,000	10,502,789	-	67,211
Library Improvements	5/31/1997	5,890,000	5,877,682	-	12,318
Public Safety Improvements	5/31/1997	19,890,000	19,770,561	-	119,439
Municipal Facility Improvements	5/31/1997	1,710,000	1,521,000	-	189,000
Park and Recreation Facilities and Improvements	5/15/2004	21,680,000	18,441,971	3,000,000	238,029
Street Improvements	5/15/2004	113,370,000	83,659,232	-	29,710,768
Drainage Improvements	5/15/2004	28,000,000	22,592,954	-	5,407,046
Library Facilities	5/15/2004	9,400,000	9,386,179	-	13,821
Public Safety Facilities	5/15/2004	12,950,000	12,906,905	-	43,095
Municipal Improvements	5/15/2004	11,180,000	8,047,965	-	3,132,035
Economic Development/Land Acquisition	5/15/2004	3,420,000	2,557,207	-	862,793
Street Improvements	5/4/2019	122,250,000	39,787,392	5,500,000	76,962,608
Public Safety Improvements	5/4/2019	51,350,000	35,041,437	1,750,000	14,558,563
Drainage Improvements	5/4/2019	47,350,000	6,875,216	1,250,000	39,224,784
Parks and Recreation Improvements	5/4/2019	117,750,000	88,680,938	5,000,000	24,069,062
Library Improvements	5/4/2019	21,000,000	14,667,589	4,500,000	1,832,411
Economic Development	5/4/2019	46,000,000	26,571,379	-	19,428,621
Municipal Facilities Improvements	5/4/2019	6,000,000	2,892,060	-	3,107,940
Animal Shelter	5/4/2019	12,000,000	11,926,487	-	73,513
Street Improvements	5/3/2025	230,000,000	-	-	230,000,000
Economic Development	5/3/2025	75,000,000	-	-	75,000,000
Cultural Arts Facility	5/3/2025	25,000,000	-	-	25,000,000
Parks and Recreation Improvements	5/3/2025	30,000,000	-	-	30,000,000
Total		\$ 1,161,206,586	\$ 559,954,883	\$ 21,000,000	\$ 580,251,703

* Includes principal and premium, if any.



GARLAND
CITY COUNCIL STAFF REPORT

City Council Regular Session

6.

Meeting Date: 06/03/2025
Title: Consider an Ordinance to Issue Certificates of Obligation, Series 2025
Submitted By: Matt Watson, Chief Financial Officer
Strategic Focus Area: Sound Governance and Finances

Issue/Summary

At the April 15, 2025 Regular Meeting, Council approved a resolution directing the publication of Notice of Intention to Issue approximately \$98 million in Certificates of Obligation to fund a portion of the Approved 2025 CIP, as well as the construction of the soccer complex located on Holford Road and 190. This notice also contemplates formal authorization of the issuance of Certificates of Obligation to occur on June 3, 2025. Staff has met the legal posting requirements and has been working with the City's Financial Advisor, Bond Counsel, and an underwriter syndicate to draft the attached ordinance and market the sale of Certificates of Obligation. Council is requested to consider approval of the attached ordinance and the issuance of Certificates of Obligation, series 2025, to fund a portion of the 2025 CIP and the soccer complex generally located at Holford Road and 190.

Background

The City Manager formally submitted the proposed CIP to Council at the Work Session Meeting on January 6, 2025 and staff made copies of the proposed CIP available for public inspection and review the next day in libraries and the City Secretary's Office. The City Council held a Special Budget Work Session on January 11, 2025 to review the proposed program. In addition, Public Hearings on the Proposed CIP were held on January 21, 2025 and February 4, 2025. The 2025 Capital Improvement Program was adopted by the Council on February 4, 2025 and requires the issuance of Certificates of Obligation. In addition, the Certificates of Obligation will fund up to \$25 million for the soccer complex generally located at Holford Road and 190. A budget amendment was approved for this project in the amount of \$5 million and a second budget amendment will be presented to council at a future meeting to appropriate an additional \$20 million for this project. In compliance with City Council's Financial Policy, Certificates of Obligation debt are issued, so the debt maturities are aligned with the useful lives of the capital improvements being funded. CO principal maturities range from 5 years to 20 years. CO's require approval by the Council and publication of a notice of intention for issuance. The maximum amount of issuance in the Notice of Intent resolution is set at \$98 million to fund City Council-approved CIP projects.

Consideration / Recommendation

Since neither cash nor voter-authorized bonds are available to fund a portion of the 2025 CIP, staff request the issuance of Certificates of Obligation. The Interest and Sinking debt service tax rate is not impacted as a result of the Notice of Intent to Issue Certificates of Obligation of this debt issuance.

Attachments

Draft Ordinance

AN ORDINANCE CONSIDERING ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF UP TO \$98,000,000 IN PRINCIPAL AMOUNT OF "CITY OF GARLAND, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2025;" AUTHORIZING THE ISSUANCE OF THE CERTIFICATES; DELEGATING THE AUTHORITY TO CERTAIN CITY OFFICIALS TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE CERTIFICATES; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING TO SAID CERTIFICATES; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

THE STATE OF TEXAS :
COUNTIES OF DALLAS, COLLIN AND ROCKWALL :
CITY OF GARLAND :

WHEREAS, the City Council of the City of Garland, Texas (the "Issuer"), deems it advisable to issue Certificates of Obligation, in one or more series, in the aggregate principal amount not to exceed \$98,000,000 for the purposes hereinafter set forth; and

WHEREAS, the Certificates of Obligation hereinafter authorized and designated are to be issued and delivered for cash pursuant to Subchapter C of Chapter 271, Texas Local Government Code and Subchapter B, Chapter 1502, Texas Government Code and Chapter 1371, Texas Government Code; and

WHEREAS, the City Council has heretofore passed a resolution authorizing and directing the City Secretary to give notice of intention to issue Certificates of Obligation, and said notice has been duly published in a newspaper of general circulation in said Issuer, said newspaper being a "newspaper" as defined in Section 2051.044, Texas Government Code; and

WHEREAS, the Issuer received no petition from the qualified electors of the Issuer protesting the issuance of such Certificates of Obligation; and

WHEREAS, no bond proposition to authorize the issuance of bonds for the same purpose as any of the projects being financed with the proceeds of the Certificates of Obligation was submitted to the voters of the Issuer during the preceding three years and failed to be approved; and

WHEREAS, the Issuer is an "issuer" under Section 1371.001(4)(A), Texas Government Code, being (i) a home-rule municipality that: (A) adopted its charter under Section 5, Article XI, Texas Constitution; (B) has a population of 50,000 or more; and (C) has outstanding long-term indebtedness that is rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for a long-term obligation; and

WHEREAS, the City Council has determined that it is in the best interest of the Issuer to issue the Certificates of Obligations hereinafter authorized (the "Certificates") for the purposes stated, with such terms to be included in a pricing certificate (the "Pricing Certificate") to be executed by the Pricing Officer (hereinafter designated) in connection with the initial issuance of each Series of Certificates, all in accordance with the provisions of Section 1371.053, Texas Government Code. The term Pricing Certificate shall mean, collectively, the pricing certificate or pricing certificates for one or more series of Certificates;

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Texas Government Code Chapter 551; Now, Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GARLAND:

Section 1. RECITALS, AMOUNT, PURPOSE AND DESIGNATION OF THE CERTIFICATES.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The term "Certificates" as used in this Ordinance shall mean and include collectively the certificate of obligation initially issued and delivered pursuant to this Ordinance (the "Initial Certificate") and all substitute certificates of obligation exchanged therefor, as well as all other substitute certificates of obligation and replacement certificates of obligation issued pursuant hereto, and the term "Certificate" shall mean any of the Certificates. "Series" or "Series of Certificates" means any designated series of Certificates issued pursuant to this Ordinance.

The term "Tax-Exempt Certificates" shall mean any Certificate, the interest on which is excludable from gross income for federal income tax purposes.

The term "Taxable Certificates" shall mean any Certificate, the interest on which is includable in gross income for federal income tax purposes.

(c) The Certificates of Obligation of the City of Garland, Texas (the "Issuer") are hereby authorized to be issued and delivered, in one or more Series, in the aggregate principal amount not to exceed \$98,000,000, for the purpose of paying all or a portion of the Issuer's contractual obligations incurred pursuant to contracts for the purchase, construction, renovation and acquisition of certain real and personal property, to wit: (a) acquiring, constructing, renovating, improving, installing and equipping park and recreational improvements and the acquisition of land and interests in land related thereto; (b) constructing, renovating and equipping municipal drainage improvements; (c) constructing and improving streets, including related sidewalks, cycle paths, signage and signalization, landscaping, streetscaping, drainage, utility line relocations and the acquisition of land and rights-of-way therefor; (d) acquisition of vehicles and equipment for the fire, and police departments and programs; (e) constructing, renovating, installing and equipping of buildings, streets and traffic control facilities, and public safety facilities for the police and fire departments, and parks and recreation department; (f) acquisition of vehicles and equipment for, and acquiring, constructing, installing and equipping additions, extensions, renovations and improvements for the Issuer's sanitation department, including the landfill and transfer station; and (g) for the purpose of paying all or a portion of the Issuer's contractual obligations for professional services, including engineers, architects, attorneys, map makers, auditors, and financial advisors, in connection with said projects (collectively, the "Projects") and the issuance of the Certificates of Obligation.

(d) Each Certificate issued pursuant to this Ordinance shall be designated: "CITY OF GARLAND, TEXAS COMBINATION TAX AND REVENUE CERTIFICATE OF OBLIGATION, [TAXABLE] SERIES 2025," and initially there shall be issued, sold, and delivered hereunder fully registered certificates, without interest coupons, payable to the respective registered owners thereof (with the Initial Certificate being made payable to the Purchaser as described in Section 11 hereof), or to the registered assignee or assignees of said Certificates or any portion or portions thereof (in each case, the "Registered Owner"). The Certificates shall be in the respective principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Section 1371.053, Texas Government Code, as amended, the City Manager or Finance Director (the "Pricing Officer") is hereby authorized to act on behalf of the Issuer in selling and delivering each Series of Certificates and carrying out the other procedures specified in this Ordinance, including, determining the date of the Certificates, any additional or different designation or title by which the Certificates shall be known, the price at which the Certificates will be sold, the years in which the Certificates will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Certificates shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, whether any Series of Certificates will be issued as Tax-Exempt Certificate or Taxable Certificates and all other matters relating to the issuance, sale, and delivery of the Certificates, including without limitation, obtaining municipal bond insurance for all or any portion of the Certificates (including in connection therewith the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements) and providing for the terms and provisions thereof applicable to the Certificates, all of which shall be specified in the Pricing Certificate; provided that no Series of Certificates shall be issued pursuant to this Ordinance unless each of the following parameters are satisfied as specified in the Pricing Certificate:

- (i) the aggregate original principal amount of the Certificates shall not exceed the amount set forth in Section 1(c) hereof;
- (ii) the maximum stated maturity for a Series of Certificates shall not exceed February 15, 2045;
- (iii) the Certificates shall bear interest at a fixed rate, and no Certificates shall bear interest at a rate that exceeds the maximum rate provided by State law;
- (iv) the delegation made hereby shall expire if not exercised by the Pricing Officer through execution of the Pricing Certificate on or prior to the date that is six months after the adoption of this Ordinance by the City Council; and
- (v) on or prior to delivery, the Certificates shall be rated by a nationally recognized rating agency for municipal securities in one of the four highest categories for long-term obligations.

(b) In establishing the aggregate principal amount of a Series of Certificates, the Pricing Officer shall establish an amount not exceeding, in aggregate with any other Series of Certificates, the amount authorized in Subsection (a) hereof, which shall be sufficient in amount to provide for the purposes for which the Series of Certificates are authorized and to pay costs of issuing the Certificates. Each Series of Certificates shall be sold with and subject to such terms as set forth in the Pricing Certificate for such Series.

Section 3. CHARACTERISTICS OF THE CERTIFICATES.

(a) Registration, Transfer, Conversion and Exchange; Authentication. The Issuer shall keep or cause to be kept at the principal corporate trust office of Zions Bancorporation, National Association, Amegy Bank Division, Houston, Texas, (the "Paying Agent/Registrar"), books or records for the registration of the transfer, conversion and exchange of the Certificates (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided; but it shall be the duty of each Registered Owner to notify

the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Certificate or Certificates. Registration of assignments, transfers, conversions and exchanges of Certificates shall be made in the manner provided and with the effect stated in the FORM OF CERTIFICATE set forth in this Ordinance. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate.

Except as provided in Section 3(c) of this Ordinance, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Certificate, date and manually sign said Certificate, and no such Certificate shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Certificates and Certificates surrendered for conversion and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Certificates in the manner prescribed herein, and said Certificates shall be printed or typed on paper of customary weight and strength. Pursuant to Chapter 1201, Government Code, as amended, the duty of conversion and exchange of Certificates as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the converted and exchanged Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificates that initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General of the State of Texas (the "Attorney General") and registered by the Comptroller of Public Accounts of the State of Texas (the "Comptroller").

(b) Payment of Certificates and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Certificates, and of all conversions and exchanges of Certificates, and all replacements of Certificates, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the past due interest shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Certificates (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificates to be payable only to the Registered Owners thereof, (ii) may or shall be redeemed prior to their scheduled maturities (notice of which shall be given to the Paying Agent/Registrar by the Issuer at least 45 days prior to any such redemption date), (iii) may be converted and exchanged for other Certificates, (iv) may be transferred and assigned, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Certificates shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Certificates, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF CERTIFICATE set forth in this Ordinance (as modified in the Pricing Certificate). The Initial Certificate is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Certificate issued in conversion of and exchange for any Certificate or Certificates issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Certificate, in the form set forth in the FORM OF CERTIFICATE.

(d) Paying Agent/Registrar for the Certificates. The Issuer covenants with the Registered Owners of the Certificates that at all times while the Certificates are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution, or other entity to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be a single entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 60 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each Registered Owner of the Certificates, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(e) Authentication. Except as provided below, no Certificate shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Paying Agent/Registrar's Authentication Certificate substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the Paying Agent/Registrar's Authentication Certificate on all of the Certificates. In lieu of the executed Paying Agent/Registrar's Authentication Certificate described above, the Initial Certificate delivered on the closing date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided in this Ordinance, manually executed by the Comptroller or by her duly authorized agent, which certificate shall be evidence that the Initial Certificate has been duly approved by the Attorney General and that it is a valid and binding obligation of the Issuer, and has been registered by the Comptroller.

(f) Book-Entry-Only System. The Certificates issued in exchange for the Initial Certificate shall be initially issued in the form of a separate single fully registered Certificate for each of the maturities thereof. Upon initial issuance, the ownership of each such Certificate shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as provided in subsection (g) hereof, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Certificates. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner of Certificates, as shown on the Registration Books, of any notice with respect to the Certificates, or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner of Certificates, as shown in the Registration Books of any amount with respect to principal of or interest on the Certificates. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in

whose name each Certificate is registered in the Registration Books as the absolute owner of such Certificate for the purpose of payment of principal and interest with respect to such Certificate, for the purpose of registering transfers with respect to such Certificate, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Certificates only to or upon the order of the Registered Owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Certificates to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the Registered Owner at the close of business on the Record Date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

The previous execution and delivery of the Blanket Issuer Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Certificates.

(g) Successor Securities Depository; Transfers Outside Book-Entry-Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the Blanket Issuer Letter of Representations to DTC or that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Certificates and transfer one or more separate certificated Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

(h) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the Blanket Issuer Letter of Representations to DTC.

(i) Cancellation of Initial Certificate. On the closing date, the Initial Certificate, representing the entire principal amount of a Series of Certificates, payable in stated installments to the purchaser designated in Section 11 or its designee, executed by manual or facsimile signature of the Mayor or Mayor Pro-Tem and City Secretary of the Issuer, approved by the Attorney General, and registered and manually signed by the Comptroller, will be delivered to such purchaser or its designee. Upon payment for the Initial Certificate, the Paying Agent/Registrar shall cancel the Initial Certificate and deliver to DTC on behalf of such purchaser one registered definitive Certificate for each year of maturity of the Certificates, in the aggregate principal amount of all of the Certificates for such maturity. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Certificates in safekeeping for DTC.

(j) Conditional Notice of Redemption. With respect to any optional redemption of the Certificates, unless the prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Certificates to be redeemed shall have been

received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Issuer, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Issuer shall not redeem such Certificates and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Certificates have not been redeemed.

Section 4. FORM OF CERTIFICATES. The form of the Certificates, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Comptroller's Registration Certificate to be attached to the Certificates initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance, and with the Form of Certificate to be modified pursuant to, and completed with information set forth in, the Pricing Certificate.

(a) [Form of Certificate]

NO. R-	UNITED STATES OF AMERICA STATE OF TEXAS CITY OF GARLAND, TEXAS COMBINATION TAX AND REVENUE CERTIFICATE OF OBLIGATION [TAXABLE] SERIES 2025	PRINCIPAL AMOUNT \$ _____
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Interest Rate	Delivery Date	Maturity Date	CUSIP No.
_____	_____, 2025	February 15, ____	_____

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

ON THE MATURITY DATE specified above, the City of Garland, Texas in Dallas, Collin and Rockwall Counties, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the Interest Rate per annum specified above. Interest is payable on _____, 20__ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Certificate are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Certificate shall be paid to the Registered Owner hereof upon presentation and surrender of this Certificate at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of Zions Bancorporation, National Association, Amegy Bank Division, in Houston, Texas, which is the "Paying Agent/Registrar" for this Certificate. The payment of interest on this Certificate shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Certificate (the "Certificate Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the last business day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Registered Owner of a Certificate appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Certificate prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Certificate for redemption and payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the Registered Owner of this Certificate that on or before each principal payment date, interest payment date, and accrued interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Certificate Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

IF THE DATE for the payment of the principal of or interest on this Certificate shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS CERTIFICATE is one of a series of Certificates dated _____, 2025, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$98,000,000 for the purpose of paying all or a portion of the Issuer's contractual obligations incurred pursuant to contracts for the purchase, construction, renovation and acquisition of certain real and personal property, to wit: (a) acquiring, constructing, renovating, improving, installing and equipping park and recreational improvements and the acquisition of land and interests in land related thereto; (b) constructing, renovating and equipping municipal drainage improvements; (c) constructing and improving streets, including related sidewalks, cycle paths, signage and signalization, landscaping, streetscaping, drainage, utility line relocations and the acquisition of land and rights-of-way therefor; (d) acquisition of vehicles and equipment for the fire, and police departments and programs; (e) constructing, renovating, installing and equipping of buildings, streets and traffic control facilities, and public safety facilities for the police and fire departments, and parks and recreation department; (f) acquisition of vehicles and equipment for, and acquiring, constructing, installing and equipping additions, extensions, renovations and improvements for the Issuer's sanitation department, including the landfill and

transfer station; and (g) for the purpose of paying all or a portion of the Issuer's contractual obligations for professional services, including engineers, architects, attorneys, map makers, auditors, and financial advisors, in connection with said projects and the issuance of the Certificates.

ON _____, 20__, or on any date thereafter, the Certificates of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Certificates, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Certificate may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

[THE CERTIFICATES scheduled to mature on _____ in the years ____ and ____ (the "Term Certificates") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Certificates, on the dates and in the respective principal amounts, set forth in the following schedule:

Term Certificate Maturity: _____, 20__		Term Certificate Maturity: _____, 20__	
Mandatory Redemption Date	Principal Amount	Mandatory Redemption Date	Principal Amount
_____, 20__	\$ _____	_____, 20__	\$ _____
_____, 20__	_____	_____, 20__	_____
_____, 20__	_____	_____, 20__	_____
_____, 20__ (maturity)	_____	_____, 20__ (maturity)	_____

The principal amount of Term Certificates of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Certificates of the same maturity which, at least 50 days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.

AT LEAST 30 days prior to the date fixed for any redemption of Certificates or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the Registered Owner of each Certificate to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Certificates or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price

from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Registered Owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Registered Owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Certificate Ordinance.

WITH RESPECT TO ANY OPTIONAL REDEMPTION of the Certificates, unless the prerequisites to such redemption required by the Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Certificates to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption is conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Issuer shall not redeem such Certificates and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Certificates have not been redeemed.

ALL CERTIFICATES OF THIS SERIES are issuable solely as fully registered certificates, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Certificate Ordinance, this Certificate may, at the request of the Registered Owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Certificates, without interest coupons, payable to the appropriate Registered Owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate Registered Owner, assignee or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Certificate Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be registered. The Form of Assignment printed or endorsed on this Certificate may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Certificate or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Certificate or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Certificates is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Certificate Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owners of the Certificates.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Certificate have been performed,

existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law; and that this Certificate is additionally secured by and payable from a limited pledge (not to exceed \$1,000) of the surplus revenues derived by the Issuer from the ownership and operation of the Issuer's System (consisting of the Issuer's combined waterworks system and sewer system), all as provided in the Certificate Ordinance.

THE ISSUER HAS RESERVED THE RIGHT to issue, in accordance with law, and in accordance with the Certificate Ordinance, other and additional obligations, and to enter into contracts, payable from ad valorem taxes and/or revenues of the Issuer's System, on a parity with, or with respect to said revenues, superior in lien to, this Certificate.

THE ISSUER HAS RESERVED THE RIGHT to amend the Certificate Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owners of a majority in aggregate principal amount of the outstanding Certificates.

BY BECOMING the Registered Owner of this Certificate, the Registered Owner thereby acknowledges all of the terms and provisions of the Certificate Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Certificate Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Certificate and the Certificate Ordinance constitute a contract between each Registered Owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Certificate to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in the Mayor's absence, of the Mayor Pro-Tem) and countersigned with the manual or facsimile signature of the City Secretary (or in the City Secretary's absence, of the Deputy City Secretary) of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Certificate.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

[INSERT BOND INSURANCE LEGEND, IF ANY]

(b) [Form of Paying Agent/Registrar's Authentication Certificate]

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

(To be executed if this Certificate is not accompanied by an executed Comptroller's Registration Certificate)

It is hereby certified that this Certificate has been issued under the provisions of the Certificate Ordinance described in the text of this Certificate; and that this Certificate has been issued in conversion or replacement of, or in exchange for, a certificate, certificates, or a portion of a certificate or certificates of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____

ZIONS BANCORPORATION, NATIONAL
ASSOCIATION

Houston, Texas,
Paying Agent/Registrar

By: _____
Authorized Representative

(c) [Form of Assignment]

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____.

Please insert Social Security or Taxpayer Identification Number of Transferee

(Please print or typewrite name and address, including zip code, of Transferee.)

_____ the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever.

(d) [Form of Comptroller's Registration Certificate]

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Certificate of Obligation has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Certificate of Obligation has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) [Initial Certificate Insertions]

(i) The Initial Certificate shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Certificate, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF GARLAND, TEXAS, in Dallas, Collin and Rockwall Counties, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on _____ in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Years</u>	<u>Principal Installments (\$)</u>	<u>Interest Rates (%)</u>
--------------	--	-------------------------------

(Information from Pricing Certificate to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date at the respective Interest Rate per annum specified above. Interest is payable on _____, 2025, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above; or the date of redemption prior to maturity; except, that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full."

C. The Initial Certificate shall be numbered "T-1."

Section 5. INTEREST AND SINKING FUND; SURPLUS REVENUES.

(a) A special Interest and Sinking Fund (the "Interest and Sinking Fund") is hereby created solely for the benefit of the Certificates, and the Interest and Sinking Fund shall be established and maintained by the Issuer at an official depository bank of the Issuer. The Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the Issuer, and shall be used only for paying the interest on and principal of the Certificates. All ad valorem taxes levied and collected for and on account of the Certificates, together with any accrued interest received upon sale of the Certificates, shall be deposited, as collected, to the credit of the Interest and Sinking Fund. During each year while any of the Certificates or interest thereon are outstanding and unpaid, the governing body of the Issuer shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on the Certificates as such interest becomes due, and to provide and maintain a sinking fund adequate to pay the principal of its Certificates as such principal matures or is scheduled for redemption (but never less than 2% of the original principal amount of the Certificates as a sinking fund each year). Said tax shall be based on the latest approval tax rolls of the Issuer, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the Issuer for each year while any of the Certificates or interest thereon are outstanding

and unpaid; and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of the Certificates, as such interest comes due and such principal matures or is scheduled for redemption, are hereby pledged for such payment, within the limit prescribed by law.

(b) The Certificates, together with other obligations of the Issuer, are additionally secured by and shall be payable from and secured by the collection of the surplus revenues of the Issuer's Waterworks and Sewer System (the "System"), after payment of all expenses of operation and maintenance thereof, and all debt service, reserve, and other requirements in connection with all of the Issuer's revenue bonds or other obligations (now or hereafter outstanding), which are payable from all of any part of the net revenues of the Issuer's System, constituting "Surplus Revenues", not to exceed \$1,000. The Issuer shall deposit such Surplus Revenues to the credit of the Interest and Sinking Fund created pursuant to subsection (a) of this Section, to the extent necessary to pay the principal and interest on the Certificates. Notwithstanding the requirements of subsection (a) of this Section, if revenues are actually on deposit or budgeted for deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes which otherwise would have been required to be levied pursuant to subsection (a) of this Section may be reduced to the extent and by the amount of the revenues then on deposit in the Interest and Sinking Fund or budgeted for deposit therein.

(c) Chapter 1208, Texas Government Code, applies to the issuance of the Certificates and the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section and Section 9, respectively, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Certificates are outstanding and unpaid, the result of such amendment being that the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, in order to preserve to the Registered Owners of the Certificates a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF CERTIFICATES.

(a) Any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Certificate") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Certificate, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Certificates shall have become due and payable. At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities, and thereafter the Issuer will have no further responsibility with respect to amounts available to such paying agent (or other financial institution permitted by applicable law) for the payment of such Defeased Certificates, including any insufficiency therein caused by the failure of such paying agent (or other financial institution permitted by applicable law) to receive payment when due on the Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Certificates that is made in conjunction with the payment arrangements specified in Subsection (a)(i) or (ii) of

this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Certificates for redemption; (2) gives notice of the reservation of that right to the Registered Owners of the Defeased Certificates immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Certificates and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Certificates may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in Subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Certificates, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) Unless modified in the Pricing Certificate, the term "Defeasance Securities" means any securities and obligations now or hereafter authorized by state law that are eligible to discharge obligations such as the Certificates, including (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America., (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

(d) Until all Defeased Certificates shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Certificates of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Certificates by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.

(a) Replacement Certificates. In the event any outstanding Certificate is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Certificate of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Certificate, in replacement for such Certificate in the manner hereinafter provided.

(b) Application for Replacement Certificates. Application for replacement of damaged, mutilated, lost, stolen or destroyed Certificates shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Certificate, the Registered Owner applying for a replacement Certificate shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every

case of loss, theft or destruction of a Certificate, the Registered Owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Certificate, as the case may be. In every case of damage or mutilation of a Certificate, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Certificate so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Ordinance, in the event any such Certificate shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Certificate, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Certificate) instead of issuing a replacement Certificate, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Certificates. Prior to the issuance of any replacement Certificate, the Paying Agent/Registrar shall charge the Registered Owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement Certificate issued pursuant to the provisions of this Section by virtue of the fact that any Certificate is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) Authority for Issuing Replacement Certificates. In accordance with Section 1206.022, Texas Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Certificate without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Certificates is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Certificates in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for Certificates issued in conversion and exchange for other Certificates.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATES; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Initial Certificate and all necessary records and proceedings pertaining to the Initial Certificate pending its delivery and its investigation, examination, and approval by the Attorney General, and its registration by the Comptroller. Upon registration of the Initial Certificate said Comptroller (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Certificate, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Certificates issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owners of the Certificates. In addition, if bond insurance is obtained, the Certificates may bear an appropriate legend as provided by the insurer.

(b) The obligation of the Underwriters to accept delivery of the Certificates is subject to the Underwriters being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Certificates to the Underwriters. The engagement of such firm as bond counsel to the Issuer in connection with the issuance, sale and delivery of the Certificates is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor or Mayor Pro-Tem, and the Mayor or Mayor Pro-Tem is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE TAX-EXEMPT CERTIFICATES.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Tax-Exempt Certificates as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Tax-Exempt Certificates or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Tax-Exempt Certificates, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Tax-Exempt Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Tax-Exempt Certificates (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Tax-Exempt Certificates being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Tax-Exempt Certificates being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Tax-Exempt Certificates, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Tax-Exempt Certificates, other than investment property acquired with B

(A) proceeds of the Tax-Exempt Certificates invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of 90 days or less until such proceeds are needed for the purpose for which the bonds are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the rules and regulations of the United States Department of the Treasury ("Treasury Regulations"), and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Tax-Exempt Certificates;

(7) to otherwise restrict the use of the proceeds of the Tax-Exempt Certificates or amounts treated as proceeds of the Tax-Exempt Certificates, as may be necessary, so that the Tax-Exempt Certificates do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(8) to refrain from using the proceeds of the Tax-Exempt Certificates or proceeds of any prior bonds to pay debt service on another issue more than 90 days after the date of issue of the Tax-Exempt Certificates in contravention of the requirements of section 149(d) of the Code (relating to advance refundings); and

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Tax-Exempt Certificates) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Tax-Exempt Certificates have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(9), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Rebate Fund shall not be subject to the claim of any other person, including without limitation the Tax-Exempt Certificateholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Tax-Exempt Certificates. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the United States Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Tax-Exempt Certificates, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Tax-Exempt Certificates under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Tax-Exempt Certificates, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Tax-Exempt Certificates under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor, Mayor Pro-Tem or the Pricing Officer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Tax-Exempt Certificates.

(d) Allocation of, and Limitation on, Expenditures for the Projects. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Projects on its books and records in accordance with the requirements of the Code. The Issuer recognizes that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Projects are completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the Issuer recognizes that in order for proceeds to be expended under the Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Tax-Exempt Certificates, or (2) the date the Tax-Exempt Certificates are retired. The Issuer agrees to obtain the advice of nationally-recognized bond counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Tax-Exempt Certificates. For purposes hereof, the issuer shall not be obligated to comply with

this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Projects. The Issuer covenants that the property constituting the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Tax-Exempt Certificates. For purposes of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Tax-Exempt Certificates. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(f) Reimbursement. This Ordinance is intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations.

Section 10. COVENANTS REGARDING TAXABLE CERTIFICATES.

(a) To the extent required by the Code, and the rules and regulations of the United States Department of the Treasury, it shall be the duty of the Paying Agent/Registrar to report to the owners of the Taxable Certificates and the Internal Revenue Service (i) the amount of "reportable payments," if any, subject to back up withholding during each year and the amount of tax withheld, if any, with respect to the payments on the Taxable Certificates and (ii) the amount of interest or amount treated as interest, such as original issue discount, on the Taxable Certificates required to be included in the gross income of the owners thereof for federal income tax purposes.

(b) It is the intention of the Issuer that the Taxable Certificates not be obligations described in section 103 of the Code interest on which is excludable from the gross income of the holders and in that regard the Issuer agrees not to file a form 8038 G, or any comparable information return relating to tax-exempt obligations, with the Internal Revenue Service.

Section 11. SALE OF CERTIFICATES AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) Each Series of Certificates shall be sold and delivered subject to the provisions of Section 1 and Section 2 hereof through a negotiated sale, competitive sale or private placement and pursuant to the terms and provisions of a purchase contract or a notice of sale and official bid form (in each case, a "Purchase Agreement"), the terms and provisions of which are to be determined by the Pricing Officer in accordance with Section 2 hereof, and in which the purchaser or purchasers of the Certificates (the "Purchaser") shall be designated. The Pricing Officer is hereby authorized to execute and deliver one or more Purchase Agreements for and on behalf of the Issuer. The Certificates shall initially be registered in the name of the Purchaser or its designee.

(b) The Pricing Officer is hereby authorized, in the name and on behalf of the Issuer, to approve, distribute, and deliver a preliminary official statement and a final official statement relating to the Certificates to be used by the Purchaser in the marketing of the Certificates.

(c) The Pricing Officer is authorized, in connection with effecting the sale of the Certificates, to obtain from a municipal bond insurance company so designated in the Pricing Certificate (the "Insurer") a municipal bond insurance policy (the "Insurance Policy") in support of the Certificates. To that end, should the Pricing Officer exercise such authority and commit the Issuer to obtain a municipal bond insurance policy, for so long

as the Insurance Policy is in effect, the requirements of the Insurer relating to the issuance of the Insurance Policy as set forth in the Pricing Certificate are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary. The Pricing Officer shall have the authority to execute any documents to effect the issuance of the Insurance Policy by the Insurer, including commitment agreements, membership agreements in mutual insurance companies and other similar agreements.

(d) The Mayor and Mayor Pro Tem, City Manager, Finance Director and City Secretary and all other officers, employees and agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar and all other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Pricing Certificate, the Certificates, the sale of the Certificates, any Purchase Agreement and any official statement or other offering document. In case any officer whose signature shall appear on any Certificate shall cease to be such officer before the delivery of such Certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 12. INTEREST EARNINGS ON CERTIFICATE PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Certificates issued for the Projects shall be used along with other Certificate proceeds for the Projects; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on Certificate proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 13. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer one or more separate funds or accounts (the "Construction Fund") for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Projects as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said fund shall be transferred to the Interest and Sinking fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Certificates (including investment earnings thereon) issued for the Projects and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Certificates will be used as soon as practicable for the purposes for which the Certificates are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 14. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"*Financial Obligation*" means a (i) debt obligation, (ii) derivative instrument entered into in connection with or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) a

guarantee of (i) or (ii); provided however, that a "financial obligation" shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in a designated electronic format as prescribed by the MSRB, financial information and operating data (the "Annual Operating Report") with respect to the Issuer of the general type included in the final Official Statement authorized by Section 11 of this Ordinance, being the information described in the Pricing Certificate. The Issuer will additionally provide financial statements of the Issuer ("Financial Statements"), that will be (1) prepared in accordance with the accounting principles described in the Pricing Certificate, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation, and shall be in substantially the form included in the final Official Statement, and (2) audited, if the Issuer commissions an audit of such statements and the audit is completed within the period during which they must be provided. The Issuer will update and provide the Annual Operating Report within six months after the end of each fiscal year and the Financial Statements within 12 months of the end of each fiscal year, in each case beginning with the fiscal year ending in and after 2025. The Issuer may provide the Financial Statements earlier, including at the time it provides its Annual Operating Report, but if the audit of such Financial Statements is not completed within 12 months after any such fiscal year end, then the Issuer shall provide unaudited Financial Statements within such 12-month period, and audited Financial Statements for the applicable fiscal year to the MSRB, when and if the audit report on such Financial Statements becomes available. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

(c) Event Notices.

(i) The Issuer shall notify the MSRB, in a timely manner not in excess of ten business days after the occurrence of the event, of any of the following events with respect to the Certificates:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or

other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;

7. Modifications to rights of holders of the Certificates, if material;
8. Certificate calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Certificates, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the Issuer;
13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. Appointment of a successor trustee or change in the name of the trustee, if material;
15. Incurrence of a Financial Obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Issuer, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Issuer, any of which reflect financial difficulties.

For these purposes, any event described in the immediately preceding item (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the Issuer in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer.

The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by subsection (b).

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Certificates within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes the Certificates no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the Registered Owners and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation

or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the Registered Owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the Registered Owners and beneficial owners of the Certificates. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

(e) Amendment of the Rule. The provisions of this Section shall be revised by the Pricing Officer to reflect the requirements of the Rule if the Rule is amended after the adoption of this Ordinance but prior to the delivery of the Certificates so as to permit an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule. Any such revisions shall be set forth in the Pricing Certificate and are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary.

Section 15. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the

holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Certificates aggregating in principal amount a majority of the aggregate principal amount of then outstanding Certificates that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Certificates, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Certificates so as to:

- (1) Make any change in the maturity of any of the outstanding Certificates;
- (2) Reduce the rate of interest borne by any of the outstanding Certificates;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Certificates;
- (4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Certificates or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of any Series of Certificates necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each Registered Owner of the affected Certificates a copy of the proposed amendment and cause notice of the proposed amendment to be published at least once in a financial publication published in The City of New York, New York or in the State of Texas. Such published notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the Issuer for inspection by all holders of such Certificates.

(d) Whenever at any time within one year from the date of publication of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least a majority in aggregate principal amount of all of the Certificates then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Certificates shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Certificate pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the publication of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Certificate during such period. Such consent may be revoked at any time after six months from the date of the publication of said notice by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of a majority in aggregate principal amount of the affected Certificates then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

For the purposes of establishing ownership of the Certificates, the Issuer shall rely solely upon the registration of the ownership of such Certificates on the Registration Books kept by the Paying Agent/Registrar.

Section 16. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Certificates when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered Owners of the Certificates, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Certificates then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Certificates or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Certificates shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Certificate authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or agents of the Issuer or the members of its governing body.

Section 17. APPROPRIATION. To pay the debt service coming due on the Certificates prior to receipt of the taxes levied to pay such debt service, if any, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount, which together with capitalized interest received from the sale of the Certificates, if any, will be sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 18. EFFECTIVE DATE. In accordance with the provisions of Texas Government Code Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 19. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.



GARLAND

CITY COUNCIL STAFF REPORT

City Council Regular Session

7.

Meeting Date: 06/03/2025

Title: Consider an Agreement Regarding City Pension Obligation Bonds

Submitted By: Matt Watson, Chief Financial Officer

Strategic Focus Area: Sound Governance and Finances

Issue/Summary

On October 8, 2024, City Council approved an ordinance to adopt a 50% non-retroactive repeating COLA for retirees and their beneficiaries under the Texas Municipal Retirement System (TMRS) that became effective for all retirees on January 1, 2025. At the time of this approval, City Council contemplated the issuance of Pension Obligation Bonds to fund a portion of the unfunded actuarial accrued liability owed to TMRS associated with this added benefit in the amount of approximately \$130,000,000. Section 107.003 of Chapter 107 of the Local Government Code requires that, before authorizing issuance and delivery of Pension Bonds, the City Council must enter into an agreement with the TMRS board stating the amount of the unfunded liability and the date or dates on which the public pension fund will accept the net proceeds of the obligations to be issued in payment of all or a portion of the unfunded liability.

Background

In 2009, due to changes in the actuarial methodologies utilized by TMRS, significant scheduled increases in the City's TMRS contribution rate were required to fully fund the COLA retiree benefit, which would have cost the City an additional \$11.7 million a year. This amount was beyond the City's funding capacity. Therefore, in order to maintain sustainable contribution rates for employee retirement, the TMRS Cost-of-Living Adjustments (COLAs) for both current and future retirees were discontinued in 2009. The COLA retiree benefit is calculated by using the Consumer Price Index (CPI) to determine the rate of inflation since an employee retired, or 12 months before the COLA's effective date. A city may choose a COLA of either 30%, 50% or 70% of the change in CPI. Prior to the elimination of the COLA provision in 2009, the City of Garland offered a 70% repeating COLA to retirees to offset the impact of inflation. Historically, COLA must be calculated retroactively by looking back to the cumulative change in the Consumer Price Index (CPI) since each retiree's retirement date, commonly called the "catch-up." The retroactive calculation makes granting a COLA more expensive for cities like Garland, which eliminated the COLA provision 16 years ago.

However, effective May 27, 2023, the Texas Legislature amended the TMRS Act to provide participating cities with a new non-retroactive repeating COLA option which eliminates the retroactive calculation by only requiring a city to look back to the change in the CPI for the one-year period that ends 12 months before the COLA's effective date. In almost every case, the new non-retroactive repeating COLA option will be less expensive for a city than a repeating COLA calculated retroactively. While the impact of the New COLA Option on each retiree depends on many factors, no retiree's current monthly benefit will be reduced. All repeating COLAs adopted using the non-retroactive option must be effective on January 1, 2024, 2025, or 2026. To adopt the New COLA Option, a city must pass an ordinance and provide it to TMRS by the December 31 preceding the January 1 effective date. At the August 17, 2024 Budget Work Session, staff presented a recommendation and financial strategy to fund a repeating 50% non-retroactive repeating COLA to the City Council. At this meeting, the City Council directed staff to move forward with an ordinance for formal consideration to adopt a 50% non-retroactive repeating COLA effective January 1, 2025. This ordinance was approved by City Council on October 8, 2024 by City Council and the 50% non-retroactive repeating 50% COLA became effective for all retirees on January 1, 2025.

In order to fund this new TMRS benefit, the financial strategy presented to City Council involved the issuance of Pension Obligation Bonds of which the proceeds would be used to make a lump sum payment to TMRS to fund a portion of the Unfunded Actuarial Accrued Liability associated with the addition of this new benefit. This strategy would greatly reduce the impact this new benefit would have on future General Fund Operating budgets. The City of Garland's largest revenue source is property taxes, which are currently restricted by state law to no more than 3.5% growth per year for operations, which makes adding new operational benefits or services extremely difficult. The City Council set aside debt service capacity in the amount of \$130 million to fund the COLA adjustment and the City Staff is currently working with bond counsel and the City's financial advisor to issue these bonds. However, prior to City

Council approving the issuance of bonds, Section 107.003 of Chapter 107 of the Local Government Code requires that before authorizing issuance and delivery of Pension Bonds, the City Council must enter into an agreement with the TMRS board stating the amount of the unfunded liability and the date or dates on which the public pension fund will accept the net proceeds of the obligations to be issued in payment of all or a portion of the unfunded liability.

Consideration / Recommendation

The TMRS Board of Directors will consider the attached agreement at their board meeting scheduled for June 12, 2025. City Council is requested to approve this agreement to begin the required procedures to fund the COLA benefit for retirees as contemplated during the FY 2024-25 Budget process.

Attachments

Resolution
Agreement

RESOLUTION NO. ____

**A RESOLUTION APPROVING AND AUTHORIZING AN AGREEMENT WITH
THE TEXAS MUNICIPAL RETIREMENT SYSTEM PERTAINING TO THE
CITY OF GARLAND, TEXAS, GENERAL OBLIGATION PENSION BONDS**

WHEREAS, pursuant to Ordinance passed and approved on January 15, 1952, by the City Council (the “City Council”) of the City of Garland, Texas (the “City”), the City became a participating municipality in the Texas Municipal Retirement System (“TMRS”) for the benefit of its employees effective as of March 1, 1952; and

WHEREAS, the City Council expects to adopt an ordinance authorizing the City to issue one or more series of City of Garland, Texas, General Obligation Pension Bonds (the “Bonds”) pursuant to Chapter 107, Texas Local Government Code, as amended (“Chapter 107”) for the purpose of funding all or any part of the unfunded actuarial accrued liabilities owing to TMRS; and

WHEREAS, Section 107.003 of Chapter 107 requires that, before authorizing issuance and delivery of the Bonds, the City Council must enter into a written agreement with the Board of Trustees of TMRS (the “Board”), which written agreement (the “TMRS Agreement”) “must state the amount of the unfunded liability and the date or dates on which the public pension fund will accept the net proceeds of the obligations to be issued in payment of all or a portion of the unfunded liability”; and

WHEREAS, the City desires to enter into the TMRS Agreement in compliance with Chapter 107 and relating to the issuance of the Bonds;

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

SECTION 1: The recitals set forth in the preamble of this Resolution are true and correct in all material respects.

SECTION 2: The City Council hereby approves the TMRS Agreement in substantially the form and content of Exhibit A attached hereto and incorporated herein by reference as a part of this resolution for all purposes. Each of the Mayor, Mayor Pro Tem, City Manager, and Finance Director are hereby authorized to act on behalf of the City Council to approve all final changes to the TMRS Agreement, and the Mayor or Mayor Pro Tem are hereby authorized to execute and deliver the TMRS Agreement.

SECTION 3: It is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 4: This Resolution shall be in force and effect from and after its passage on the date shown below.

PASSED AND APPROVED, this 3rd day of June, 2025.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

EXHIBIT A

TMRS AGREEMENT

AGREEMENT REGARDING CITY PENSION OBLIGATION BONDS

This AGREEMENT REGARDING CITY PENSION OBLIGATION BONDS (the "Agreement") is entered into by and between the Board of Trustees ("Board") of the Texas Municipal Retirement System, a Texas public retirement system ("TMRS"), and the City Council ("City Council") of the City of Garland, Texas ("City"), and will be effective for all purposes as of the date this Agreement is signed by the latter party to do so below (the "Effective Date").

WHEREAS, pursuant to a City Ordinance passed and approved on January 15, 1952, the City became a participating municipality in TMRS for the benefit of its employees effective as of March 1, 1952; and

WHEREAS, the City Council expects to adopt an ordinance authorizing the City to issue one or more series of City of Garland, Texas, General Obligation Pension Bonds (the "Bonds") pursuant to Chapter 107, Texas Local Government Code, as amended ("Chapter 107") for the purpose of funding all or any part of the unfunded actuarial accrued liabilities owing to TMRS; and

WHEREAS, Section 107.003 of Chapter 107 requires that, before authorizing issuance and delivery of the Bonds, the City Council must enter into a written agreement with the Board, which written agreement "must state the amount of the unfunded liability and the date or dates on which the public pension fund will accept the net proceeds of the obligations to be issued in payment of all or a portion of the unfunded liability";

NOW THEREFORE, the City Council and the Board enter into this Agreement pursuant to Section 107.003 of Chapter 107, as follows:

1. The Board certifies that:
 - (a) TMRS is a statewide public retirement system qualified under section 401(a) of the Internal Revenue Code of 1986, as amended (the "IRC"), providing retirement, disability, and death benefits to active and retired employees of municipalities that participate in TMRS; and
 - (b) TMRS is not:
 - (i) a program that provides only workers' compensation benefits;
 - (ii) a program administered by the federal government;
 - (iii) a plan described by IRC Section 401(d);
 - (iv) an individual retirement account consisting of an annuity contract described by IRC Section 403(b);
 - (v) an individual retirement account as defined by IRC Section 408(a);
 - (vi) an individual retirement annuity as defined by IRC Section 408(b);
 - (vii) an eligible deferred compensation plan as defined by IRC Section 457(b); or
 - (viii) a program for which benefits are administered by a life insurance company or for which the only funding agency is a life insurance company.

2. The City Council and the Board acknowledge and agree that the City has an Unfunded Actuarial Accrued Liability owing to TMRS in the amount of \$170,575,663 as of the December 31, 2024, TMRS actuarial valuation (the “2024 UAAL”).
3. The City Council acknowledges and agrees that:
 - (a) the 2024 UAAL calculation was done by TMRS’ consulting actuaries, Gabriel, Roeder, Smith & Company (“GRS”) and was approved by the TMRS Board at its May 20, 2025, meeting;
 - (b) the full actuarial valuation report can be found on the TMRS website at: <https://www.tmr.com/actuarial-valuation/actuarial-valuations>;
 - (c) the City’s individual rate letter as provided by TMRS is attached hereto as **Exhibit A**;
 - (d) the City has requested to make a lump sum employer contribution to TMRS in the amount of \$111,092,679 to fund a portion of the 2024 UAAL, from proceeds of the Bonds on the closing date of the Bonds, which shall be on or before October 15, 2025;
 - (e) the City’s prior service portion of the 2024 UAAL equals \$18,907,321 and shall be referred to as the “Prior Service Portion” for purposes of this Agreement;
 - (f) the City desires to fund the Prior Service Portion from the proceeds of the Bonds and pay the Prior Service Portion through its required monthly employer contributions for the time period October 2025 through December 31, 2026 from monthly contributions to TMRS made pursuant to an escrow agreement (the “Escrow Agreement”) between the City and Zions Bancorporation, National Association, as escrow agent (the “Escrow Agent”); provided, however, that the City shall remain responsible for paying to TMRS any portion of the Prior Service Portion, of the required employer contribution rate that is not covered by the payments made pursuant to the Escrow Agreement;
 - (g) attached as **Exhibit B** is the City’s schedule of estimated monthly payments for the Prior Service Portion;
 - (h) the deposit of \$111,092,679 pursuant to Section 3(d) hereof and the total contributions of \$18,907,321 pursuant to Sections 3(e) and 3(f) hereof equals an \$130,000,000 portion of the total \$170,575,663 2024 UAAL; and
 - (i) the monthly payments made by the Escrow Agent to TMRS pursuant to the terms of the Escrow Agreement shall be in furtherance of payment of the Prior Service Portion, which Prior Service Portion will be calculated by the City as a percentage of payroll based on the Prior Service Portion of the City’s applicable required employer contribution rates for 2025 and 2026 calculated by GRS. The proceeds

of the Bonds deposited pursuant to the Escrow Agreement shall be for the benefit of TMRS and used solely for the purpose of funding the Prior Service Portion; provided, all amounts remaining in the Escrow Fund in December 2026 shall be deposited with TMRS in December 2026 even if such amounts are in excess of the actual amounts required to be deposited in December 2026 based on the Prior Service Portion calculated as a percentage of payroll of the City's required employer contribution rate for December 2026 calculated by GRS.

4. The Board acknowledges and agrees that:
 - (a) The Board agrees to accept the deposits set forth in Sections 3(d), 3(f) and 3(i) hereof when made;
 - (b) The Board has fiduciary responsibility for the assets of TMRS and has the duty to oversee the investment and expenditure of the assets of TMRS; and
 - (c) The Board agrees that such deposits, when made, shall be applied to the City's 2024 UAAL as determined in the annual actuarial valuation performed by TMRS' actuary.
5. The City Council and the Board acknowledge and agree that, under Section 855.4065 of the "TMRS Act" (Title 8, Subtitle G, Chapters 851-855 of the Texas Government Code) and "TMRS Rule" §125.6 (Title 34, Part 6, Chapter 125, Texas Administrative Code), the City may make a lump sum employer contribution, in the above amount requested by the City, to TMRS on or before December 31, 2025, to be deposited in the City's account in the TMRS Benefit Accumulation Fund ("BAF").
6. The City Council further acknowledges and agrees, for itself and on behalf of the City, that:
 - (a) TMRS Act §855.4065 and TMRS Rule §125.6 only authorize a lump sum employer contribution in addition to, not in substitution of, the monthly contributions the City is actuarially required to make to TMRS under the TMRS Act;
 - (b) in accordance with TMRS Rule §125.6, any such lump sum employer contribution deposited in the City's BAF account will be held in trust by TMRS and cannot be returned to the City;
 - (c) the City's required monthly employer contributions to TMRS, which include a portion attributable to the Prior Service Portion, must continue to be made during the remainder of calendar year 2025, as well as all of calendar year 2026, and in any future year or years that the TMRS actuaries determine an employer contribution is required under the terms of the TMRS Act;
 - (d) the City must still contribute its required monthly employer contributions to TMRS based on the full actuarially determined contribution rate of 17.59% and 17.92% for calendar years 2025 and 2026, respectively, and these rates reflect rates for both

the TMRS retirement plan and the supplemental death benefit plan selected by the City under the TMRS Act;

- (e) because there is a one-year lag between the TMRS actuarial valuation date and when the City employer contribution rates become effective, any lump sum employer contribution made in calendar year 2025 would first impact the City's calendar year 2027 employer contribution rates and first be reflected in the City's prior service portion contribution rate for 2027 as determined in the December 31, 2025, TMRS actuarial valuation; and
 - (f) even if the City makes one or more lump sum employer contributions, the City will also be required to contribute the full actuarially determined employer contribution rate for future years beyond 2025.
7. In any lawsuit or legal dispute arising from the operation of this Agreement, the parties agree that the laws of the State of Texas shall govern, without regard to the principles of conflicts of laws. Subject to TMRS' sovereign immunity, to the extent it is necessary to resolve any dispute under this Agreement in a court, and if resolution by a court is consistent with the provisions hereof, courts of the State of Texas shall have jurisdiction over any and all disputes between the parties hereto, whether in law or equity, and exclusive venue in any such dispute shall be laid in Travis County, Texas.
8. This Agreement may be amended only by a written instrument executed by the parties hereto. This Agreement may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same agreement.
9. The City acknowledges and agrees that in the event the deposit of \$111,092,679 pursuant to 3(d) is made after December 31, 2025, and during calendar year 2026, there will be an additional one-year lag beyond that specified in subsection 6(e) so that any lump sum employer contribution made in calendar year 2025 would first impact the City's calendar year 2027 employer contribution rates and first be reflected in the City's prior service portion contribution rate for 2027 as determined in the December 31, 2025 TMRS actuarial valuation.

[remainder of page left blank intentionally]

IN WITNESS WHEREOF, the parties have executed this Agreement on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

CITY COUNCIL OF THE CITY OF
GARLAND, TEXAS

BOARD OF TRUSTEES OF THE TEXAS
MUNICIPAL RETIREMENT SYSTEM

BY: _____

BY: _____

NAME: _____

NAME: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

EXHIBIT A

CITY OF GARLAND RATE LETTER

EXHIBIT B

CITY OF GARLAND SCHEDULE OF ESTIMATED MONTHLY PAYMENTS FOR PRIOR SERVICE PORTION*

Month	Date	Payroll Periods	Amount Per Pay Period	UAAL Amounts	
October 2025	10/15/2025	2	\$539,501	\$1,079,003	
November 2025	11/15/2025	3	\$539,501	\$1,618,504	
December 2025	12/15/2025	2	\$539,501	\$1,079,003	
January 2026	1/15/2026	2	\$581,954	\$1,163,909	
February 2026	2/15/2026	2	\$581,954	\$1,163,909	
March 2026	3/15/2026	2	\$581,954	\$1,163,909	
April 2026	4/15/2026	2	\$581,954	\$1,163,909	
May 2026	5/15/2026	2	\$581,954	\$1,163,909	
June 2026	6/15/2026	3	\$581,954	\$1,745,863	
July 2026	7/15/2026	2	\$581,954	\$1,163,909	
August 2026	8/15/2026	2	\$581,954	\$1,163,909	
September 2026	9/15/2026	2	\$581,954	\$1,163,909	
October 2026	10/15/2026	2	\$581,954	\$1,163,909	
November 2026	11/15/2026	3	\$581,954	\$1,745,863	
December 2026	12/15/2026	2	\$581,954	\$1,163,909	
				\$18,907,321	City Prior Service Portion

*Actual monthly payment will vary depending on payroll.



GARLAND
CITY COUNCIL STAFF REPORT

City Council Regular Session

8.

Meeting Date: 06/03/2025

Title: Abandonment of Utility Easement and Sanitary Sewer Utility Easement in Digital Realty Addition

Submitted By: Michael Polocek, Engineering Director

Strategic Focus Area: Growing Economic Base
Well-Maintained City Infrastructure
Vibrant Neighborhoods and
Commercial Centers

Issue/Summary

Approve a resolution authorizing the abandonment of a Utility Easement and a Sanitary Sewer Utility Easement in the Digital Realty subdivision. Council considered this item on the May 19, 2025 Work Session.

Background

Digital Garland Campbell, L.P. is currently in the process of developing Lot 2, Block 1, of Digital Realty for the construction of multiple data center buildings; however, constraints created by existing easements have limited the developer's ability to fully utilize their lot under the current Code. Therefore, the easements need to be abandoned to accommodate the footprints of buildings that will be constructed as a part of the development.

In consideration, the developer relocated the conflicting utilities and will dedicate new easements by plat, serving the same purposes. The Engineering Department recommends abandoning the Utility Easement and the Sanitary Sewer Utility Easement to the current property owner, Digital Garland Campbell, L.P.

Consideration / Recommendation

Council considered this item on the May 19, 2025 Work Session.

Staff recommends Council approve the resolution authorizing the abandonment of a Utility Easement and a Sanitary Sewer Utility Easement in the Digital Realty subdivision.

Attachments

Location Map
Resolution

Location

GARLAND CITY LMIIT



LOOKOUT DR

CAMPBELL RD

EXHIBIT B
UTILITY EASEMENT
TO BE ABANDONED

KENNEWICK DR
EVERETT DR
KIRKLAND RD
PASCO RD
BELLEVUE AVE
BELLINGHAM LN

HOLFORD RD

EXHIBIT B
SANITARY SEWER
UTILITY EASEMENT
TO BE ABANDONED

FERRIS RD

CAMPBELL RD
GEORGE BUSH SERVICE RD
GEORGE BUSH HWY

- Parcels
- City Limit
- Utility Easement

240016-0, DIGITAL GARLAND
SEWER EXTENSION

Scale: NTS
Date: 08/14/2024
Drawn: OS
File: Digital Realty



RESOLUTION NO. _____

A RESOLUTION APPROVING THE ABANDONMENT, RELEASE, AND CONVEYANCE OF A UTILITY EASEMENT AND A SANITARY SEWER UTILITY EASEMENT UPON CERTAIN CONDITIONS; AUTHORIZING THE MAYOR OF THE CITY OF GARLAND TO EXECUTE A DEED CONVEYING THE EASEMENTS TO DIGITAL GARLAND CAMPBELL, L.P.; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is the owner of a Utility Easement recorded in Volume 2005131, Page 980, and a Sanitary Sewer Utility Easement recorded in Volume 2000108, Page 8573, Official Public Records of Dallas County, Texas and more particularly described and depicted in Exhibits "A" and "B" respectively, attached hereto and incorporated herein by reference (collectively, the "Easements");

WHEREAS, Digital Garland Campbell, L.P. ("Digital Garland") is the current owner of the approximately 47.460 acre tract located at 1702 W. Campbell, Garland, Dallas County, Texas (the "Property") encumbered by the Easements and is in the process of redeveloping said Property;

WHEREAS, Digital Garland, as part of its redevelopment efforts, has granted to the City an alternative City Utility Easement, recorded as Instrument Number 202400165252 in the Official Public Records of Dallas County, Texas (the "New Easement"), and attached hereto as Exhibit "C" and has constructed within said New Easement a ___-inch sanitary sewer line to replace the existing line in the Easements;

WHEREAS, following the completion of the new sanitary sewer line, Digital Garland requested the City to abandon the Easements in favor of the New Easement and infrastructure at its location to allow for a more efficient use and layout of the Property;

WHEREAS, the City has accepted the New Easement and infrastructure constructed therein; and

WHEREAS, because of the New Easement and infrastructure, the City has determined that the Easements are no longer needed for public use and should be abandoned and conveyed to the property owner, Digital Garland;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That, the abandonment and conveyance of the Easements by the City of Garland to Digital Garland is hereby approved.

Section 2

That the Mayor, is hereby authorized to execute a Deed Without Warranty, the form and substance of which is attached as Exhibit "D" and incorporated herein by reference, conveying the Easements to the Grantee.

Section 3

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the _____ day of _____, 2025.

CITY OF GARLAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary



GARLAND

PLANNING REPORT

City Council Regular Session

9. a.

Meeting Date: 06/03/2025

Item Title: BW 25-01 Everest Gas and Food Mart Inc. (District 4)

Submitted By: Nabila Nur, Planning and Development Director

REQUEST

The applicant requests a variance regarding a distance less than the 300 feet minimum separation to South Garland High School from an establishment that sells alcoholic beverages.

LOCATION

3301 Broadway Boulevard

OWNER

Golakia & Singh LLC

BACKGROUND

Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code (GDC) states that an establishment that sells or serves alcoholic beverages may not be located closer than 300 feet within a church, public school or public hospital. Section 2.55(C) allows for a variance to the distance regulations to be reviewed by the City Council. The applicant proposes to continue to sell beer and wine at an existing convenience store, "Everest Gas and Food Mart," on the subject property. A TABC Beer and Wine permit was granted to the previous business that operated for 8 years; however, a change in ownership has triggered a new permit from the Texas Alcoholic Beverage Commission (TABC).

There is an existing public school, "South Garland High School" approximately 50 feet away, per the GDC and TABC measurement guidelines. The GDC states that the measurement is made in a direct line from the property line of the public school to the property line of the place of business. In order to receive a wine and beer retailer's off-premise permit through the TABC, the City of Garland must first approve the reduced distance from the public school to the establishment which sells beer and wine.

Staff is looking into proximity of similar uses and past violations and will provide an update to City Council during the meeting.

SITE DATA

The subject property is approximately 0.68 acres fronting approximately 190 feet along Broadway Boulevard and 145 feet along East Kingsley Road. The subject property is zoned Community Retail (CR).

CONSIDERATIONS

1. The subject property is currently developed as a convenience store use, while a Public School operates on a property starting 50-feet to the South. Should the City Council grant the variance, the applicant representing the convenience store use will apply for a new off-premise wine and beer retailer's permit with the Texas Alcoholic Beverage Commission (TABC) due to a change in ownership.
2. As mentioned above, Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code (GDC) states that an establishment that sells or serves alcoholic beverages may not be located nearer than 300 feet to a church, public school or public hospital. The measurement of the distance between the establishment where alcoholic beverages are sold and the public school or private school shall be in a direct line from the property line of the public school to the property line of the place of business, and in a direct line across intersections along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measured distance, according to these rules, between the alcohol-selling use and the public school is

approximately 50 feet. An exhibit is attached for reference.

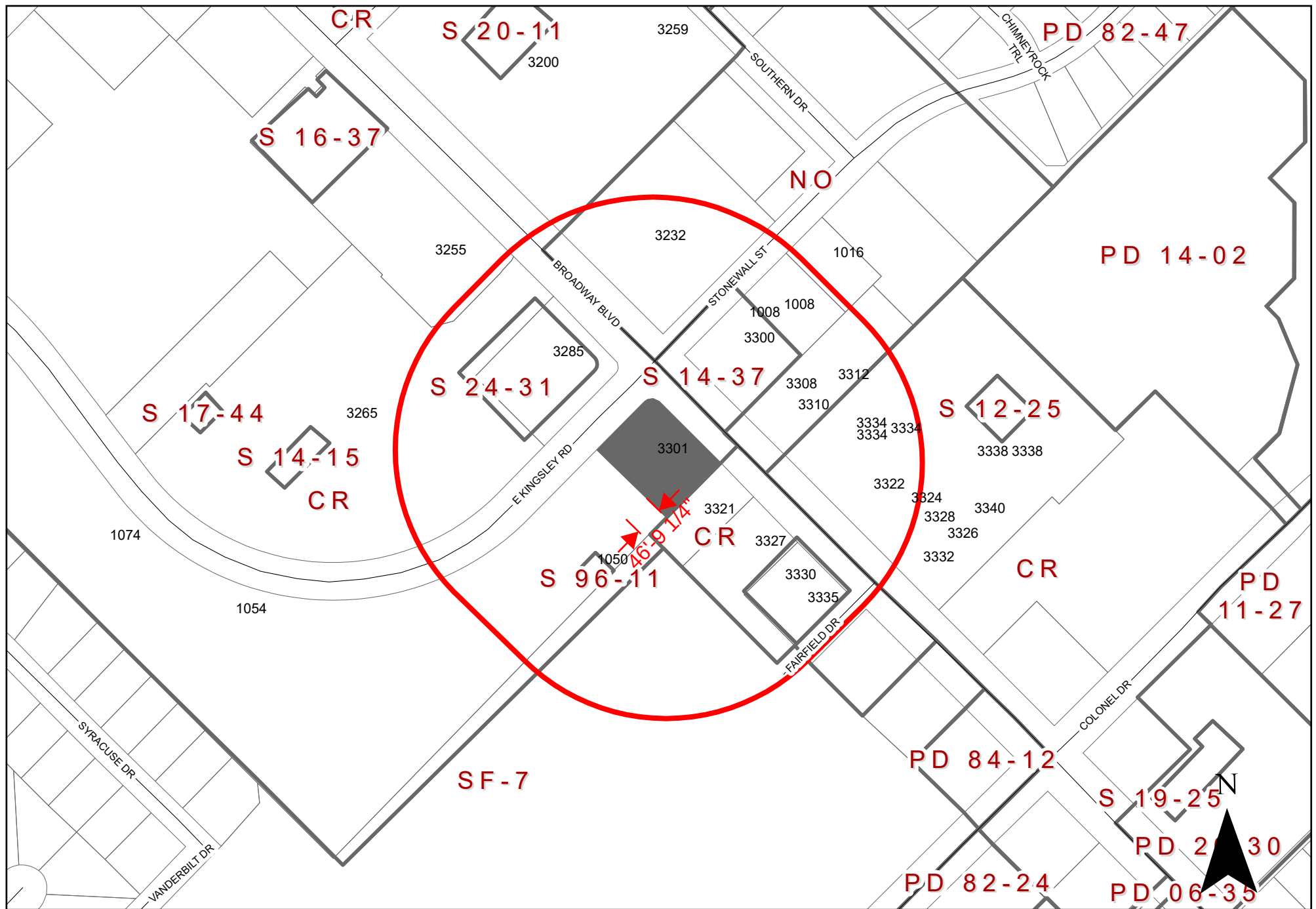
3. Chapter 2, Article 5, Section 2.55(C) of the Garland Development Code (GDC) states that "The City Council may grant a variance to the distance regulations provided by this Section if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety and welfare of the public and the equities of the situation, determines is in the best interest of the community."
4. The Applicant claims that the walking distance from the front door of the convenience store to the front entrance of South Garland High School is over 0.7 miles and has provided a distance exhibit.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties surrounding the subject property are zoned Community Retail (CR) to the East and North with Specific Use Provisions (SUP) for Drive-Through Restaurants. The property to the South is zoned Single-Family-7 (SF-7) District and contains South Garland High School. Finally, the properties to the North and across Broadway Boulevard are zoned Neighborhood Office (NO) and Community Office (CO) Districts. The Neighborhood Office District includes personal services, general office, and medical/dental office/clinic uses and the Community Office property contains a Specific Use Provision for a Restaurant, Drive-Through.

Attachments

NOTMAP with Distance from School to Establishment (per GDC measurement requirements)
Distance Exhibit from Applicant
Applicant Letter



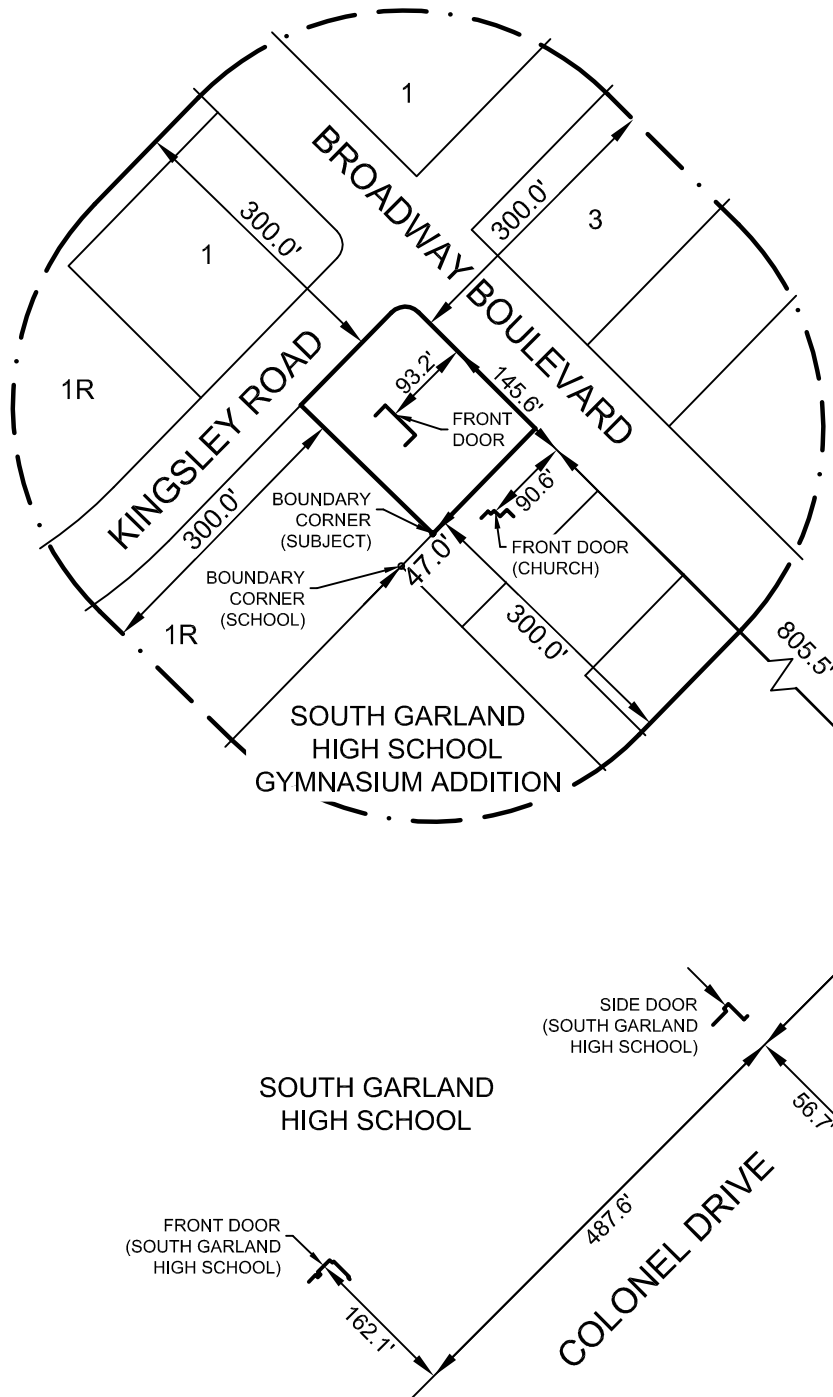
0 200 400 Feet

Beer & Wine 25-01

INDICATES AREA OF REQUEST INDICATES NOTIFICATION AREA

3301 Broadway Blvd

ALCOHOL MEASUREMENT SURVEY



SCALE: 1" = 200'

3301 Broadway Boulevard, Garland, Texas
Lot 3, Block 2, Broadway Crossing
Volume 86250, Page 3248
D.R.D.C.T.

OWNER
GOLAKIA & SINGH, LLC

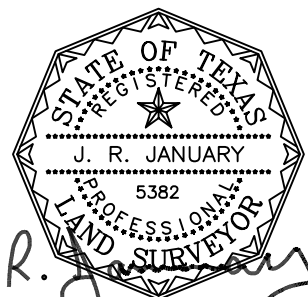
April 11, 2025; Scale 1" = 200'
Job# 2500863-2

I have conducted (or cause to be conducted) a physical inspection of the area and a diligent search of the public records to determine if the place of business is located near any protected uses. The subject property currently does not meet the location requirements of Garland Development Code, Chapter 2, Article 5, Division 3. The purpose of this survey map is to show the place of business where alcohol beverages will be sold in relation to protected uses for the purpose of obtaining a variance to the requirements of said Garland Development Code, Chapter 2, Article 5, Division 3.



TEXAS HERITAGE
SURVEYING, LLC

10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com Firm No. 10169300



J. R. January

Written Description of Request for TABC Permit

Business Name: Everest Gas and Food Mart Inc.

Business Address: 3301 Broadway Blvd, Garland, TX 75043

Applicant: Sanjay Sah

Permit Type: Beer and Wine Retail (off-premises)

Description:

I am requesting approval to obtain a **TABC Beer and Wine Permit** for my business located at **3301 Broadway Blvd, Garland, TX 75043**. The purpose of this request is to allow the lawful sale of **beer and wine** in accordance with **Texas Alcoholic Beverage Commission regulations** and **City of Garland zoning ordinances**.

Our business operates as a **Gas Station with convenience store**, and we aim to provide a full range of products and services to meet customer needs. This includes the legal sale of alcoholic beverages, which is common for businesses in this category.

We understand that our location is within proximity to **South Garland High School**, and while the **property line distance is approximately 50 feet**, the **actual street travel distance exceeds 0.7 miles**. The location has a history of 12 year previously operated under a valid TABC permit by the former business owner, and we seek to continue lawful operations in the same manner.

We respectfully request the city's consideration for approval of our TABC permit, and if necessary, a **distance variance** to continue serving the local community responsibly. We are fully committed to complying with all state and local regulations concerning alcohol sales, including ID verification, employee training, and public safety.

Thank you for your time and consideration.

Sincerely,

Sanjay Sah

Everest Gas and Food Mart Inc.

Phone: 469-954-2643

Email: everestgasandfoodmart2025@gmail.com



GARLAND

PLANNING REPORT

City Council Regular Session

9. b.

Meeting Date: 06/03/2025

Item Title: GDC Amendment ORD 25-05

Submitted By: Nabila Nur, Planning and Development Director

REQUEST

A public hearing to consider amendments to Chapter 2 Zoning Regulations, Attachment 1 - Land use chart and Article 4, Division 4 Mixed-Use Districts as it relates to the permitted land uses and development regulations for the Urban Residential (UR) and Urban Business (UB) districts.

PLAN COMMISSION RECOMMENDATION

On May 12, 2025, the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of the proposed amendment.

BACKGROUND

The City of Garland has initiated a rezoning process for an approximately 317 acres of property generally located on the north side of I-635, on both sides of S Garland Avenue. The overall area currently has several zoning designations; however, the predominant ones are Community Retail (CR) and Industrial (I).

The current zoning districts allow a variety of uses that resulted in some less than preferred developments in the past. The goal of this city-initiated rezoning is to set the stage for revitalization of the area. The proposed zoning districts are Urban Residential (UR) and Urban Business (UB). These districts are intended to allow cohesive, orderly, creative, and predominantly vertically oriented mixed-use and mixed-density developments.

The rezoning case (Z 25-08) is scheduled for a public hearing within the same agenda. This proposed GDC amendment acts as a supplement to that request as it intends to update the use chart for UR and UB district to allow only compatible and desirable uses in these districts. Additionally, staff reviewed the development regulations within the mixed-use districts and proposes some revisions to allow maximum focus on creating vibrant pedestrian-oriented places and increased density for urban setting.

Attachments

Mixed Use District GDC Amendment

Land Use Matrix GDC South Garland Update

GDC Amendment ORD 25-05 R&M

GDC Amendment ORD 25-05 Staff Presentation

DIVISION 4
Mixed-Use Districts

§ 2.49. U, Urban Districts (UR and UB).

- (A) Purpose. The Urban (U) districts are intended to allow cohesive, orderly, creative, and predominantly vertically-oriented mixed-use and mixed-density developments. There are two types of Urban districts: Urban Residential (UR) and Urban Business (UB). UR districts are predominantly residentially-oriented districts that may also include a limited number of integrated nonresidential uses that are compatible with, harmonious with, and supportive of, a high-density, urban-style residential neighborhood. UB districts are predominantly business- and shopping-oriented districts that may also include integrated residential uses that are compatible with, and supportive of, a high-density, urban-style business district.

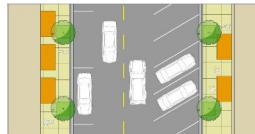
The Urban districts are also intended to establish a distinctive community character in specially selected areas through innovative and mutually-sustaining land uses, urban-style and pedestrian-oriented site design, efficient traffic and pedestrian circulation, innovative and high-quality architectural elements and landscaping concepts, and other similar enhanced design features that will in turn elicit a strong sense of community, civic pride, and of satisfaction with quality of life among those who choose to enjoy the lifestyle created by these districts.

Appropriate flexibility in final design should be given to developers and designers of Urban districts to allow creativity for the opportunities associated with individual sites. The Urban districts can include a mixture of architectural styles ranging from contemporary to traditional. The general intent of these districts is to maximize utilization of land for a mixture of mutually sustainable uses, while also utilizing open spaces to the greatest extent possible in an urban setting for public recreation and leisure purposes. Urban districts are intended to include a diverse mixture of residential housing choices and business/employment opportunities (for example, live-work units) in a symbiotic and urban-style environment that not only accommodates residents' needs to live, work, learn, and play within a neighborhood setting, but that also builds long-term stability, civic pride and fiscal value for the community in general.

- (B) Allowed Uses. All allowed uses (whether by right or by SUP) in the UR or UB district (as applicable) are indicated within the Land Use Matrix, Article 5 of this Chapter 2. Single-family attached residences are only allowed in the Urban districts to the extent they are in compliance with the SFA district requirements.
- (C) Use Integration. Developments within the Urban districts must be comprised of a mixture of residential and nonresidential uses that are conducive to a live-work environment.
- (1) **In all Urban** districts, compatible, complementary nonresidential land uses on the first (ground) floor level are allowed but not required. However, all first (ground) floor levels must be constructed to retail building standards, including a minimum floor-to-ceiling height of twelve feet. These ground floor areas may be occupied by any allowed use, but shall be constructed to accommodate retail and restaurant uses in response to market demand.

- (3) Other combinations (in terms of percentages) of land use mixtures may be achieved by establishment of a Planned Development (PD) district that is based upon the applicable Urban district.
- (D) Parking. Off-street parking and loading for Urban districts must be in compliance with provisions of the Land Use Matrix, Article 5 of this Chapter 2 and with Chapter 4, Article 2 of this GDC unless otherwise provided below.
- (1) Number of Parking Spaces. For all nonresidential uses in an Urban district, the number of required off-street parking spaces may be reduced as provided in Section 7.12(D) in Chapter 7 of this GDC (the DT district) for each type of use as shown on the Land Use Matrix, Article 5 of this Chapter 2.
- (2) Location. Surface off-street parking areas in an Urban district is prohibited in front of any structure within a designated front yard unless specifically approved during the plan review process. Surface off-street parking areas must be located generally to the side or rear of the main buildings in designated side or rear yards.
- (3) Orientation. Surface off-street parking areas in an Urban district must be subdivided so as to avoid large expanses of pavement.
- (4) On-Street Head-In or Angled Parking. Unless a street segment is restricted by City ordinance as a “No Parking” zone, a single bay of angled or parallel parking in an Urban district may be provided along the street in front of main buildings (see Illustration 2-7).

Illustration 2-7 Example of Angled and Parallel Parking in Urban Districts



- (5) Shared and Off-Site Parking. Shared or off-site parking arrangements in an Urban district may be approved during the review and approval of the initial development application. The requirements and procedures for a shared or off-site parking arrangement are provided in Article 2, Division 3 in Chapter 4 of this GDC.
- (6) Structured (Garage) Parking. To enhance the overall visual character of an Urban district, and to mitigate overall bulk appearance of parking structures, the following design standards apply to parking structures in an Urban district:
- (a) All above-grade parking structures must be designed to be consistent with and complementary to the architectural style of the main building(s), and must

incorporate at least two of the following design elements:

- i. Distinctive architectural elements (cornices, piers, columns, friezes, quoins, mullions, fenestration, pilasters, rustication, or accentuating belt courses - see Illustration 2-8);
 - ii. Variation in wall planes (wall openings, canopies, articulations, wall convexities and/or concavities, balconies, or awnings - see Illustration 2-8);
 - iii. Change in materials (defined as a minimum of two separate, compatible materials excluding glazing - each separate material must be at least twenty percent of each facade's surface area, excluding glazing);
 - iv. Change in colors (defined as a minimum of two separate, compatible colors excluding glazing - each separate color must be at least twenty percent of each facade's surface area, excluding glazing).
- (b) All above-grade parking structures must be designed with a distinguishable first floor, upper facades, and roofs. Parking garage first floors must be designed at human scale with pedestrian-scale elements such as awnings, canopies, window breaks, and door openings.
- (c) Above-grade parking garages may be designed using decorative metal elements such as ornate meshes, screens and the like, but non-decorative steel guard cables that are visible to the public or to adjacent properties are prohibited.
- (7) Individual Residential Garages and Driveways.
- (a) Individual residential garages and driveways in an Urban district must be designed, constructed, and operated to allow access only from a rear (or side) alley or an interior common access service drive aisle, a dedicated fire lane, or a dedicated shared parking court (and may not be facing or accessed from a public street).
 - (b) Garages in an Urban district must be set back from any street or alley right-of-way a minimum of twenty feet;
 - (c) Driveways for residential dwelling units must be no wider than twelve feet until the driveway is beyond the adjacent front building face.

Illustration 2-8 Examples of Acceptable Facade Articulation for Parking Structures



(E) Screening and Buffering.

(1) Screening and Buffering Between Uses. Screening walls or other buffering elements in an Urban district, which are typically required between varying types of uses (see Chapter 4, Article 3 in this GDC), are only required when establishing a new nonresidential use adjacent to a pre-existing residential use or residential zoning district. This requirement may be waived by the Planning Director during the review and approval of the initial development application if the Director determines the screening is not necessary to protect the adjacent property from the new use. Required screening devices in an Urban district must be designed in such a way that allows pedestrian access to the development from public sidewalks along streets, as well as from adjacent properties where cross-access would be beneficial to both properties.

(2) Screening of parking areas, loading areas, solid waste containers, ground-mounted and roof-mounted mechanical equipment, and other site features must be in compliance with the standards provided in Chapter 4, Article 3 of this GDC.

(F) Signage. All signage within an Urban district must be in compliance with Chapter 4, Article 5 unless otherwise provided below:

- (1) Unity in Design. Signs within an Urban district must conform to a unified design, such that size, materials, and colors of each sign are similar and complementary.
 - (2) Freestanding Signs. All freestanding signs within an Urban district must be monument style (that is, not pole or pylon style), unless otherwise varied and approved during the sign permitting process.
 - (3) Pedestrian-Scale Signs. Signs in a pedestrian-scale setting (such as along storefront pedestrian walkways) within an Urban district must be pedestrian-oriented and may include under-awning, hanging signs, or perpendicular signs attached to a building.
- (G) Pedestrian Access - Sidewalks. Sidewalks must be provided between the street and the building, and shall be a minimum of eight feet in width except in pre-developed areas where the sidewalk system is already established prior to the effective date of this GDC. In those areas, redevelopment of lots or tracts must include repairs or replacement of the adjacent portion of the existing sidewalk, as determined by the Director of Transportation and in compliance with the City's standards in effect at the time. Barrier-free ramps must be added (or replaced) at all street corners and at any designated mid-block pedestrian crossings in accordance with local, state, and federal law.
- (H) Building/Architectural Design.
- (1) Purpose. The intent of architectural design controls in Urban districts is to promote distinctive, high-quality architectural design in a pedestrian-scale setting that sets a particular Urban development apart visually (and thematically) from other developments in the vicinity. The development standards provided in this Section are intended to promote continuity among redevelopment projects and new structures within a particular Urban district.
 - (2) Compatibility. Exterior construction in an Urban district must be compatible and complementary as to design and colors throughout each development.
 - (3) Uniformity. All buildings must employ "four-sided architecture" in an Urban district, meaning that comparable design elements must be used on all exposed sides of a building. No lesser quality design elements may be used in an Urban district for the rear or any side of a building unless the side is screened from ground level view.
 - (4) Articulation. Architectural features of buildings in an Urban district must provide diversity and articulation of wall surfaces through use of one or more of the following architectural elements: pilasters, quoins, projected awnings, solid canopies, bay windows, or towers. Additional horizontal and vertical building articulation requirements of an Urban district are as follows:
 - (a) Horizontal Building Articulation.
 - i. Building facades that are visible to a public street and that are between forty feet and one hundred feet in length require at least one horizontal articulation break that is a minimum of two feet in depth for at least twenty percent of the total length of the building facade. Curved facades may be used to meet the articulation requirement if at least one-half of the curved facade meets the

minimum two-foot depth.

- ii. Building facades that are visible to a public street and that are over one hundred feet in length require at least one horizontal articulation break per fifty linear feet that is a minimum of two feet in depth, so that the cumulative articulation breaks total at least twenty percent of the building facade's total length. Curved facades may be used to meet the articulation requirement if at least one-half of the curved facade meets the minimum two-foot depth.

(b) Vertical (Roofline) and Building Articulation.

- i. Building facades that are visible to a public street and that are between forty feet and one hundred feet in length require at least one vertical articulation break that is a minimum of twenty percent higher or lower than the building facade's average unarticulated height for at least twenty percent of the building facade's total length.
- ii. Building facades that are visible to a public street and that are over one hundred feet in length require at least one vertical articulation break that is a minimum of twenty percent higher or lower than the building facade's average unarticulated height for every fifty linear feet, so that the cumulative vertical articulation breaks total at least twenty percent of the building facade's total length.

- (c) Each sequential block of new development within an Urban district must contain a unique, but visually compatible, building facade to encourage architectural variety within larger projects by using a combination of architectural elements.

- (5) Facades and Building Forms. An identifiable first floor, upper facade, and rooflines. First floor facades must be designed Building facades that are visible to a public street in an Urban district must be designed with at human scale with elements such as window bays, recessed entries, awnings, canopies, and other human-scale architectural features. Additional building facade and form requirements for Urban districts are as follows:

- (a) First floor facades may not exceed twenty feet in height, but interior spaces may be taller than upper level building floor-to-ceiling heights;
- (b) First floor facade heights must be consistent for individual buildings, so as to form a distinctive horizontal "base floor" visual element;
- (c) Buildings must reflect a small-scale visual pattern along the street frontage with building bay widths of approximately twenty-five to fifty feet;
- (d) Upper facades must be designed using architectural elements such as window spacing, facade sections, projections/concavities, awnings, window covers, window hoods, and balconies;
- (e) Individual floors must be identifiable with elements such as material changes, trim, color changes, moldings, cornices, belt courses, awnings, balconies, or other

similar architectural features; and

- (f) To emphasize the pedestrian scale, building facades must incorporate at least one element from at least two of the following groupings:
 - i. Architectural elements such as cornices, piers, columns, friezes, quoins, mullions, fenestration, pilasters, rustication, or belt courses.
 - ii. Variations in wall planes with canopies, balconies, or awnings.
 - iii. Changes in materials or color - each facade must incorporate at least two separate materials or color changes, excluding glazing. Each separate material or color change must comprise at least twenty percent of each facade's appearance, excluding glazing.
- (6) Highly Reflective Exterior Construction Materials. Highly reflective materials and surfaces, including reflective metal siding and mirrored glass glazing, must be installed in such a manner as to diffuse reflective light and prevent the focused redirection of sunlight or other luminants beyond the boundary line of the premises on which the facility is located.
- (7) Exterior Colors.
 - (a) The use of florescent paint and florescent colors are prohibited in an Urban district.
 - (b) Exterior colors must complement one another, and must promote the architectural style of the Urban district.
- (8) Building Entries.
 - (a) Main building entrances in an Urban district must be from public sidewalks or plazas and comply with the following:
 - i. In order to create a pedestrian-oriented and access-friendly environment, a building must have its main entrance from a public sidewalk or plaza or from a private sidewalk or plaza that is publicly accessible through a public easement.
 - ii. Secondary entrances to a building from a parking lot are permitted.
 - iii. Main entrances to a building must be easily identifiable and must utilize pedestrian-scale design elements.
 - (b) Building entrances in an Urban district must be accented by architectural elements such as recessed facades, columns, overhanging roofs, awnings, or balconies.
 - (c) Spaces in an Urban district that are along pedestrian walkways and parking lots must provide rear entrances to buildings that are identifiable with elements such as signage, plantings, awnings above rear windows, or other human-scale elements.
 - (d) Residential Entries. Street-level dwelling units within multi-unit structures in an Urban district must have individual street-oriented or common corridor entries.

The fronts of all townhouse, row home or other single-family attached dwelling units shall face an adjacent open space, park or street.

(9) Residential Entries. entries. The fronts of all

(10) Active Depth. Active depth refers to the interior depth of the building from the front façade,

(11) Roofs.

- (a) Roof lines in an Urban district must be consistent with the coordinated architectural theme and variable in terms of shape, pitch, and height, in order to avoid long expanses of flat similar roof lines.
- (b) Roofs in an Urban district must be designed as individual design elements, and must be utilized to screen roof-mounted mechanical equipment and satellite dishes.
- (c) The use of mansard or gambrel roofs is prohibited in an Urban district.

(I) Site Design.

(1) Purpose. The intent of site design controls in Urban districts is to optimize pedestrian scale, building utilization, efficient traffic circulation, and visual quality. The arrangement of building masses, parking areas, open spaces, landscaping, pedestrian walkways, and site furnishings must encourage pedestrian activity, create unique views, and create an attractive, safe, and sustainable development site.

(2) Site Design.

- (a) Building Orientation. Building orientation in an Urban district must consider uses both within structures and outside; plazas, open spaces, and other pedestrian spaces must be integrated into the site.
- (b) Block Lengths. Block lengths in Urban districts must be characterized by smaller, walkable blocks that are connected to each other; cul-de-sacs or other single-entrance streets are prohibited unless, due to topography or existing development patterns, there is no other reasonable alternative to serve the Urban development. Single-entrance streets may be approved by the Planning Director during the development review process based on the foregoing criteria. Small block lengths and connected street patterns provide opportunities for traffic efficiency and pedestrian connectivity.
 - i. The minimum length of a street block is two hundred feet in an Urban district.
 - ii. The maximum length of a street block is five hundred feet in an Urban district.
- (c) View Corridors. The arrangement of streets, open spaces, and buildings in an Urban district must create view corridors where practicable.
- (d) Scale. The massing of new buildings in an Urban district must be articulated in a variety of ways, including the use of projecting and recessed elements such as porches, cantilevers, balconies, bay windows, and roof dormers, to reduce their apparent overall bulk and volume, to enhance visual quality, and to contribute to human-scale development. Larger-scale residential buildings with a box-like appearance are prohibited in an Urban district unless approved by the

Planning Director during the development approval process to the extent that the Planning Director determines that the buildings meet the spirit and intent of the Urban district.

- (3) Height, Density and Area Requirements. The following are the height, density, and area requirements required for lots and structures in an Urban district, unless otherwise provided in this Section:
- (a) Minimum size of an Urban district rezoning request is three acres unless the area to be rezoned is immediately adjacent to an existing Urban district.
 - (b) Minimum lot width is thirty feet.
 - (c) Minimum lot width for multifamily tracts is seventy-five feet.
 - (d) Minimum lot depth is one hundred feet.
 - (e) Maximum lot coverage may not exceed eighty percent of the site unless a higher amount is granted as part of a Planned Development.
 - (f) Minimum building height is 24 feet.
 - (g) Maximum building height is only applicable where the subject property abuts an existing single-family residential zoned property as regulated by Section 2.49(I)(4)(d)(ii).
 - (h) Minimum density of multifamily residential is thirty dwelling units per net developable acre of land forty dwelling units Urban Business (UB).
 - (i) Maximum density of multifamily residential is eighty dwelling units per net developable acre of land.
 - (j) The minimum dwelling unit sizes in the Urban district must follow the MF district standards.
- (4) Yard and Build-To Lines.
- (a) Yards in an Urban district must be free from any encroachments, unless otherwise provided for in this GDC, including primary buildings, accessory buildings, detached garages, and ground-mounted mechanical equipment.
 - (b) Buildings and structures in an Urban district must be in compliance with the following provisions (all setbacks are measured from the property line):
 - i. Front maximum build-to line is twenty feet; all areas adjacent to a street are front yards; no parking is allowed in the front yard unless otherwise approved during the site permitting process.
 - ii. Front minimum build-to line is ten feet from a public street right-of-way line, and zero feet from a private street or access easement provided that utilities and pedestrian circulation (sidewalks) are accommodated.
 - iii. The maximum front porch setback is fifteen feet.
 - iv. All rear yards must be a minimum of ten feet.
 - v. All side yards must be a minimum of five feet for residential structure and a minimum of ten feet for all other structures.

- vi. Dwelling units may be attached to each other with appropriate fire walls (in accordance with the City Code).
- (c) At least seventy-five percent of the front facade of any structure facing a street in an Urban district must be located between the minimum and the maximum build-to lines. Up to twenty-five percent of the facade may be located further from the back-of-curb than the front yard maximum build-to line but may not be located greater than fifty feet beyond the front street maximum build-to line thirty five feet beyond the side street maximum build-to line. No part of any front facade in an Urban district may be located between the back-of-curb and the minimum build-to line (see Illustration 2-10).
- (d) The following provisions apply to side-yard and rear-yard setbacks in an Urban district, where adjacent to traditional single- or two-family residential districts:
 - i. Urban developments must provide a solid masonry screening wall that is in compliance with the design standards provided in Chapter 4, Article 3 of this GDC), and the minimum side and rear setbacks must be 1.25 times the maximum height of the building or a maximum of fifty feet.
 - ii. Where adjacent to a single-family district, all portions of the building above thirty-five feet in height must be set back to fit within a forty-five degree slope measured from the residential property line to maintain privacy for adjacent traditional single- or two-family residential zoning (see Illustration 2-9).

Illustration 2-9 Example of Setback for Shallow Parcels Adjacent to Traditional Single- and Two-Family Zoned Residential Areas

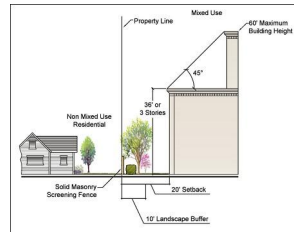
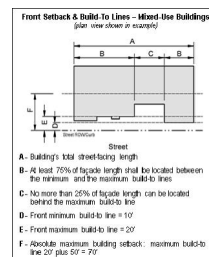


Illustration 2-10 Front Setback and Build-To Lines for Mixed-Use Buildings



- (5) Amenities. The residential components of an Urban district must incorporate and provide communal and personal convenience amenities on-site (that is, within the development), in accordance with the minimum number requirements provided in Subsection (6) below, unless provision of the amenities is approved in an off-site location in accordance with Subsection (7) below. Communal and personal amenities may include the following:

- (a) Swimming pool;
- (b) Fitness center;
- (c) Business center;
- (d) Dining establishment;
- (e) Game and leisure room;
- (f) Personal services (such as, hair salon, therapeutic massage);
- (g) Multi-purpose gymnasium;
- (h) Meeting/conference rooms;
- (i) Convenience/sundries shop; or
- (j) Child care center.

- (6) Amenities Required by Size of Development. The minimum number of amenities that

must be provided on-site (or as may be approved off-site pursuant to Subsection (7) below) for the residential components of an Urban district are as follows:

- (a) A development having up to, and including two hundred dwelling units must provide at least two of the amenities listed in Subsection (5) above;
 - (b) A development having two hundred and one dwelling units to five hundred units must provide at least four of the amenities listed in Subsection (5) above; and
 - (c) A development having five hundred and one or more dwelling units must provide at least six of the amenities listed in Subsection (5) above.
- (7) Shared Amenities. The Planning Director may, using the procedure for alternative compliance (as set forth in Chapter 4, Article 1, Division 2 of this GDC), approve shared use of amenities among two or more developments provided that use of the amenities by residents of all applicable developments is ensured in perpetuity in a form that is acceptable to the City.
- (8) Site Furnishings. Site furnishings in an Urban district development must comply with the following:
- (a) Site furnishings, including (but not limited to) benches, litter receptacles, planters, bollards, lighting, bicycle racks, public art, and fountains in an Urban district must emphasize the architectural character of each individual Urban development.
 - (b) Individual Urban developments must maintain continuity in the style, forms, materials, and colors of site furnishings. Site furnishings must be of the same architectural character as the buildings in the development.
 - (c) Site furnishings must be durable, low-maintenance, and resistant to vandalism.
 - (d) Site furnishings must be placed so as to maintain an unencumbered walkway of at least four feet in width for pedestrians.
 - (e) Lighting for off-street parking facilities and pedestrian corridors must be of the same height, style, and color. Lighting must complement the architectural style and character of the buildings in the development.

(Ordinance 6773 adopted 5/19/15; Ordinance 7079, sec. 27, adopted 8/20/19; Ordinance 7107, sec. 25, adopted 12/3/19; Ordinance 7344 adopted 7/5/22)

LAND USE MATRIX

N/A – Not applicable (i.e., no parking requirement)
* – See Chapter 2, Section 2.52 for special standards
gfa – Gross floor area

- P

The land use is allowed by right in the zoning district indicated.
- The land use is prohibited in the zoning district indicated.
- S

The land use is allowed only upon approval of a Specific Use Provision (SUP) in the zoning district indicated.

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
AGRICULTURAL USES																				
Farm, Ranch, Orchard	P												S	S				-	2/dwelling unit	-
Feed Store	S												S	S				-	1/250 gfa	-
Stable, Commercial	P																	-	.5/stall	-
Stable, Private	P	S																-	N/A	Sec. 22.09, Art.1, Ch. 22, City Code
Stockyards, Livestock Auction, Livestock Hauling																		-	-	-
RESIDENTIAL USES																				
Accessory Dwellings:		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Guard/Manager/ Caretaker	S												S	S	S			-	2/dwelling unit	Sec. 2.58
Guest House	S	S	S	S														-	1/dwelling unit	Sec. 2.58
Rental Unit	S	S																-	Efficiency and 1 bedroom: 1 space 2+ bedrooms: 2 spaces	Sec. 2.58
Congregate Adult Living Facilities:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Rehabilitation Facility, In Home/Residential	S	S	S				S	S									S	-	.2/resident	-
Rehabilitation Facility, Institutionalized								S										-	.3/resident	-
Elder Care Facilities:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Assisted Living								P		S1								-	1/3 dwelling units	Sec. 2.52(A) (12)
Continuing Care (combination)								P		S1								-	as determined by components, and best/current practices	Sec. 2.52(A) (12)
Independent Living								P								P	P	-	1/dwelling unit	Sec. 2.52(A) (12)
Nursing/Convalescent Care								P		S1								-	.5/bed	Sec. 2.52(A) (12)

GARLAND DEVELOPMENT CODE

Household Living Units:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Dwelling, Two-Family (duplex)							P	P										-	2 enclosed/dwelling unit	Sec. 2.38
Dwelling, Industrialized Housing Unit	P	P	P	P	P	P	P											-	2 enclosed/dwelling unit	Sec. 2.52(A)(5)(d)
Dwelling, Manufactured/HUD-Code Home	S																	-	2 enclosed/dwelling unit	-
Dwelling, Mobile Home	S																	-	2 enclosed/dwelling unit	-
Dwelling, Multifamily								P								P	P	-	Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	Sec. 2.39
Dwelling, Live/Work																P	P	-	2 spaces, plus nonresidential requirement	Sec. 2.52(A)(5)(e)
Dwelling, Zero-Lot-Line Home					P			P										-	2 enclosed/dwelling unit	Sec. 2.36(C)
Dwelling, Single-Family Detached	P	P	P	P	P	P	P	P										-	2 enclosed/dwelling unit	Sec. 2.36
Dwelling, Single-Family Attached (Townhouse)						P		P								P	P	-	2.25 enclosed/dwelling unit	Sec. 2.37
Dwelling, Apartment																P	P	-	Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	-
Manufactured/Mobile Home Park or Subdivision																		-	-	-
ACCESSORY & TEMPORARY USES																				
Accessory Building	P	P	P	P	P	P	P	P										-	N/A	Sec. 2.58
Convenience Facilities:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Drive-In Service												S	S	S	S			-	1/order station + 1 space per employee at maximum shift	-
Drive-Through Service										S		S	S	S	S			-	N/A	Sec. 4.20
Walk-Up Service											P	P	P	P	P	P	P	-	1/walk-up window or order station + 1 space per employee at maximum shift	-
Fuel Pumps, Retail												S	P	P	P			-	N/A	Sec. 2.52(A) (3)
Itinerant Retail Vendor												*	*	*	*	*	*	-	N/A	Art. IX, Ch. 26, City Code
Kiosks, Self-Service:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Automated Teller Machine (ATM) – Drive-Up										P		P	P	P	P	S	S	-	1/ATM station (at the ATM)	Sec. 2.52(A) (7), Sec. 4.20
Automated Teller Machine (ATM) – Walk-Up									P	P	P	P	P	P	P	P	P	-	1/walk-up ATM	Sec. 2.52(A) (7)
Retail (ice, water, etc.)												S	S	S				-	1 space	Sec. 2.52(A) (7), Sec. 4.20
Recycled Materials Collection											S	S	S	P	P			-	1 space	Sec. 2.52(A) (8), Sec. 4.20
Outside Display, New Materials											P	P	P	P	P		S	-	N/A	Sec. 2.52(A) (14)
Outside Display, Used Materials												S	S	P	P			-	N/A	Sec. 2.52(A) (14)
Outside Storage, New Materials												S	S	P	P			-	N/A	Sec. 2.52(A) (14)
Outside Storage, Used Materials													S	S	P			-	N/A	Sec. 2.52(A) (14)

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Outside Storage Unit, Portable (POD)		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	-	N/A	Sec. 2.52(A) (14)
Seasonal Sales									*	*	*	*	*	*	*		*	-	N/A	Art. VIII, Ch. 30, City Code
Shelter Tent																		-	N/A	-
Shipping Container												*	*	*	*			-	N/A	Sec. 2.52(A) (15), Art. XII, Ch. 30, City Code
Temporary Building/Office (field office, construction office, subdivision sales office, etc.)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	-	1/1,000sf site area	Sec. 2.52(A) (19), and 30.03, 30.06, 30.194, City Code
INSTITUTIONAL AND EDUCATIONAL USES																				
Church or Place of Worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1/4 seats for buildings designed or constructed to accommodate assemblies of 100 persons or greater; 1/100 sq. feet for buildings designed or constructed to accommodate small assemblies under 100 persons.	Sec. 2.52(A) (29)
College or University									S	P		P	P	P			S	-	.5/student (site-specific study required)	-
Convention Facility										S		S	P	P	P		P	-	1/100 gfa	-
Day Care Facilities:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Day Care Center, Adult	S	S	S	S	S	S	S	S	P	P	P	P	P		S			-	1/3 clients + 1 per employee at maximum shift	Sec. 2.52(A) (13)
Day Care, Youth – Licensed Child-Care Center	S	S	S	S	S	S	S	S	P	P	P	P	P		S	S	S	-	1/10 children + 1 per employee at maximum shift	Sec. 2.52(A) (2)
Day Care, Youth – Registered Child-Care Home	2	2	2	2	2	2	2	2										-	N/A	Sec. 2.61
Learning Center, Specialized									S	P	S	P	P	P	S	S	S	-	1/10 students	-
Makerspace (Hackerspace)															P		S		1/3 students + 1/500 sq. ft gross floor area workshop + 1/1000 sq. ft. gross floor area of warehouse	Sec. 2.52(A) (36)
School, Business									S	P	S	P	P	P	P		P	-	1/3 students	-
School, Retail/Personal Services Training									S	S	S	P	P	P	P	S	P	-	1/3 students	-
School, Trade													S	P	P			-	1/3 students	-
School, Private, Religious or Charter	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	-	Elementary: 1/17 students Middle: 1/17 students High: 1/3 students	2.52(A)(2)
School, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	Elementary: 1/17 students Middle: 1/17 students High: 1/3 students	-
GOVERNMENT & HUMAN SERVICES USES																				
Charitable Boarding								S	S	S		S	S	S				-	.5/bed	-
Garden, Charitable	P	S	S	S	S	S	S	S	S	S	S	S	P	P	P	S	S	-	2 spaces	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Garden, Civic	P	P	P	P	P	P	P	P								P	P	-	2 spaces	-
Post Office									P	P		P	P	P	P			-	1/300 gfa	-
Social Service Facility/Agency									S	S	S	P	P	P				-	1/300 gfa	-
MEDICAL & HEALTH SERVICES USES																				
Care of Alcoholic, Drug Dependent or Psychiatric Patients, Institutional										S		S	S	S	S				1 space per 4 beds	
Cemetery	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			-	Determined by SUP	-
Hospital										P		S	P	P	S			-	1.5/bed	-
Medical and Dental Office/Clinic									P	P	P	P	P	P	P	P	P	-	1/250 gfa	-
Mortuary/Funeral Home	S											S	S	P	S			-	1/200 gfa, or 1/4 seats in sanctuary and chapel(s) (whichever is greater)	-
RECREATIONAL, SOCIAL AND ENTERTAINMENT USES																				
Athletic Events Facility, Indoor										S		P	P	P	P		S	-	1/125 gfa or 1/3 bleacher and spectator seats (whichever is greater)	-
Athletic Events Facility, Outdoor	S												S	S	S		S	-	1/125 gfa or 1/3 bleacher and spectator seats (whichever is greater)	-
Athletic Field, Stadium, Arena	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	-	1/125 gfa or 1/3 bleacher and spectator seats (whichever is greater)	-
Civic Club/Fraternal Lodge										P		P	P	P	P			-	1/200 gfa	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Commercial Amusement, Indoor												P	P	P	P	S	P	-	1/150 gfa	-
Commercial Amusement, Outdoor												S	P	P	S		S	-	1/1,000 sf of amusement area and accessory uses	-
Cultural Facility										P	S	P	P	P	S		P	-	1/300 gfa	-
Day Camp, Private	S																	-	Determined by SUP	-
Dry Boat Storage	S												S	S	P			-	1/2000 gfa	-
Equestrian Camp, Private	P	S																-	.5/stall	-
Golf Course/Country Club	S	S	S	S														-	5/green + 1/150 gfa for clubhouse/ dining areas	-
Health & Fitness Gym (indoor)										S		P	P	P	S	P	P	-	1/150 gfa	-
Marina	S											S	S	S				-	1/5 slips + 1/2000 gfa for dry boat storage + 1/150 gfa for retail/dining areas	-
Public Amusement, Temporary												*	*	*	*			-	N/A	Art. VIII, Ch. 30, City Code.
Racing Track																		-	-	-
Reception Facility, Large Scale												S	S	S	S			-	1/100 gfa or 1 space for each 3 occupants (whichever is greater)	Sec. 2.52(A) (20)
Reception Facility, Small Scale												P	P	P	P				1/100 gfa or 1 space for each 3 occupants (whichever is greater)	Sec. 2.52(A) (20)

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Recreational Vehicle Park													P (PD req.)					-	1/RV pad + 1/8 RV pads for guest/customer/employee parking	Sec. 2.52(A) (34)
Shooting Range, Indoor													S	P	P			-	1/500 gfa + 1/target alley	-
Shooting Range, Outdoor	S																	-	1/500 gfa + 1/target alley	-
Theater, Large Scale												S	P	P				-	1/3 seats	-
Theater, Small Scale												P	P	P			S	-	1/3 seats	-
Zoo	S																	-	1/600 square feet of exhibit area	-
OFFICE, RETAIL & SERVICE USES																				
Alternative Financial Establishment													S					-	1/250 gfa	-
Antique Shop (indoors only)												P	P	P			S	-	1/250 gfa	-
Bait Sales, Live												S	S	P				-	1/250 gfa	-
Bakery, Retail									S	P	P	P	P	P	P	P	P	-	1/250 gfa	-
Bed and Breakfast	P	S	S													S	S	-	1/guest room + residential use requirement (according to that use)	Sec. 2.52(A) (11)
Business & Media Service									P	P	P	P	P	P	P	P	P	-	1/300 gfa	-
Call Center										P		P	P	P	P		S	-	1/150 gfa	-
Commercial Blood, Plasma, Tissue and Cell Collection Center												P	P	P					1/250 gfa	Sec. 2.52(A) (28)
Convenience Store (1,000–5,000sf)										S	S	P	P	P	P		S	-	1/250 gfa	Sec. 2.52(A) (1)
Financial Institution									P	P	P	P	P	P		P	P	-	1/300 gfa	Sec. 4.20
Flea Market, Indoor													S	S				-	1/200 gfa	Sec. 2.52(A) (32)
Flea Market, Outdoor														S				-	1/500 sf site area	Sec. 2.52(A) (32)

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Furniture, Household Furnishings and Appliance Sales/Rental												P	P	P				-	1/400 gfa	-
Grocery/Supermarket (>5,000sf)												P	P	P		S	S	-	1/250 gfa	-
Home Improvement Center (>50,000sf)												P	P	P				-	1/250 gfa	-
Hotel/Motel, Extended Stay										S		S	S		S			-	1.25/room + 1/200sf restaurant, retail, conference and office area	Sec. 2.52(A) (11)
Hotel/Motel, Full Service										P		P	P		S		S	-	1/room + 1/200sf restaurant, retail, conference and office area	Sec. 2.52(A) (11)
Hotel/Motel, Limited Service										S		S	S		S			-	1/room + 1/200sf restaurant, retail, conference and office area	Sec. 2.52(A) (11)
Indoor Shopping Mall												P	P	P				-	0-400,000 gfa: 1/250 gfa 401,000+ gfa: 1/300 gfa	Sec. 2.52(A) (33)
Kiosk, Trailer or Mini-Structure (attended):		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Retail/Service											S	P	P	P	P		S	-	1/employee	Sec. 2.52(A) (7), Sec. 4.20
Recycled Materials Collection												S	P	P	P			-	1/employee	Sec. 2.52(A) (8), Sec. 4.20

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Landscape Nursery (retail)												P	P	P	S			-	1/250 gfa + 1/2,000sf outdoor area	-
Landscape Nursery/Tree Farm (wholesale)	S												S	P	P			-	1/2,000sf outdoor area	Sec. 2.52(A) (17)
Laundry, Drop-Off (with drive-through or window)											P	P	P	P		S	S	-	1/250 gfa	Sec. 4.20
Laundry, Drop-Off (without drive-through or window)											P	P	P	P		S	S	-	1/250 gfa	-
Laundry, Self-Serve (Laundromat)											S	P	P	P				-	1/250 gfa	-
Mobile Food Truck Park												S	S	S	S		S		Set by SUP	Sec. 2.52(A) (37)
Office, General									P	P	P	P	P	P	P	P	P	-	1/300 gfa	-
Pawn Shop														P				-	1/250 gfa	-
Personal Services										S	P	P	P	P	S	P	P	-	1/250 gfa	-
Pet Store (indoors only)											S	P	P	P		P	P	-	1/250 gfa	-
Pharmacy (with drive-through or window)										P	S	P	P	P		S	S	-	1/250 gfa	Sec. 4.20
Pharmacy (without drive-through or window)										P	S	P	P	P		P	P	-	1/250 gfa	-
Produce Stand/Outdoor Farmers Market	S										S	S	P	P			S	-	4 + 1/600sf of site area	-
Restaurant										P	S	P	P	P	P	P	P	-	1/100 gfa	-
Restaurant, Drive-Through												S	S	S	S			-	1/100 gfa	Sec. 4.20
Retail Store											P	P	P	P		P	P	-	1/333 gfa	-
Sexually Oriented Business															P			-	1/250 gfa	Art. VIII, Ch. 26, City Code
Smoke Shop															S			-	1/250 gfa	-
Studio, Arts/Crafts											P	P	P	P		P	P	-	1/250 gfa	-
Studio, Fitness or Performing Arts											P	P	P	P		P	P	-	1/150 gfa	-
Tattooing/Body Piercing Establishment												S	S	S				-	1/250 gfa	Sec. 2.52(A) (6)
Used Goods, Retail Sales (Indoors)												S	P	P				-	1/250 gfa	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
COMMERCIAL USES																				
Bakery, Commercial													S	P	P			-	1/1,000 gfa	-
Building/Garden Materials Sales & Storage (wholesale)														P	P			-	1/400 gfa + 1/1,000 gfa storage area	Sec. 2.52(A) (23)
Bulk Material Sales & Storage (retail or wholesale)														S	S			-	1/1,000 gfa or 1/1,000 outdoor area (whichever is greater)	Sec. 2.52(A) (18)
Contractor's Office/Storage Yard (outside storage)													S	S	P			-	1/500 gfa for office + 1/1,000sf for warehouse	Sec. 2.52(A) (24)
Contractor's Office/Warehouse (indoors only)													P	P	P			-	1/500 gfa for office + 1/1,000sf for warehouse	Sec. 2.52(A) (25)
Custom Products Manufacturing													S	P	P			-	1/1,000 gfa	-
Equipment Leasing/Rental, Indoor												P	P	P	P			-	1/250 gfa	-
Equipment Leasing/Rental, Outdoor														S	P			-	1/600 gfa	Sec. 2.52(A) (27)
Feed/Grain Mill																		-	-	-
Furniture and Appliance Cleaning/Repair												S	P	P	P			-	1/1,000 gfa	-
Garden, Commercial	P																	-	1/5,000sf of site area-	-
Laundry Plant, Commercial													S	P	P			-	1/300 office gfa + 1/1,000 remainder gfa	-
Meat and Game Processing													S	P	P			-	1/500 gfa	-
Pet Care/Play Facility (indoor)												S	P	P	P	S	S	-	1/300 gfa	Sec. 2.52(A) (9)
Pet Care/Play Facility (outdoor)	S												S	P	P			-	1/300 gfa	Sec. 2.52(A) (9)

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Portable Building Sales/Leasing														P	P			-	1/300 office gfa + 1/1,000sf for indoor sales/storage area	-
Printing/Publishing House										S		S	S	P	P			-	1/300 office gfa + 1/1,000 remainder gfa	-
Recording Studio/Media Production										S		P	P	P	P		S	-	1/300 gfa	-
Recycling Collection Center (no outside storage)														S	S			-	1/300 gfa for office + 1/1,000sf warehouse and storage area	Sec. 2.52(A) (8)
Recycling Salvage Yard (unlimited outside storage)															S			-	1/300 gfa for office + 1/1,000sf warehouse and storage area	Sec. 2.52(A) (8)
Self-Storage Facility (mini-warehouse)												S	S	P	P			-	1/20 units (1/25 units if over 100 units in development) + 1/300 office gfa	Sec. 2.52(A) (16)
Small Engine/Lawn Equipment Rental & Repair (indoors)												S	P	P	P			-	1/300 gfa	-
Taxidermist													S	P	P			-	1/400 gfa	-
Vehicle Dispatch & Storage													S	S	P			-	1/300 office gfa + 1/1,000 remainder gfa	-
Veterinary Clinic, Large Animal (outdoor pens)	S																	-	1/400 gfa	-
Veterinary Clinic, Small Animal (indoors only)									S	P	S	P	P	P	P	P	P	-	1/300 gfa	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Veterinary Clinic, Small Animal (outdoor kennels, runs)	S												S	P	P			-	1/300 gfa	-
MOTOR VEHICLE & RELATED USES																				
Automobile Leasing/Rental										S		P	P	P	P			-	1/400 gfa	Sec. 2.52(A) (3)
Automobile Repair, Major													S	P	P			-	1/400 gfa + 2/repair bay	Sec. 2.52(A) (3), Sec. 4.20
Automobile Repair, Minor												S	P	P	P			-	1/400 gfa + 2/repair bay	Sec. 2.52(A) (3), Sec. 4.20
Automobile Sales, New or Used													S	P	S			-	customer parking: 1/400 gfa (minimum 2 spaces), plus 1 space per employee on-site at any time	-
Boat Sales, Leasing & Repair (outside storage)												S	S	P	S			-	1/600 gfa	Sec. 2.52(A) (14)
Car Wash, Automated/Rollover												S	P	P	P			-	1/200 gfa	Sec. 2.52(A) (3), Sec. 4.20
Car Wash, Full-Service/Detail												S	P	P	P			-	1/200 gfa	Sec. 2.52(A) (3), Sec. 4.20
Car Wash, Self-Service/Wand													S	P	P			-	1/bay	Sec. 2.52(A) (3), Sec. 4.20
Impoundment Lot (commercial/private)															S			-	1/300 office gfa	-
Motorcycle/ATV Sales, Leasing & Repair (new and used – indoors only)													P	P	S			-	1/400 gfa	-
Parking Lot or Garage, Commercial										P		P	P	P	P	P	P	-	1/300 office gfa	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Personal Watercraft Sales, Leasing & Repair (new and used)												S	P	P	S			-	1/400 gfa	-
Recreational Vehicle/Trailer Sales, Leasing & Repair													S	P	S			-	1/600 gfa	-
Salvage Yard, Automotive																		-	-	-
Travel Center																		-	-	-
Truck/Bus Repair														S	S			-	1/600 gfa	-
Truck/Bus Sales & Leasing/Rental														S	S			-	1/600 gfa	-
Truck/Bus Storage														S	S			-	1/300 office gfa	-
Truck/Bus Wash														P	P			-	1/250 gfa + 1/bay	Sec. 2.52(A) (3), Sec. 4.20
Wrecker/Towing Service														P	P			-	1/300 office gfa + 1/wrecker	-
TRANSPORTATION USES																				
Airport/Heliport														S	S			-	1/4 seating accommodation + .5/employee at maximum shift	-
Bus Stop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	NA	-
Helipad										S		S	S	S	S		S	-	5/helipad	-
Motor Freight Terminal/Railroad Switching Yard															P			-	1/1,000 gfa	-
Transit Station, Public									P	P	P	P	P	P	P	P	P	-	Determined by operating agency	-
Transportation Depot, Passenger (commercial)													S	S	S			-	Determined by SUP	Sec. 2.52(A) (10)
Transportation Terminal, Passenger (commercial)																		-	-	-
INDUSTRIAL USES																				

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Animal Feed Processing & Storage															S			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	-
Batching Plant															S			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	Sec. 2.52(A) (26)
Batching Plant, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	Sec. 2.52(A) (26)
Breweries/Wineries/ Distilleries												S	S	S	P	S	S		1/1,000 gfa or 5 visitors + 1/employee at max. shift, whichever is greater 1/100 gfa for dining and tasting areas	Sec. 2.52(A) (35)
Data Center										S				P	P		S		1/5,000 gfa	-
Distribution Center, Large (indoors only)														S	P			-	1/300 office gfa + 1/1,000 remainder gfa	Sec. 2.52(A) (30)
Distribution Center, Small (indoors only)													S	P	P			-	1/300 office gfa + 1/1,000 remainder gfa	Sec. 2.52(A) (30)

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Food Processing & Storage														S	S			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	-
Gas or Petroleum Drilling or Pipeline	S														S			-	N/A	Sec. 2.52(A) (21)
Heavy Machinery Sales, Rental, Storage & Repair														S	S			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	-
High Risk Use															S			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	-
Industrial or Manufacturing, Heavy															S			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	Sec. 2.52(A) (31)
Industrial or Manufacturing, Light													S	P/S3	P/S3			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	Sec. 2.52(A) (31)
Laboratory, Analytical or Research (indoor)										S		S	P	P	P			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	-

ZONING REGULATIONS

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Leather & Allied Products Manufacturing															S			-	1/1,000 gfa or 5 visitors + 1/employee at maximum shift, whichever is greater	-
Mining/Mineral Extraction																		-	-	-
Warehouse, Office/Showroom (indoors only)												S	P	P	P			-	1/300 office gfa + 1/1,000 remainder gfa	-
UTILITY & SERVICE USES																				
Antenna, Commercial	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	-	N/A	Div. 5, Art. 5, Ch. 2
Antenna, Private	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	-	N/A	Div. 6, Art. 5, Ch. 2
Electric Generating Plant	S														S			-	1/employee at maximum shift	-
Electric Substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			-	1/employee at maximum shift	-
Gas Regulating Station	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			-	1/employee at maximum shift	-
Telecommunications Switching Station	S	S	S	S	S	S	S	S	P/S4	P/S4	P/S4	P/S4	P/S4	P/S4	P/S4			-	1/employee at maximum shift	-
Wind Energy Conversion System	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	-	N/A	Div. 7, Art. 5, Ch.2

ZONING REGULATIONS

ZONING REGULATIONS

- 1 These Elder Care uses are permitted by right in this district if located within 1,000 feet of a Hospital, measured property line to property line.
- 2 Day Care, Youth - Registered Child-Care Home: Allowed by right in the designated zoning districts, subject to the regulations for Home Occupations (see Section 2.61 of Chapter 2)
- 3 Light Industrial/Manufacturing uses require issuance of an SUP where contiguous or where within 100' of a residential zoning district or a residential use.
- 4 Telecommunications Switching Station uses require issuance of an SUP when located within 1,000 feet of a residential zoning district.

(Ordinance 6773 adopted 5/19/15; Ordinance 6876 adopted 12/13/16; Ordinance 6925 adopted 7/18/17; Ordinance 6979, sec. 1, adopted 4/17/18; Ordinance 7001, sec. 1, adopted 8/7/18; Ordinance 7104, sec. 2, adopted 11/5/19; Ordinance 7107, sec. 26, adopted 12/3/19; Ordinance 7138, sec. 2, adopted 4/7/20; Ordinance 7142, sec. 1, adopted 5/5/20; Ordinance 7323 adopted 5/3/22; Ordinance 7344 adopted 7/5/22; Ordinance 7352 adopted 8/16/22; Ordinance 7370 adopted 10/11/2022; Ordinance 7371 adopted 10/11/2022; Ordinance 7483 adopted 11/14/2023; Ordinance 7497 adopted 1/9/2023)

REPORT & MINUTES

P.C. Meeting, May 12, 2025

2f. APPROVED Hold a public hearing to consider amendments to Chapter 2 Zoning Regulations, Attachment 1 - Land use chart and Article 4, Division 4 Mixed-Use Districts as it relates to the permitted land uses and development regulations for the Urban Residential (UR) and Urban Business (UB) districts.

Planning Director, Nabila Nur, provided an overview of the amendments to Chapter 2 Zoning Regulations, Attachment 1 - Land use chart and Article 4, Division 4 Mixed-Use Districts as it relates to the permitted land uses and development regulations for the Urban Residential (UR) and Urban Business (UB) districts and remained available for questions.

Motion was made by Commissioner Jenkins to close the public hearing and **approve** the amendment as presented. Seconded by Commissioner Paris. **Motion carried: 9** Ayes, **0** Nays.



GARLAND

City Council Meeting

June 3, 2025



Proposed Change – Standards

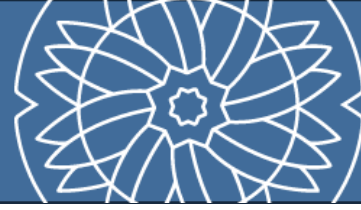


GDC amendment in association with Z 25-08

Proposing minor revisions to the UR and UB standards

Proposing changes in the land use matrix related to UR and UB standards

GDC Amendment – Proposed Uses



	Before		After	
	UR	UB	UR	UB
Assisted Living	S	S		
Continuous Care (combination)	S	S		
Nursing/Convalescent Care	S	S		
Automated Teller Machine (ATM) – Drive-Up	S	P	S	S
Seasonal Sales	*	*		*
College or University	S	P		S
Day Care Center, Adult	S	S		
Day Care, Youth – Registered Child-Care Home	2	2		
Makerspace (Hackerspace)				S
Post Office	P	P		
Athletic Events Facility, Indoor		P		S
Athletic Events Facility, Outdoor				S
Civic Club/Fraternal Lodge		P		
Commercial Amusement, Outdoor				S
Marina		S		
Public Amusement, Temporary		*		
Antique Shop (indoors only)				S
Convenience Store (1,000–5,000sf)	P	P		S
Hotel/Motel, Extended Stay		S		
Hotel/Motel, Full Service		P		S
Hotel/Motel, Limited Service		S		
Laundry, Drop-Off (without drive-through or window)	P	P	S	S
Laundry, Self-Serve (Laundromat)	S	S		
Pet Care/Play Facility (indoor)	P	P	S	S

GDC Amendment – Proposed Standards



Removing % requirement for res vs non-res in UB

Requiring street-oriented entries for street level dwelling units

Requiring nine feet of active depth requirement

Changing minimum building height from 30 to 24 feet

Specify separate minimum density for UR (30 du/a) and UB (40 du/a)

Minor cleanups

Recommendations



Approval

Thank You

Questions?





GARLAND

PLANNING REPORT

City Council Regular Session

9. c.

Meeting Date: 06/03/2025

Item Title: Z 25-08 City of Garland (District 5)

Submitted By: Nabila Nur, Planning and Development Director

REQUEST

Approval of a change in zoning from multiple zoning districts including but not limited to Industrial (IN), Community Retail (CR), and Planned Developments with IN and CR base zoning to Urban Residential (UR) and Urban Business (UB) Districts.

LOCATION

Generally located on the north side of I-635, on both sides of S Garland Avenue

OWNER

Multiple

PLAN COMMISSION RECOMMENDATION

On May 12, 2025, the Plan Commission, by a unanimous vote, recommended denial of the request.

STAFF RECOMMENDATION

Staff recommends approval of this rezoning proposal. In addition, staff is bringing forward a GDC amendment as it relates to the permitted land uses and development regulations within the proposed UR and UB zoning districts. The GDC amendment is scheduled for public hearing on the same agenda.

BACKGROUND

The area of request is mostly developed with many uses. The variety of uses include apartments, retail store, restaurants, and offices. In addition, there are several auto-oriented uses, self-storage facilities, and warehouses as well. This general area is a major gateway to the City of Garland that is ripe for redevelopment and revitalization. The existing zoning on this area and the applicable regulations do not contribute toward bringing the vision of revitalization into fruition. The purpose of this city-initiated rezoning is to set the stage for future substantial developments to take place with urban mixed-use regulations in mind.

Staff would like to note that this rezoning proposal does not take into account any specific development. It is possible and envisioned that future development would come in with possible Planned Development options. However, those would then be considered with the merits of the base zoning of Urban Residential (UR) and Urban Business (UB), if this rezoning proposal is approved.

SITE DATA

The area of request is approximately 317 acres undeveloped tract of land. The area is bisected by S Garland Avenue. The portion to the west is bound by W Kingsley Avenue and S Shiloh Road and S Garland Avenue. The larger portion of the area of request is located on the east side of S Garland Avenue, west of Saturn Road and north I-635.

USE OF PROPERTY UNDER CURRENT ZONING

Currently the area of request is governed by Industrial (IN), Community Retail (CR), or planned developments with base zoning of those districts. There are some parcels that are governed by other zoning districts such as Light Commercial (LC) and Multifamily (MF).

CONSIDERATIONS

Proposed Zoning (UR and UB):

The Urban (U) districts are intended to allow cohesive, orderly, creative, and predominantly vertically oriented mixed-use and mixed-density developments. There are two types of Urban districts: Urban Residential (UR) and Urban Business (UB). UR districts are predominantly residentially oriented districts that may also include a limited number of integrated nonresidential uses that are compatible with, harmonious with, and supportive of, a high-density, urban-style residential neighborhood. UB districts are predominantly business- and shopping-oriented districts that may also include a limited amount of integrated residential uses that are compatible with, and supportive of, a high-density, urban-style business district.

The Urban districts are also intended to establish a distinctive community character in specially selected areas through innovative and mutually-sustaining land uses, urban-style and pedestrian-oriented site design, efficient traffic and pedestrian circulation, innovative and high-quality architectural elements and landscaping concepts, and other similar enhanced design features that will in turn elicit a strong sense of community, civic pride, and of satisfaction with quality of life among those who choose to enjoy the lifestyle created by these districts.

Appropriate flexibility in final design should be given to developers and designers of Urban districts to allow creativity for the opportunities associated with individual sites. The Urban districts can include a mixture of architectural styles ranging from contemporary to traditional. The general intent of these districts is to maximize utilization of land for a mixture of mutually sustainable uses, while also utilizing open spaces to the greatest extent possible in an urban setting for public recreation and leisure purposes. Urban districts are intended to include a diverse mixture of residential housing choices and business/employment opportunities (for example, live-work units) in a symbiotic and urban-style environment that not only accommodates residents' needs to live, work, learn, and play within a neighborhood setting, but that also builds long-term stability, civic pride and fiscal value for the community in general.

COMPREHENSIVE PLAN

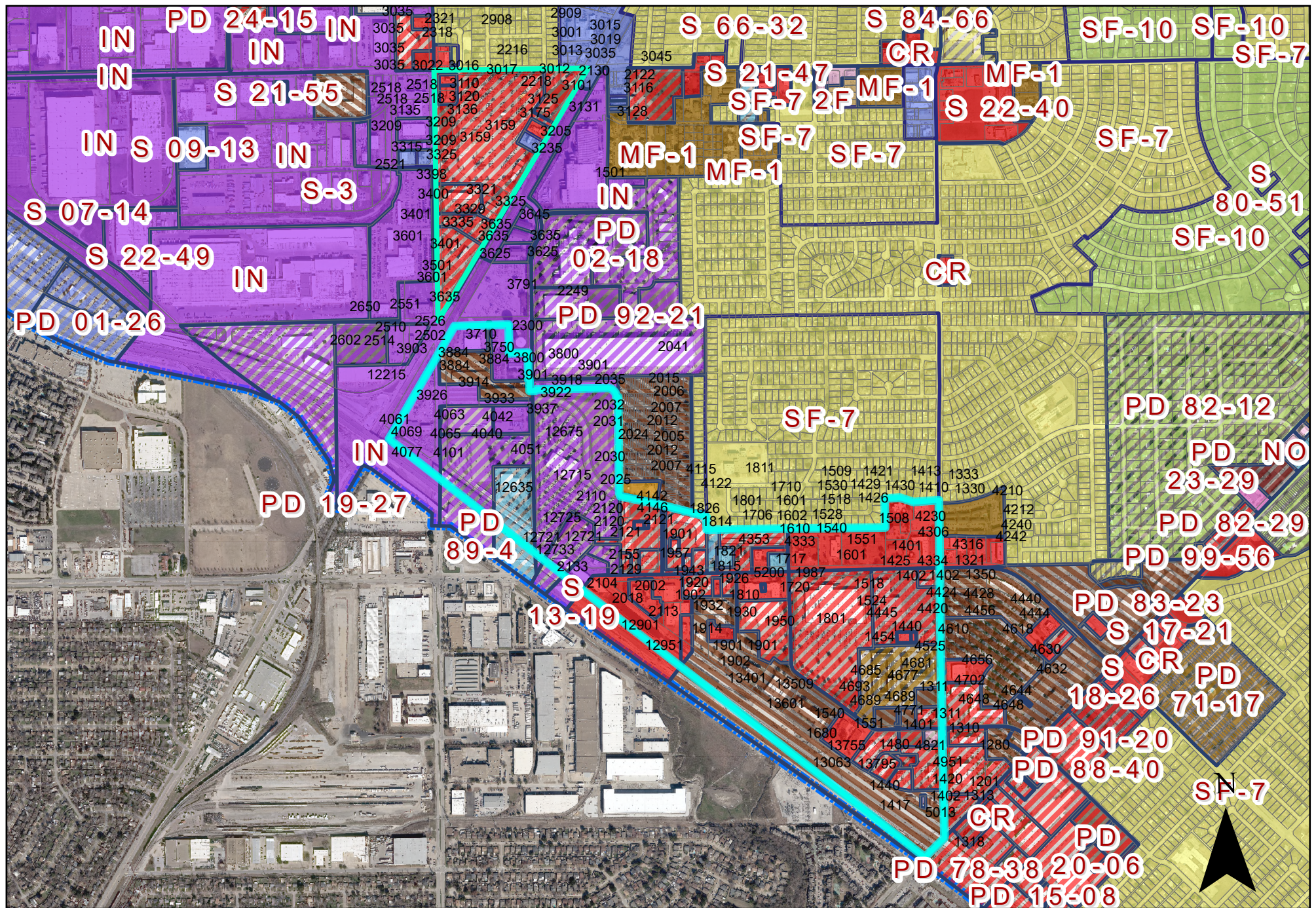
The Future Land Use Map of the Envision Garland Plan recommends a combination of Community Centers, Neighborhood Centers, Urban Neighborhoods, and Business Centers. The proposed zoning Urban Residential (UR) and Urban Business (UB) are the most eligible zoning districts to cohesively implement the visions of these land use designations.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

This entire area of request is a gateway to the City of Garland. Being adjacent on I-635 and bounded by key thoroughfares, this area is ideal for revitalization and redevelopment.

Attachments

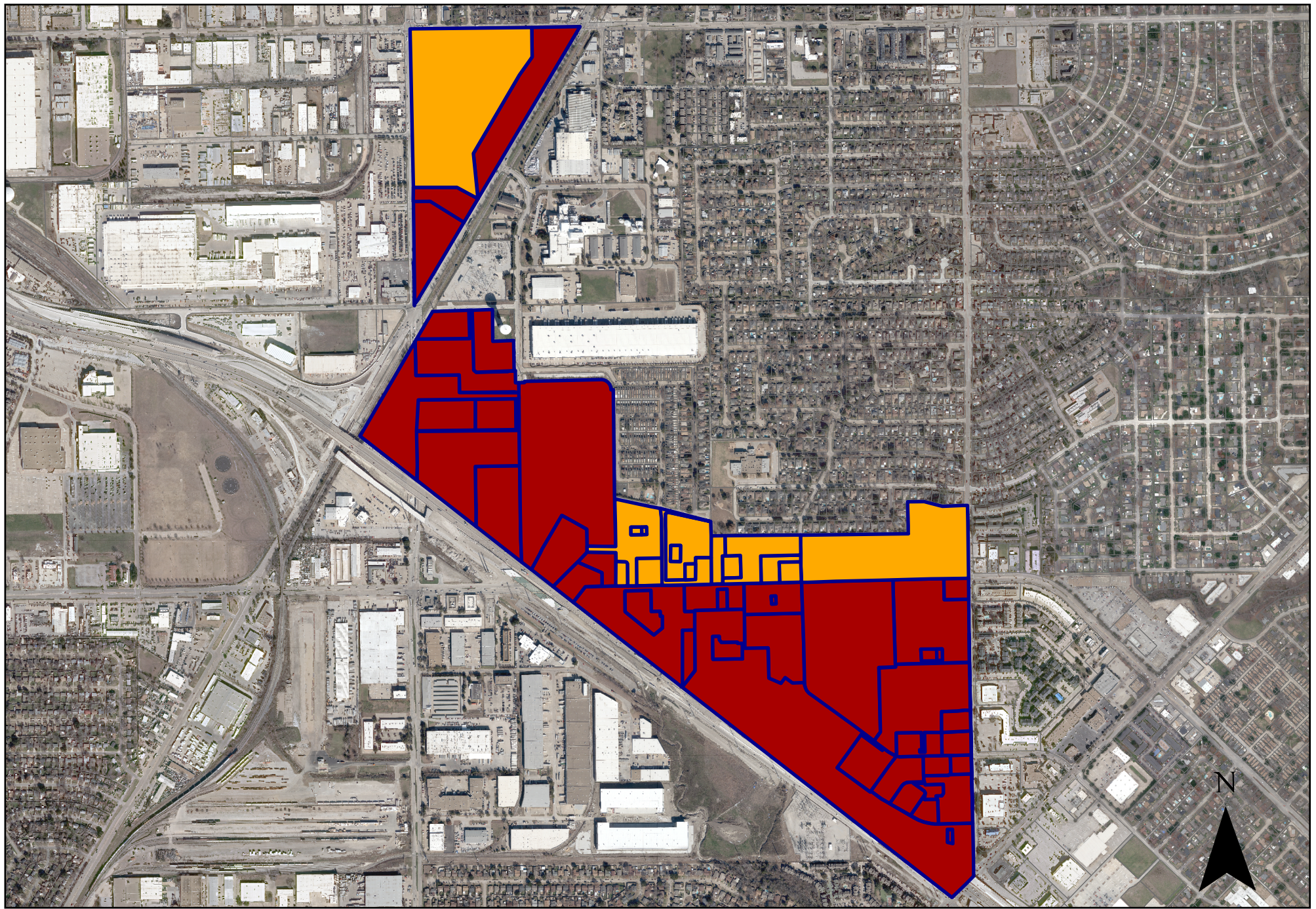
Z 25-08 Location Map
Z 25-08 Proposed Zoning Designations
Z 25-08 R&M
Z 25-08 Responses
Z 25-08 Staff Presentation



0 400 Feet

Zoning Map 25-08

INDICATES AREA OF REQUEST



0 400 Feet
└───┘

Proposed Zoning Designations

- Urban Residential district (UR)
- Urban Business district (UB)

REPORT & MINUTES

P.C. Meeting, May 12, 2025

2g. DENIED Consideration of the application of **City of Garland**, requesting approval of a change in zoning from multiple zoning districts including but not limited to Industrial (IN), Community Retail (CR), and Planned Developments with IN and CR base zoning to Urban Residential (UR) and Urban Business (UB) Districts. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5) (File Z 25-08)

Planning Director, Nabila Nur, presented the request to the Commission and remained available for questions.

Residents speaking in opposition of the request:

Dallas Cothrum, 3333 Welborn St., Ste. 400, Dallas, TX 75219
Amber Ray, 1402 Cedar Crest, Garland, TX 75042
Linda Phipps, 2023 Town Court, Garland, TX 75041
Brad Parker, 3710 S. Shiloh Road, Garland, TX 75041
Bradley Escobar, 12800 Tuckahoe Creek Pkwy, Manaken-Sabot, VA 23103
Tony Rutighamo, 200 Galleria Parkway, Atlanta, GA 30339
Karl Crawley, 3333 Welborn St., Ste. 400, Dallas, TX 75219
Chris Bowers, 1316 Village Creek, Ste. 500, Plano, TX 75093
Dorothy Zimmermann, 4802 Vera Cruz, Garland, TX 75043
Larry Smith, 6405 Forest Lane, Dallas, TX
Judy Ford, 2027 Town Court, Garland, TX
Martha Rinaut, 1622 Charlotte Drive, Garland, TX
Tyler Williams, 1806 Charleston Drive, Garland, TX
Jay Taylor, 2018 Town Place, Garland, TX
Laura Dunn, 3333 Welborn Street, Dallas, TX
Charles Killiard, 6001 Mayfield, Garland, TX
Lee Shren, 3120 South Shiloh Road, Garland, TX

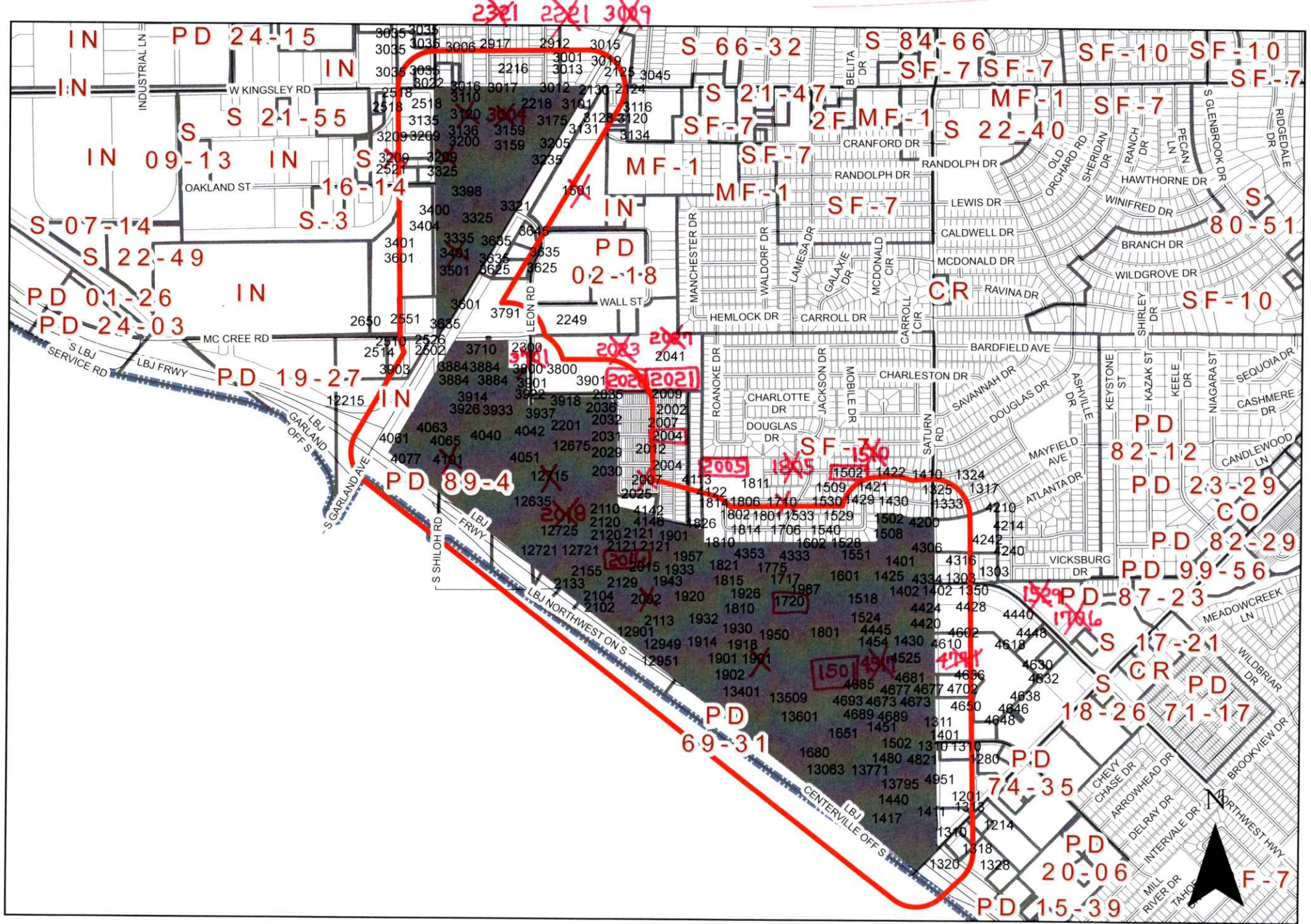
The residents speaking in opposition expressed concerns about increased traffic, declining street conditions, businesses that will become non-conforming, confusion about proposed zoning change and lack of townhalls to get more detailed information about proposed zoning change.

Motion was made by Commissioner Jenkins to close the public hearing. Seconded by Commissioner Dalton. Motion carried: 9 Ayes, 0 Nays.

The Commission asked several questions regarding not holding a townhall with regard to this proposed zoning change and how this area came to be identified for the rezoning.

Assistant City Manager, Andy Hesser, explained to the Commission that this proposed rezoning area is designated to be a destination area and has been identified as a catalyst area.

Motion was made by Commissioner Duckworth to **deny** the application as presented. Seconded by Commissioner Cornelius. Motion carried: 9 Ayes, 0 Nays.



Comment Form

Case Z 25-08

Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning district. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5).

Z 25-08 City of Garland. El solicitante propone un cambio de zonificación de distritos de zonificación múltiple a distrito de zonificación Urbana Residencial (UR) y Urbana Comercial (UB). El terreno consta de aproximadamente 317 acres de propiedades, generalmente ubicadas en el lado norte de la I-635, a ambos lados de la Avenida S. Garland. (Distrito 5).

Z 25-08 City of Garland. Người nộp đơn đề xuất thay đổi quy hoạch từ nhiều khu vực quy hoạch thành khu vực quy hoạch Đô thị Dân cư (UR) và Khu vực quy hoạch Đô thị Kinh doanh (UB). Khu đất bao gồm khoảng 317 mẫu Anh đất đai, thường nằm ở phía bắc của I-635, ở cả hai bên của S Garland Avenue. (Quận 5).

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Monte Brown / OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2005 Town Court

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-08

Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning district. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5).

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

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Marvin Bolds

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2021 Town Place

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041-4818

Zip Code / Código postal / Mã B u Chính

[Signature]

Signature / Firma / Chữ ký

04-08-25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

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KEITH TRAYWICK, PROPERTY OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2028 TOWNGATE DRIVE

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

2028 TOWNGATE DRIVE GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

GARLAND, TX 75041

Zip Code / Código postal / Mã B u Chính

75041

3-31-2025

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Betty Berry / PNC Bank

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3004 Browne DR

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Betty Berry

Signature / Firma / Chữ ký

4-4-25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Betty Blalock, Business owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3209 S. Shiloh #N

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Betty Blalock

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I Don't want people living across the street
there already too much traffic
why live in a industrial part of town

Comment Form

Case Z 25-08

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For / A Favor / Đúng



Against / En Contra / Không

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Linda Carol Talbert

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1502 Mayfield Avenue

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Linda C. Talbert

Signature / Firma / Chữ ký

April 14, 2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-08

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Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

No more Dollarz or 99¢ stores!

Plan for more businesses like restaurants etc.

Central market or a closer Home Depot would be very nice.

Anda C. Tolpin

Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

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Patsy Carapresi, Property Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2016 Towngate Dr.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

[Signature]

Signature / Firma / Chữ ký

4/21/25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

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Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

After having my questions answered by the Planning Director, Nabila Nuer, I think I understand why the zoning change is being collected. If it is to protect the area for the future by being zoned UR and UB, then I am for it. I do not want any apartment buildings going in. I want to maintain the quality of life we have in our quiet, safe neighborhood, Towngate.

Morales, Elisa

From: Nur, Nabila
Sent: Monday, April 14, 2025 2:13 PM
To: Morales, Elisa
Subject: FW: CarMax #7109 (RI #3327) - Potential zoning change 12715 Lyndon B Johnson Fwy, Garland TX 75041
Attachments: 3327 - Public Hearing Notice.pdf
Importance: High

Please file.

Nabila Nur, AICP
Director of Planning and Development

800 Main Street | Garland, Texas 75040
phone: 972.205.2449
nnur@garlandtx.gov | GarlandTx.gov



From: Jessica Lopes <jlopes@realtyincome.com>
Sent: Wednesday, April 9, 2025 12:08 PM
To: Nur, Nabila <NNur@garlandtx.gov>
Subject: CarMax #7109 (RI #3327) - Potential zoning change 12715 Lyndon B Johnson Fwy, Garland TX 75041
Importance: High

You don't often get email from jlopes@realtyincome.com. [Learn why this is important](#)

Dear Nabila Nur:

Our office is in receipt of the attached public hearing notices regarding the proposed rezoning of the above referenced property that we own and is leased to CarMax. **Please consider this email an objection to the rezoning of our property.** The rezoning of the property detrimentally affects us and results in us becoming a non-conforming use.

Please let us know what our next steps are as a remote property owner to voice our concerns as we do not wish for our property to be rezoned.

Thank you,

Jessica Lopes
Associate Director, Right of Way, Condemnations, & Real Estate
West Team Lead
Realty Income Corporation (NYSE "O")
The Monthly Dividend Company®
11995 El Camino Real, San Diego, CA 92130
www.realtyincome.com
(O) 858-284-5000



The Monthly Dividend Company®

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Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng



Against / En Contra / Không

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Judy Ford, Property Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2027 Town Court

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Judy Ford

Signature / Firma / Chữ ký

4/4/2025

Date / Fecha / Ngày

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Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I live (40+ years) in the Towngate Homeowners Association immediately east of the proposed rezoning (Case Z 25-08). The proposed rezoning will have impact on the residents living in this area.

First, there's the pollution.

- The construction on Northwest Highway and LBJ has created great pollution, dirt, noise and heavy-equipment traffic. There seems to be no end in sight for the completion of this project. When completed, my neighborhood will continue to endure endless traffic, smog, noise and pollution. Being outside will continue to be dreadful.
- The cement plant the City has placed on Garland Road is a nasty, dirty mess with enough dust in the air to make me think I'm driving through fog. I've heard this is being replaced with a soccer stadium? More traffic, smog, noise, pollution and crime.
- North of the townhomes is the Logistics plant. Twenty-four hours a day 18 wheelers are driving in and out of the plant, backing into the bay with a loud warning alarm or worst yet, getting lost and "trapped" on the neighborhood streets. Behind the Logistic plant are other businesses with 18 wheelers creating traffic, noise, and pollution.
- High rise apartments, restaurants, drive-thru fast food, et al. How much dirty, noisy construction can the City inflict on this area?
- I've heard this is to be a "walking" community with amenities and restaurants with residents using Dart for transportation. Is the City expecting these new residents to walk to restaurants and movies in July and August heat or sub-zero temps in December and January? These people are going to have multiple cars which continue to make the environment worse.

Then there's City services.

- How does the City plan to provide water when current residents have restrictions on water usage in the summer now. How does the City plan to provide electricity when there's not sufficient electricity during emergency weather conditions? Will the City continue to send out notices in the utility bills letting us know if we need electrical power in the winter during an outage, it's our personal responsibility to provide it? Will the City notify new residents of the lead in our drinking water?
- The high-rise apartments, condos, and single family homes are going to add substantially to the population and to the City's responsibility to provide utilities and services. Who's going to pay for more police, firefighters, EMTs, roads, and road maintenance? Is the City expecting the good old residents of Garland to make this project possible with higher and/or more taxes?

No, this rezoning will affect the neighborhood. And not in a good way. Vote "NO" on this zoning project.

Morales, Elisa

From: Nur, Nabila
Sent: Wednesday, April 16, 2025 6:16 PM
To: Morales, Elisa
Subject: FW: Rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

Outside the Notification Area

Please file.

Nabila Nur, AICP
Director of Planning and Development

800 Main Street | Garland, Texas 75040
phone: 972.205.2449
nnur@garlandtx.gov | GarlandTx.gov



GARLAND
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From: greg skinner <wgs Skinner@hotmail.com>
Sent: Wednesday, April 16, 2025 10:50 AM
To: Nur, Nabila <NNur@garlandtx.gov>
Subject: Rezoning

You don't often get email from wgs Skinner@hotmail.com. [Learn why this is important](#)

For Chairman Roberts

City staff seems poised to rezone more than 300 acres along LBJ Freeway. The proposal calls for a mixed use oasis of sorts that I do not see happening anytime soon.

I have no problem with the vision other than it negatively impacts the businesses already there.

I am now retired and have lived in Garland since 1979. My children went to Garland schools and I've seen many changes to the community and they have usually come with robust debate. In this case I only heard about it from someone in real estate, a field I worked in throughout my career.

Cities gain reputation over time with the real estate community. Dallas, for instance, has a terrible but well deserved reputation for taking away the zoning rights of businesses and being extremely difficult to deal with. The result has been the market has punished them. In a period when most cities have grown dramatically, Dallas continues to shrink in population and get older. It's a city that's fallen behind the rest of the region.

When a city takes away the rights of a large national company, you start to run the same risk. A drive through the area showed me many of Americas largest operators may be negatively impacted. Did the city staff meet with them? Are they in favor?

Walmart, Braums, McDonalds, RaceTrac, and many others create sizable sales tax and as a retiree I worry about Garland's ability to keep services up. The tax rate in Garland is already higher than most would like.

I worked in the development community for decades and I don't believe anyone from the city ask the business owners for their input. The planning and zoning commission and city council would never allow a developer to just waltz in and not have meetings with the community and neighboring property owners.

This seems rushed, possibly because of politics, and it shouldn't be. There are no big developments ready to come to this industrial area. Take the time to do this right and not hurt the people already doing business in our city.

Greg Skinner
1201 Wedgecrest Ln

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Comment Form

Case Z 25-08

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☐

For / A Favor / Đúng

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Against / En Contra / Không

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James Leon

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2321 Lee St.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Qhính

[Signature]

4.21.25

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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Against / En Contra / Không

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Guillermo Rivera

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

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3209 S. Shiloh Rd. STE. C.

Your Property Address / La dirección de su propiedad / Địa chỉ tài sản

Garland, TX.

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

GJR

Signature / Firma / Chữ ký

4-23-25

Date / Fecha / Ngày

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Against / En Contra / Không

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Monte Brown

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2005 Town Council

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Qhính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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For / A Favor / Đúng

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José Gabriel Argueta

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1501 Mayfield Ave Garland

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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Comment Form Continued – Case Z 25-08

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Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I do not agree that changes should
be made in the area.

Morales, Elisa

From: Nur, Nabila
Sent: Monday, April 28, 2025 12:57 PM
To: Morales, Elisa
Subject: FW: Letter Opposing Zoning Change

Please file.

Nabila Nur, AICP
Director of Planning and Development

800 Main Street | Garland, Texas 75040
phone: 972.205.2449
nnur@garlandtx.gov | GarlandTx.gov



From: Morgera, Katrina <Katrina_Morgera@pepboys.com>
Sent: Monday, April 28, 2025 12:54 PM
To: Nur, Nabila <NNur@garlandtx.gov>
Cc: Dallas Cothrum, Ph. D. <dallas@masterplantexas.com>; lgunn@masterplantexas.com
Subject: Letter Opposing Zoning Change

You don't often get email from katrina_morgera@pepboys.com. [Learn why this is important](#)

Dear Director Nur,

I am writing to oppose the zoning change for the Pep Boys store located at 2002 Northwest Highway. We have operated this store for 39 years and this is a high performing location for our company.

Any change to our zoning that would make us non-conforming is not acceptable. It creates a risk for our business that is unfair and jeopardizes the investment we have made. We would not have selected this site to do business if it was non-conforming.

We also would expect that the city would have held in person and electronic meetings to address our concerns and explain their actions.

We look forward to you holding these meetings and believe this meeting of the plan commission is being rushed. This is a serious decision that impacts numerous businesses. More time is needed to assess the potential impact of this change.

Please do not hesitate to contact me or our representative, Masterplan, on this matter.

Respectfully,



Katrina Morgera
Director,
Licensing

Office: 215-430-9403
Cell: 302-373-3031
Katrina.Morgera@pepboys.com

One Presidential Blvd
Bala Cynwyd, PA 19004

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☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Amber Ray / Dee Brown Inc - Rep

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

4101 S. Shiloh Rd.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Amber Ray

Signature / Firma / Chữ ký

April 29, 2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-08

Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning district. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5).

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Forced Entry Ex 2 Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2221 1st St

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

Zip Code / Código postal / Mã B u Chính

75041

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

This will attract
unfavorable crowd in the area

From:
To:
Subject:
Date:

Azeb Debebe
Planning Group
Comment Form Case Z 25-08
Saturday, May 3, 2025 6:12:45 PM

You don't often get email from azebdebebe@gmail.com. [Learn why this is important](#)

Comment Form Case Z 25-08

Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning district. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5).

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Azeb Debebe

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2007 Town Court

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX, 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Đình

Azeb Debebe

Signature / Firma / Ch ữ ký

(Providing email address and phone number is optional / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

5/3/25

Date / Fecha / Ngày

Galaxy A52 5G

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Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Angel Sanchez and Mayra Sanchez

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1529 Clear Point Dr Garland

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Angel Sanchez Mayra Sanchez

Signature / Firma / Chữ ký

05/05/2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

We oppose to the zoning change that will
affect our property. we believe this change
could damage our property value.

Comment Form Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

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Against / En Contra / Không

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EMILY BAKER - OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1805 CLEAR POINT DR.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Emily Baker

5/6/25

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. email và số điện thoại là tùy chọn.)

Comment Form
Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Luis Antonio Jasso Olvera

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3009 Holm dr Garland Tx 75041

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Qhinh

Luis Jasso

Signature / Firma / Chữ ký

Printing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

05/04/2025

Date / Fecha / Ngày

Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Kristin Wolfkill, Property Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1710 Mayfield Ave.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Kristin Wolfkill

Signature / Firma / Chữ ký

5-2-2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I strongly oppose the proposed rezoning to UR+UB, as it poses significant risks to our community's character and well-being. This change could lead to increased congestion, straining our already limited infrastructure and making it more difficult for residents to navigate their neighborhoods safely.

Additionally, the change in zoning could lead to an influx of commercial establishments and rental properties, potentially driving up local rents and displacing long-standing residents and businesses.

If the community perceives this change as negative, it can lead to a decrease in demand for homes in the area. A decline would lead to lower property values.

Morales, Elisa

From: Nur, Nabila
Sent: Thursday, May 8, 2025 9:38 AM
To: Morales, Elisa
Subject: FW: Rezoning Case Z25-08

Please file.

Nabila Nur, AICP
Director of Planning and Development

800 Main Street | Garland, Texas 75040
phone: 972.205.2449
nnur@garlandtx.gov | GarlandTx.gov



From: David Minnigan <dwm@thegwydirpartnership.com>
Sent: Wednesday, May 7, 2025 3:13 PM
To: Nur, Nabila <NNur@garlandtx.gov>
Subject: Rezoning Case Z25-08

4771 SATURN

You don't often get email from dwm@thegwydirpartnership.com. [Learn why this is important](#)

I represent HG Lipscomb Realty, and we own the Wells Fargo Bank Property in the area of rezoning for case Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning districts. The site consists of approximately 317 acres of properties.
WE ARE AGAINST THIS REZONING !

Please call me if you have questions.

Thanks, David

The Gwydir Partnership
David W. Minnigan, AIA, IIDA
LEED® Accredited Professional

6500 Arrowhead Springs Court
Brentwood, TN 37027

615-477-3051

dwm@thegwydirpartnership.com

Morales, Elisa

From: Nur, Nabila
Sent: Thursday, May 8, 2025 9:45 AM
To: Morales, Elisa
Subject: FW: 1720 Northwest Hwy

Please file.

Nabila Nur, AICP
Director of Planning and Development

800 Main Street | Garland, Texas 75040
phone: 972.205.2449
nnur@garlandtx.gov | GarlandTx.gov



From: Ben Siegel <ben.siegel@bleeckerpartners.com>
Sent: Thursday, May 8, 2025 8:01 AM
To: Nur, Nabila <NNur@garlandtx.gov>
Cc: Ethan Silverman <ethan.silverman@bleeckerpartners.com>
Subject: 1720 Northwest Hwy

You don't often get email from ben.siegel@bleeckerpartners.com. [Learn why this is important](#)

Good morning Nabila,

We are supportive of your proposed zoning change for pro business and pro development zoning in Garland. The nearing of I-635's construction gives this location and unique opportunity to flourish and we support Garland's initiative to enhance this area!

Ben

--

Ben Siegel
ben.siegel@bleeckerpartners.com
T: (972) 534-3106 | M: (214) 460-7833
4245 North Central Expressway, Ste. 225, Dallas, TX 75205

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Comment Form

Case Z 25-08

Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning district. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5).

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Nancy J Atwood

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1706 Clear Point Dr

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Nancy J. Atwood

Signature / Firma / Chữ ký

5-3-25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I oppose a zoning change that would allow apartment buildings to be built behind our residential neighborhood. When Eastgate apartments were still standing the tenants would watch our neighborhood for residents to leave & then burglarize that home knowing the resident was not home. The burglaries stopped when Eastgate apartments were torn down & Halmast was built on that land.

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For / A Favor / Đúng



Against / En Contra / Không

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Peggy Caillet home Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2004 Court Place

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Tx

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Peggy Caillet

Signature / Firma / Chữ ký

5-3-25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

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Timothy Schmidt, Property Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1501 Northwest Highway

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Thuy Anh

Signature / Firma / Chữ ký

May 9, 2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

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For / A Favor / Đúng

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SANDEEP SIRESHMA / OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

4517 SATURN RD

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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SANDEEP SHRESTHA / OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

4517 SATURN RD

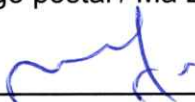
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

5/05/25

Date / Fecha / Ngày

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For / A Favor / Đúng

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Sandeep Shrivastha

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Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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Sandeep Shrivastha

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

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GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

[Signature]

Signature / Firma / Chữ ký

05/05/25

Date / Fecha / Ngày

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☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Earle & Cynthia South

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2023 Towngate Dr Garland, Tx 75041

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Earle South
Cynthia South

05/07/25

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-08

Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning district. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5).

Z 25-08 City of Garland. El solicitante propone un cambio de zonificación de distritos de zonificación múltiple a distrito de zonificación Urbana Residencial (UR) y Urbana Comercial (UB). El terreno consta de aproximadamente 317 acres de propiedades, generalmente ubicadas en el lado norte de la I-635, a ambos lados de la Avenida S. Garland. (Distrito 5).

Z 25-08 City of Garland. Người nộp đơn đề xuất thay đổi quy hoạch từ nhiều khu vực quy hoạch thành khu vực quy hoạch Đô thị Dân cư (UR) và Khu vực quy hoạch Đô thị Kinh doanh (UB). Khu đất bao gồm khoảng 317 mẫu Anh đất đai, thường nằm ở phía bắc của I-635, ở cả hai bên của S Garland Avenue. (Quận 5).

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Donald P. Cox

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1510 Clear Point Dr.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Donald P. Cox

Signature / Firma / Chữ ký

5-3-25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I am opposed to this change. I do not want a 5 story apartment building behind my house that would remove privacy from my back yard. It would also create a view I object to.

We do not have the infrastructure so more tax money would come next. I say enough. Someone needs to stand up down town and stop the wasteful spending this would require.

Crime in this area from the apartments across 635 would surely increase. I hear police chase sirens most nights. Any idea what the property values would be. Hint – down ward spiral, Not only no but hell no.

What about schools. more tax? you would invite a flood of crime and more burden to the GPD. Again, NO way.

Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

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Monte Brown

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2005 Town Council

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Monte Brown

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Layth Shreim

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3120 S. Shiloh rd

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX 7

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Layth Shreim

Signature / Firma / Chữ ký

5.12.25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-08

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

We are against the proposed rezoning because it will result in ^{us losing} ~~terminating~~ our investment and our business. We have just ~~invested~~ invested in improving the equipment and remodel the building which cost us a substantial amounts, we will not be able to continue operating as nonconformant because of SUP expiration in less than 2 years.

As a family bussiness we ~~will~~ and our employees, well be severely damaged and our well being will indangered.

Comment Form

Case Z 25-08

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Riyad Shreim / property owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3120 S Shiloh Rd

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Tx

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

RFL

Signature / Firma / Chữ ký

5.12.25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

April 11, 2025

Re: Zoning Case Z 25-08
Garland, TX

Dear Chairman Roberts,

Public Storage is the largest self-storage operator in the world with more than 3,300 locations. We are a publicly traded company (PSA) that develops, maintains, and operates our properties. We are not typically a seller and many of our properties date to our founding in 1972. We have two facilities that are in the state-required notice area.

Given we hold our properties indefinitely, we take seriously the underlying zoning of these sites. Public Storage was informed of the proposed city authorized hearing that impacts two of our properties. Our company only learned of this from its long-time consultant, Masterplan. When we have zoning cases, we make every effort to contact directly those impacted. As such, we were disappointed to only hear about this from a vendor.

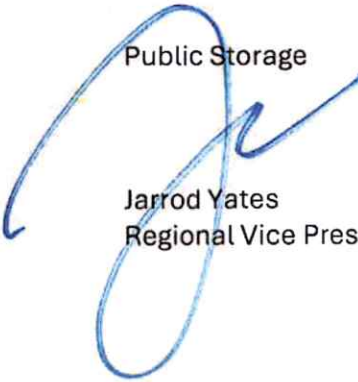
We believe that this issue requires robust conversation. At this point, we do not understand the vision of the city and believe that it would have serious, negative consequences for our property. Becoming a non-conforming use is not something our company can support.

We respectfully ask you to hold this under advisement for a significant period of time to allow for appropriate meetings and discussions. Commercial property owners should have the same rights afforded them as single family subdivisions.

I will be unable to attend the meeting, however, I have spoken with Dallas Cothrum and Karl Crawley. They are aware of our concerns, and I look forward to understanding more information about this matter.

Sincerely,

Public Storage



Jarrod Yates
Regional Vice President

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning districts. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5) **

** More information about this case can be found in [this document.](https://garlandtx.gov/DocumentCenter/View/21401/Zoning-Case-Z-25-08-PDF)****

**Window Tint
Guys**

5/11/2025
9:29:41 PM

Against

3120 S Shiloh Rd

Garland

Texas

United States

<null>

Hookah You Up

5/11/2025
9:27:53 PM

Against

3120 S Shiloh rd #103

Garland

Texas

United States

<null>

**Brush N Go Car
Wash**

5/11/2025
9:26:12 PM

Against

3120 S Shiloh rd #101

Garland

Texas

United States

75041

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Theresa Gifford

For

5/11/2025
5:25:12 PM

3237 Douglas Dr.

Garland

Texas

United States

<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:30 PM

3237 Douglas Dr.

Garland

Texas

United States

<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:29 PM

3237 Douglas Dr.

Garland

Texas

United States

<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:29 PM

3237 Douglas Dr.

Garland

Texas

United States

<null>

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Cody Gifford

For

5/11/2025
5:24:22 PM

3237 Douglas Dr.

Garland
Texas
United States
<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:21 PM

3237 Douglas Dr.

Garland
Texas
United States
<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:20 PM

3237 Douglas Dr.

Garland
Texas
United States
<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:19 PM

3237 Douglas Dr.

Garland
Texas
United States
<null>

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Cody Gifford

For

5/11/2025
5:24:19 PM

3237 Douglas Dr.

Garland
Texas
United States
<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:17 PM

3237 Douglas Dr.

Garland
Texas
United States
<null>

Outside the Notification Area

Cody Gifford

For

5/11/2025
5:24:16 PM

3237 Douglas Dr.

Garland
Texas
United States
<null>

Outside the Notification Area

Gayle Owens

For

5/9/2025
1:04:54 PM

4018 Keele

Garland
Texas
United States

gayle.owens@icloud.com

214-729-1861

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

75041

Urban residences and businesses are essential for creating vibrant, interconnected communities. Residences provide people with access to jobs, amenities, and services, reducing commuting times and fostering a dynamic social environment. Businesses, in turn, drive economic growth, offer employment opportunities, and provide essential goods and services to residents. Together, they support sustainable city development, innovation, and cultural exchange, making urban areas hubs of progress and convenience.

Michael Whalin

Against

5/8/2025
9:08:22 PM

1122 Garden Gate Cir

Garland
Texas
United States
<null>

Outside the Notification Area

This isn't South Garland!!!! Spend the money in the Centerville/Brodaway corridor. Spend the money at Broadway and 30. Or change the terminology. This isn't S Garland.

**CarMax Auto
Superstores,
Inc.**

Against

4/28/2025
1:14:52 PM

12800 Tuckahoe Creek
Pkwy
Richmond
VA
United States
23238

CarMax

Against

4/28/2025
1:12:42 PM

12715 Lyndon B Johnson
Fwy
Garland
Texas
United States
75041

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

RaceTrac

Against

4/27/2025
11:11:24 PM

2018 Northwest Highway trutigliano@racetrac.com

Garland
Texas
United States
75041

RaceTrac has operated in Garland since 2012, and currently have seven stores in the city; two of which would be detrimentally impacted by this proposed zoning change. We located in Garland because of its business-friendly environment and strong citizen base. The proposed zoning change would prevent us from reinvesting in these stores as customer preferences and industry trends change over time, and in a catastrophic event, would prevent us from rebuilding altogether. We are very disappointed that we were only recently made aware of this proposal and that we were not given an opportunity collaborate with the City on a solution that respects existing property owner rights and meets your goals for area. We strongly oppose this case.

RaceTrac

Against

4/27/2025
11:09:44 PM

3401 S. Garland trutigliano@racetrac.com

Garland
Texas
United States
75041

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RaceTrac

Against

4/27/2025

3401 S. Garland trutigliano@racetrac.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

11:09:41 PM

Garland
Texas
United States
75041

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CarMax

Against

4/24/2025
6:03:21 PM

12715 Lyndon B Johnson
Fwy
Garland
Texas
United States
75041

Realty Income Corporation

Against

4/23/2025
8:54:19 PM

12715 Lyndon B Johnson
Fwy
Garland
Texas
United States
75041

jlopes@realtyincome.com

8582845369

Realty Income Corporation

Against

4/23/2025
8:53:43 PM

12715 Lyndon B Johnson
Fwy
Garland

jlopes@realtyincome.com

8582845369

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Texas
United States
75041

Realty Income Corporation

4/23/2025
8:51:55 PM

Against

12715 Lyndon B Johnson
Fwy
Garland
Texas
United States
75041

jlopes@realtyincome.com

8582845369

Realty Income Corporation

4/23/2025
8:50:59 PM

Against

12715 Lyndon B Johnson
Fwy
Garland
Texas
United States
75041

jlopes@realtyincome.com

8582845369

Realty Income Corporation

4/23/2025
8:50:21 PM

Against

12715 Lyndon B Johnson
Fwy
Garland
Texas
United States
75041

jlopes@realtyincome.com

8582845369

Realty Income Corporation

4/23/2025
8:49:33 PM

Against

12715 Lyndon B Johnson
Fwy

jlopes@realtyincome.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Garland 8582845369
Texas
United States
75041

Realty Income Corporation

4/23/2025
8:48:23 PM

Against

12715 Lyndon B Johnson Fwy
Garland 8582845369
Texas
United States
75041

jlopes@realtyincome.com

The proposed zoning changes would render our tenant non-conforming and they have made clear to us that this is not tenable. The proposed change will result in us losing the right to continue using our property for the current use. We are being forced into a non-conforming status. This is not acceptable and we do not support the proposed zoning change.

Khoa Nguyen

4/19/2025
1:33:10 AM

For

2406 Mapleridge Dr
Garland a
Texas
United States
75044
For

soohuynk@gmail.com

Outside the Notification Area

Khoa Nguyen

4/19/2025
1:32:43 AM

For

2406 Mapleridge Dr
Garland
Texas
United States
75044
For

soohuynk@gmail.com

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Khoa Nguyen

For

4/19/2025
1:32:38 AM

2406 Mapleridge Dr

Garland
Texas
United States
75044

Outside the Notification Area

Khoa Nguyen

For

4/19/2025
1:32:22 AM

2406 Mapleridge Dr

Garland
Texas
United States
75044

Outside the Notification Area

Khoa Nguyen

For

4/19/2025
1:32:18 AM

2406 Mapleridge Dr

Garland
Texas
United States
75044

Outside the Notification Area

**Thomas
Martinez**

For

4/15/2025
12:15:16 AM

3910 Roanoke

Garland
Texas
United States
<null>

Outside the Notification Area

For

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

**Thomas
Martinez**
4/15/2025
12:15:15 AM

For
3910 Roanoke
Garland
Texas
United States
<null>

Outside the Notification Area

Sissy Coco
4/8/2025
2:45:06 PM

For
11708 Lanewood Cir
Garland
Texas
United States
<null>

Outside the Notification Area

Sissy Coco
4/8/2025
2:45:04 PM

For
11708 Lanewood Cir
Garland
Texas
United States
<null>

Outside the Notification Area

Dilan Patel

Against

4/7/2025
1:58:14 PM

1901 Pendleton Dr
Garland
Texas
United States
75041

microtelgarland@yahoo.com

2147141065

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur

Gayle Owens

For

4/5/2025
12:29:05 PM

4018 Keele Drive

Gayle.Owens@icloud.com

Garland

214-729-1861

Texas

United States

75041

Outside the Notification Area

This area needs urban residences and businesses.

Gayle Owens

For

4/5/2025
12:29:03 PM

4018 Keele Drive

Gayle.Owens@icloud.com

Garland

214-729-1861

Texas

United States

75041

Outside the Notification Area

This area needs urban residences and businesses.

Brad Parker

Against

4/4/2025
1:37:11 PM

3710 S Shiloh Rd

brad.parker@parkerplumbing.com

Garland

2145352128

Texas

United States

75041

This zoning change will negatively impact our business and how we operate if we are forced to relocate because of the zoning change.

Khoa Nguyen

For

4/4/2025
5:07:14 AM

2406 Mapleridge Dr

Garland

Outside the Notification Area

Texas

United States

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-08	May 12, 2025	June 3, 2025	Nabila Nur
75044			

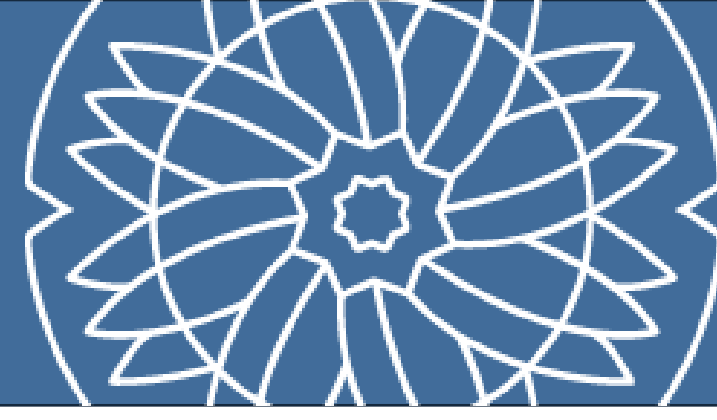


GARLAND

City Council Meeting

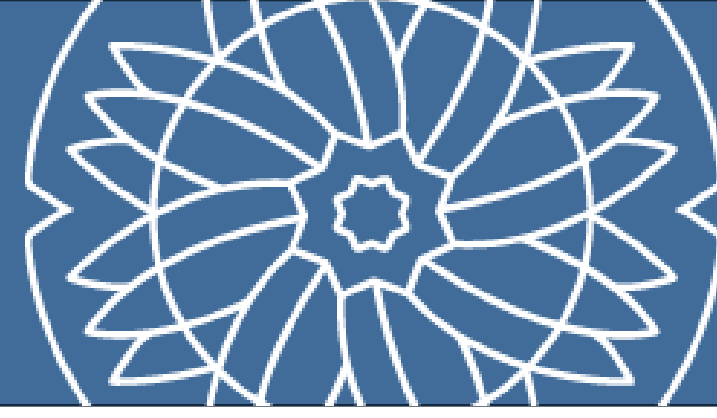
June 3, 2025





Introduction

Approval of a change in zoning from multiple zoning districts including but not limited to Industrial (IN), Community Retail (CR), and Planned Developments with IN and CR base zoning to Urban Residential (UR) and Urban Business (UB) Districts.



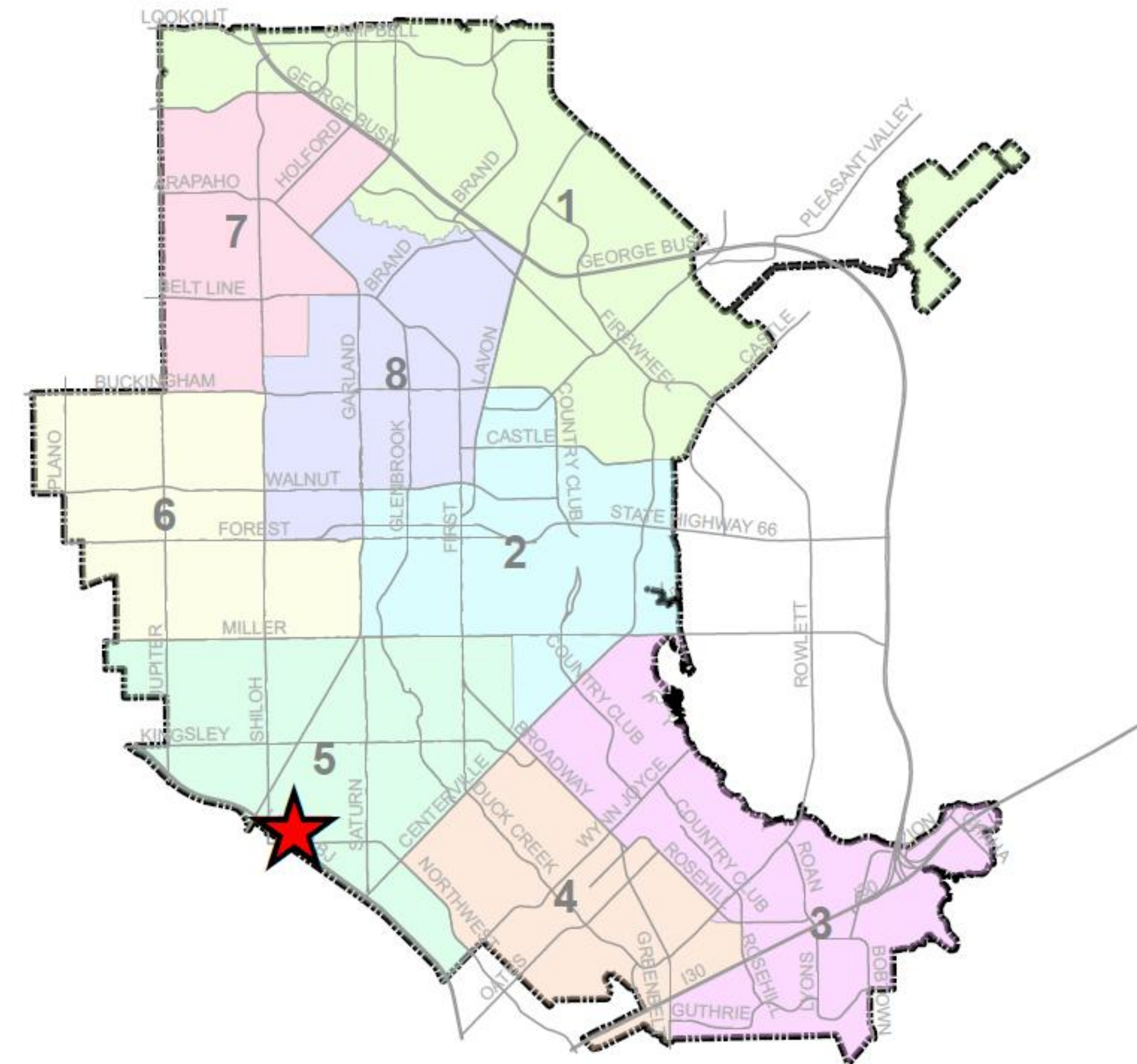
Case Information

Location: North side of I-635, Both sides of S Garland Avenue

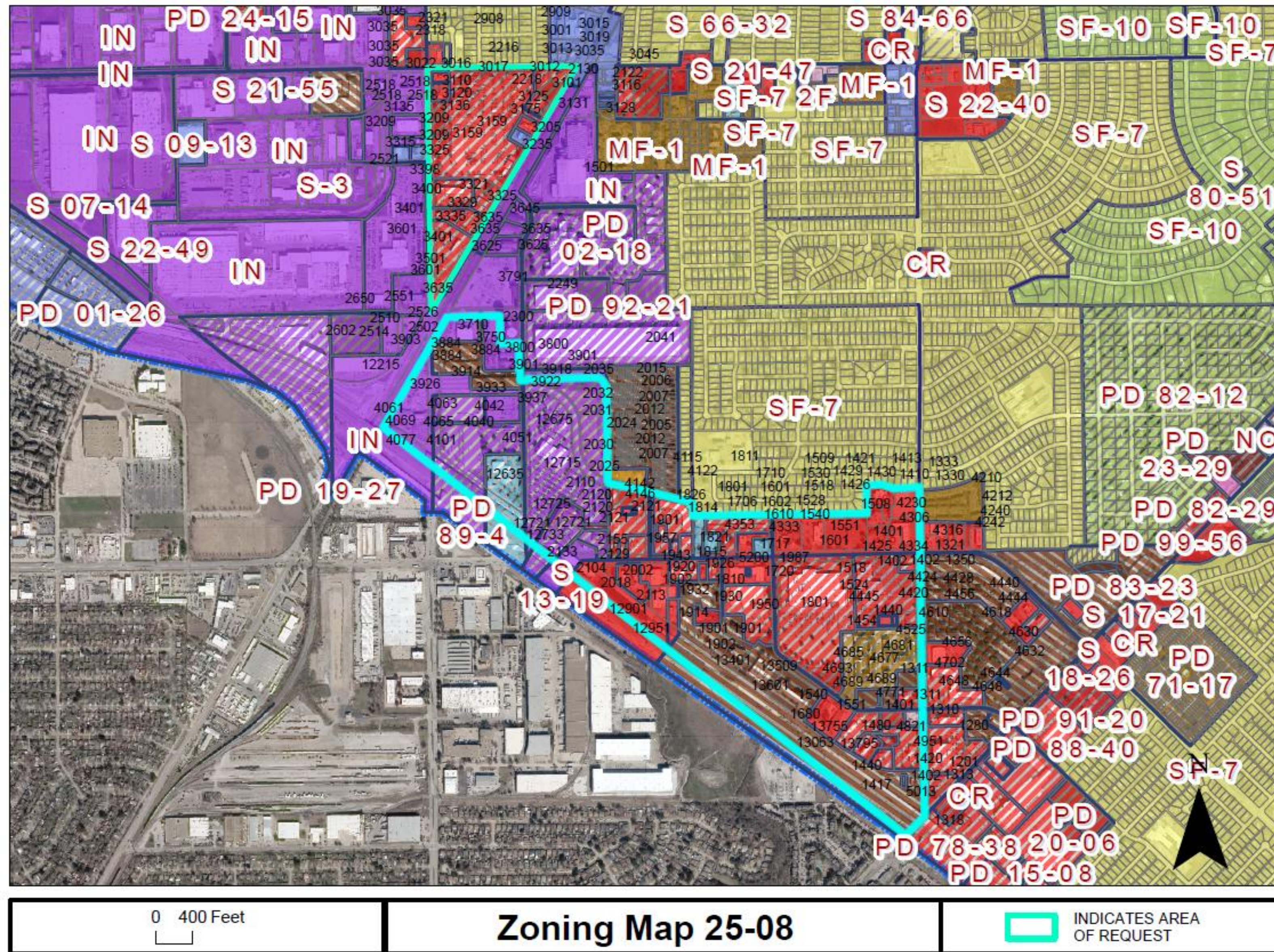
Applicant: City of Garland

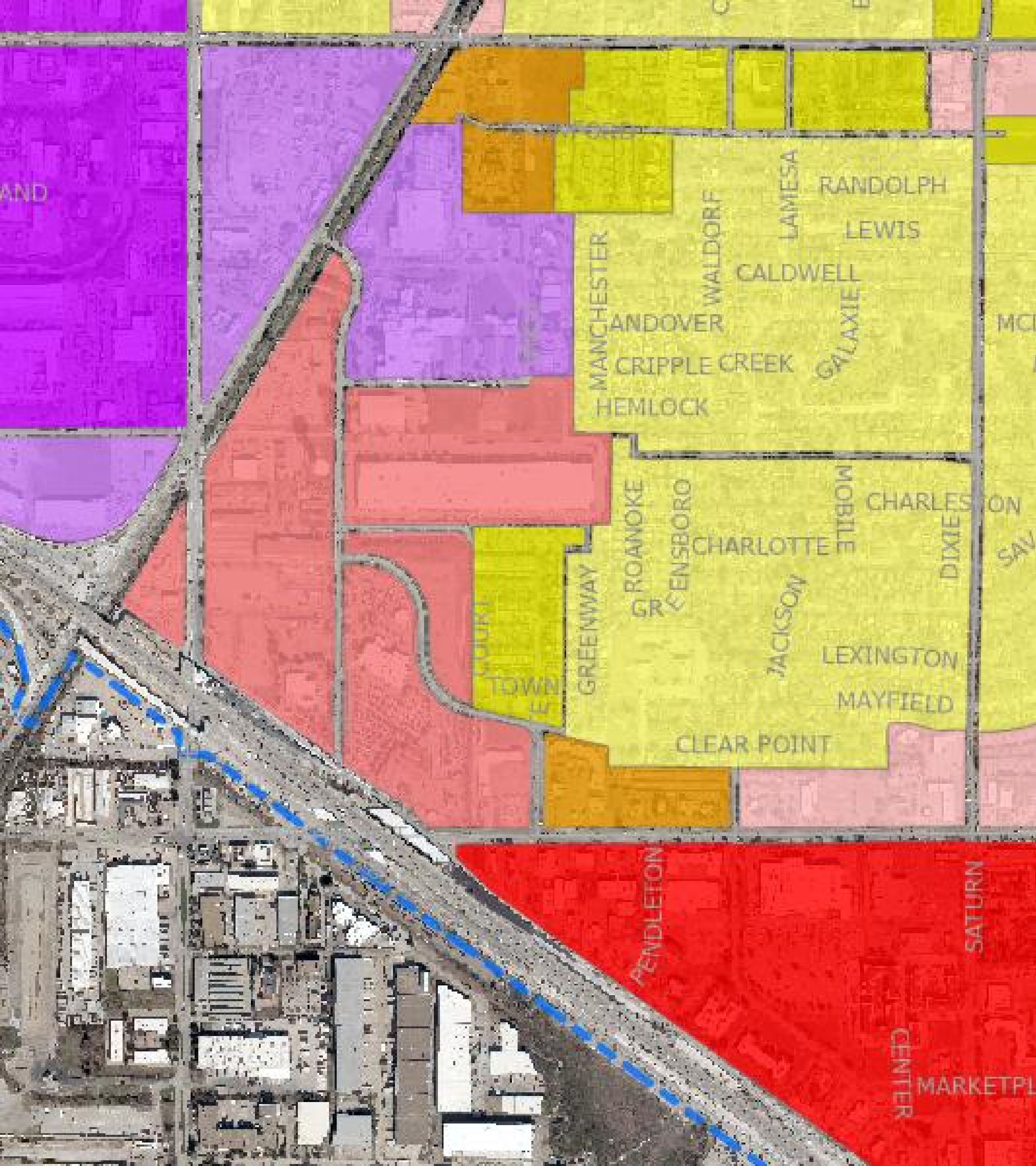
Site: 317 acres (approximately 50 acres of city-controlled site)

Zoning: Multiple (predominantly CR and IN base zoning)



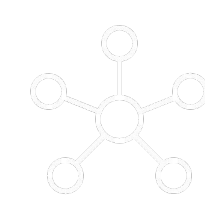
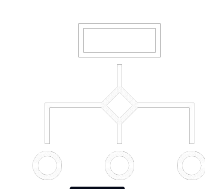
Location Map





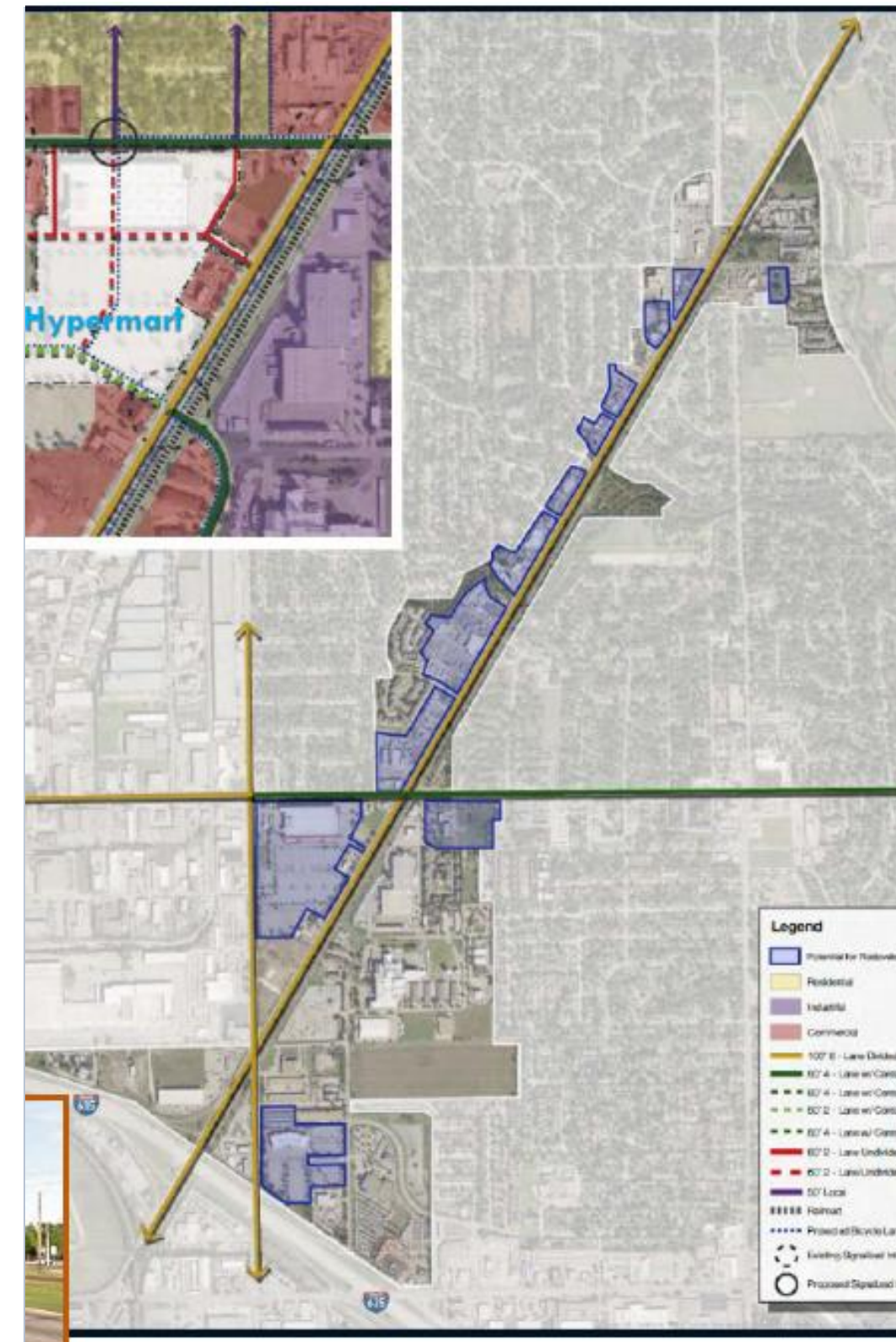
Comprehensive Plan

- Business
- Transit-oriented centers
- Urban Neighborhood
- Neighborhood Centers



How was this area selected? Why UR and UB?

South Garland Avenue and Hypermart Initiative



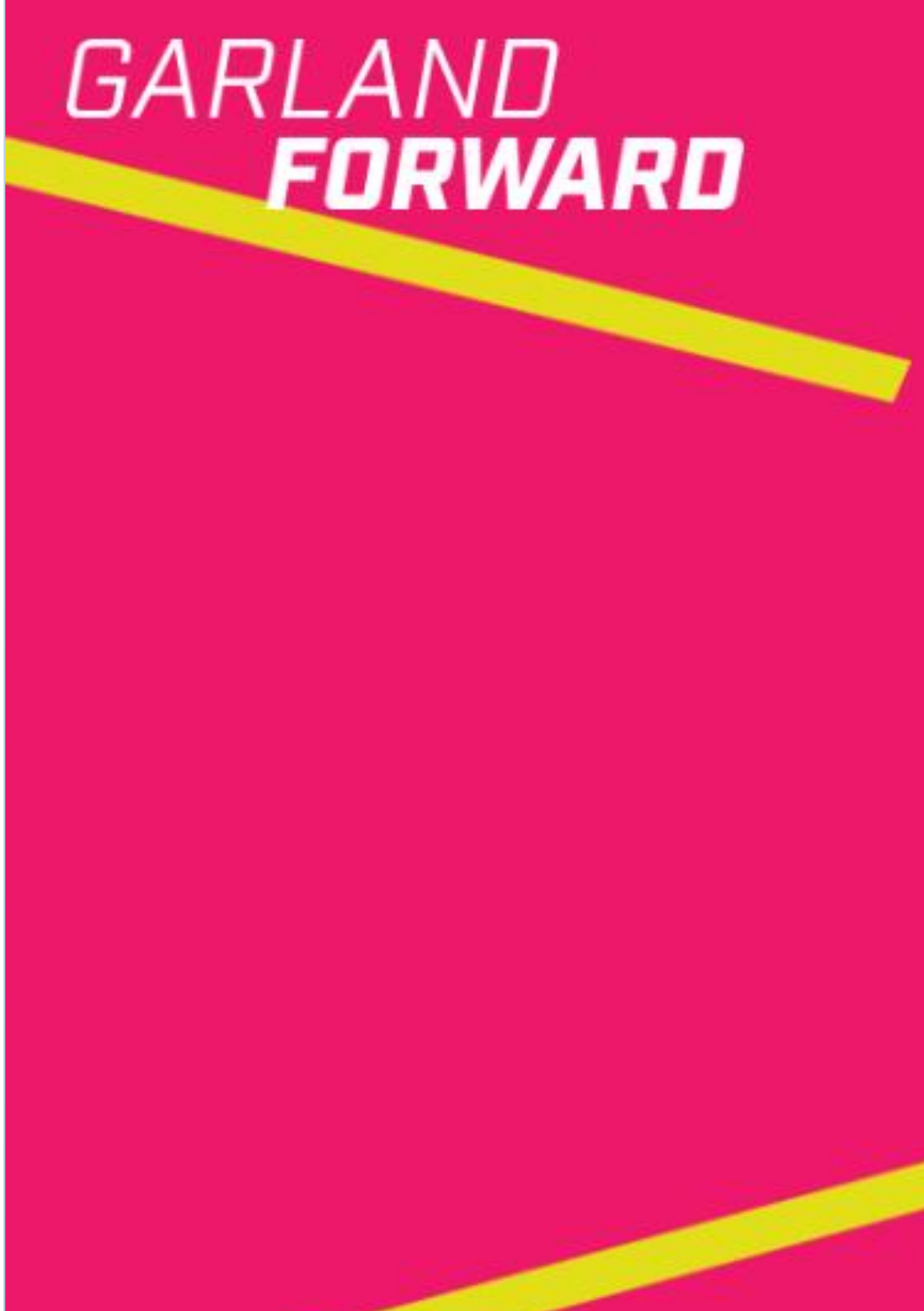
Northwest Hwy.

Bowlero, Garland

Walmart Supercenter

Saturn Rd.

635



GARLAND
FORWARD

Transit and Transportation Aspects

How was this area selected? Why UR and UB?

635 Improvement

The improvements on 635 provides better and efficient access through Shiloh and S Garland Ave, creating opportunity for economic development through the area.

Ongoing Discussion with DART

DART is actively looking into this area and may relocate the current station to another site within this area to operate more efficiently and lend itself for TOD projects.

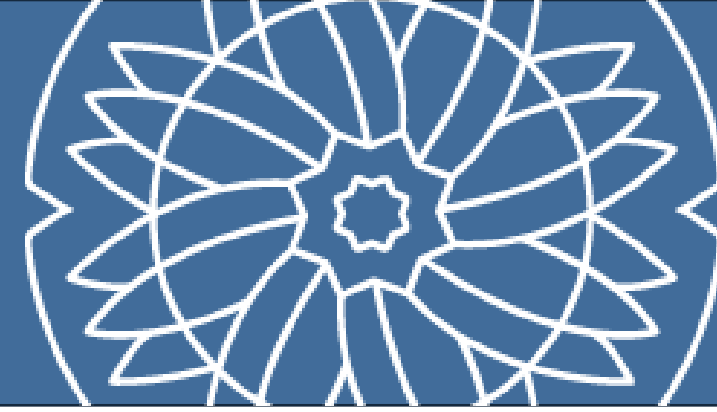


“

Garland stands at the crossroads between its past, as a fast-growing inner-ring Dallas suburb, and its future, as an established urban economy in its own right.

"The type and quality of development that the community attracted during its boom years is evidence of this statement. Today, decades later, these real estate formats present a significant challenge to its future.

”



Catalyst Area

Development and Design Goals

- Higher quality development
- Pedestrian-friendly
- Higher density development
- Strategic distribution of urban open spaces
- Destination land uses
- Improved physical environment
- Greater variety of land uses
- District unified by public environment

Economic Strategy Focus Areas

- Drive more sales taxes by creating and supporting amenities (both public and private--including restaurants, entertainment, activities, and public spaces) that promote Garland as a destination during daytime and nighttime, weekdays and weekends.
- Support retention and expansion of the city's key high value property tax base
- Promote and encourage across the city redevelopment of underutilized and low value parcels
- Improve the image and alter the perception of the city
- Build on city's entrepreneurial energy and diversity with an enhanced small business program
- Improve the livability of city with high value for money housing options and high QoL neighborhoods
- Provide opportunities for Garland's residents to gain the skills necessary to compete in the evolving regional economy



Hypermart Site / Live-Work Center

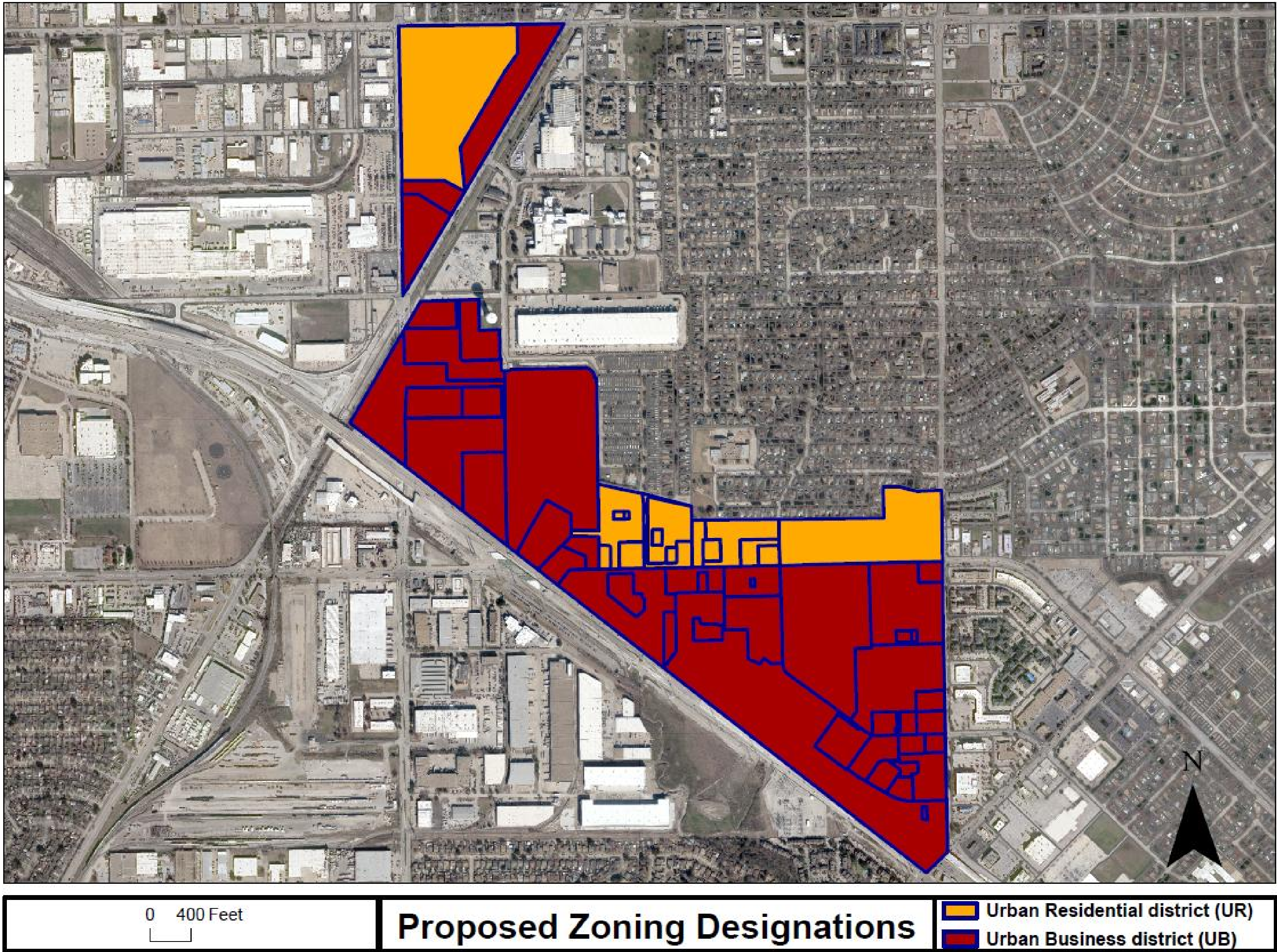
Catalyst Site No. 4

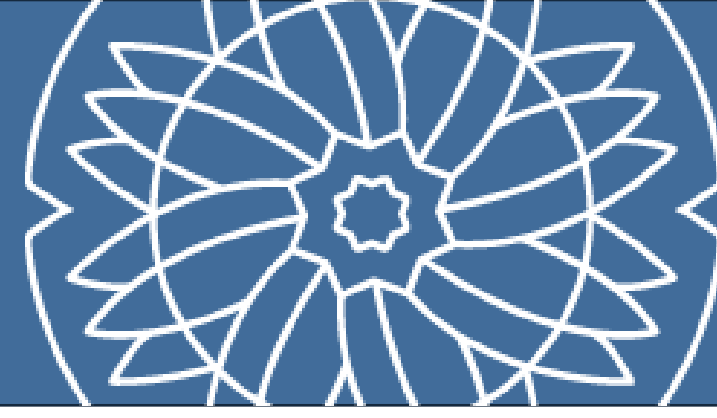
The vision for the property that is the subject of this catalyst site is based on several objectives including to: ensure that future uses are appropriate given their location at the entrance to a highly visible corridor (South Garland Avenue); discourage commercial uses that could diminish the value of existing commercial operators in the vicinity of East Centerville Road; host product types that would not be in conflict with surrounding industrial uses; and, offer a unique opportunity in Garland for a business park development that is centrally located with access to a significant regional thoroughfare. Any commercial spaces that might locate with the property would be modest in scale, and primarily the type that would support the daytime workforce population.

Figure 4-6: Live-Work Center -- Scenario i and ii



Proposed Zoning Designation





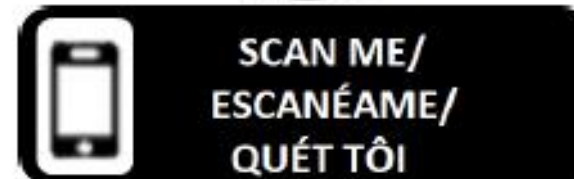
Recommendations

PC Recommendation: Denial (9-0)

Staff Recommendation: Approval

Response Letters

City of Garland Planning Department
P.O. Box 469002
Garland, Texas 75046-9002



NOTICE OF PUBLIC HEARING OF THE GARLAND CITY COUNCIL

Dear Garland Resident, Property Owner or Business Owner: You are receiving this letter because your address is within 400 feet of the proposed zoning change.

RE: Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning districts. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5) (see included map)

Date: A Public hearing will be held by the City of Garland City Council at 7:00 p.m., Tuesday, June 3, 2025.

Location: William E. Dollar Municipal Building (City Hall), Council Chambers, 200 North Fifth Street, Garland, Texas 75040

The Meeting and Agenda webpage can be found at:
<https://www.garlandtx.gov/801/Meeting-Agendas-and-Minutes> (Agendas are posted at least 72 hours before the meeting.)

City of Garland Planning Department
P.O. Box 469002
Garland, Texas 75046-9002



NOTICE OF PUBLIC HEARING OF THE GARLAND CITY COUNCIL (FOR POTENTIAL NONCONFORMING USES)

Dear Garland Resident, Property Owner or Business Owner: You are receiving this letter because the current land use of your property may potentially become nonconforming due to a zoning change.

"THE CITY OF GARLAND IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ THIS NOTICE CAREFULLY."

A separate notification has been sent to all properties within 400 feet of the proposed zoning.

RE: Z 25-08 City of Garland. The applicant proposes a zoning change from multiple zoning districts to Urban Residential (UR) and Urban Business (UB) zoning districts. The site consists of approximately 317 acres of properties, generally located on the north side of I-635, on both sides of S Garland Avenue. (District 5) (see included map)

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The Meeting and Agenda webpage can be found at:
<https://www.garlandtx.gov/801/Meeting-Agendas-and-Minutes> (Agendas are posted at least 72 hours before the meeting.)

Thank You

Questions?





GARLAND

PLANNING REPORT

City Council Regular Session

9. d.

Meeting Date: 06/03/2025

Item Title: Z 24-02 Trak Group Inc. (District 6)

Submitted By: Nabila Nur, Planning and Development Director

REQUEST

Approval of 1) a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR) District and 2) a Concept Plan for the existing Fuel Pumps, Retail use.

LOCATION

3420 W Walnut

OWNER

Trak Group Inc.

PLAN COMMISSION RECOMMENDATION

On May 12, 2025, with a nine (9) to zero (0) vote, the Plan Commission recommended approval of 1) a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR) District for a period of 10 years and additional landscaping be added on site per staff's recommendation (and agreed upon by the applicant) and 2) a Concept Plan for the existing Fuel Pumps, Retail use.

STAFF RECOMMENDATION

Staff recommends the City Council considers approval of a Specific Use Provision (SUP) for the Fuel Pumps, Retail use to continue on the property zoned Community Retail (CR) District and 2) a Concept Plan for the Fuel Pumps, Retail Use.

Staff recommends a five-year time period for this SUP. The shorter time frame is recommended to ensure that the enhancements proposed are maintained on the site and also, to encourage the business to stay vigilant so that the present situation of operating without a valid SUP does not occur in the future.

BACKGROUND

The subject property is currently zoned Community Retail (CR). An SUP was granted for the property to have a Fuel Pumps, Retail use in 1998. The SUP was effective for 20 years and has expired since 2018. The site is currently developed with a convenience store and six (6) fuel pumps.

SITE DATA

The subject site is approximately 21,060 square feet and is accessed from West Walnut Street on the north and South Jupiter Road on the west. The convenience store is approximately 2,160 square feet in size.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Community Retail (CR). The Community Retail (CR) district is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A CR district is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low-density residential districts without significant buffering and screening features. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a CR district must be focused onto the major thoroughfare network. Development in a CR district may not be designed in a manner that increases traffic through residential areas.

CONSIDERATIONS

1. The applicant is requesting the SUP to be permitted for the maximum allowed number of years. The SUP time period guide recommends a period of 20-25 years. However, it is worthy to note that this business has operated for several years after the SUP expired.
2. The convenience store and fuel pumps were constructed 27 years ago and is currently in operation. The establishment has been serving the community with relatively minimal code violations throughout the years.
3. The applicant will increase landscaping on the site by adding a continuous row of shrubs on the south side of the site in the existing landscape median and a screening row of shrubs along at least 50% of each street frontage of South Jupiter Road and West Walnut Street.
4. All landscaping shall be installed within 60 days of approval of this request.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Vital Neighborhoods with an Urban Neighborhoods subcategory for the subject site. Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. This type of development should encourage access to a range of mobility options and is generally located in the vicinity of major intersections and/or secondary arterial streets, with proximity to significant bus or rail amenities.

Urban neighborhoods are characterized by moderate to high density single-family attached and multifamily residential units, greater than 12 dwelling units per acre. Developments within this category generally are predominantly residential but may include compatible non-residential uses.

The existing convenience store is compatible with the comprehensive plan as it is a non-residential use which serves the routine needs of the surrounding community.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, east, and west are zoned Community Retail (CR) and has an auto minor repair use on the north, check cashing business on the east, and a variety of retail, restaurant and personal care uses on the west. The property to the south is zoned Community Retail (CR) with an SUP for a Reception Facility and has several retail uses, a grocery/supermarket, and office uses to the south.

Although the fuel pumps are autocentric in nature and there is another fuel pump use across the street from this establishment, this gas station has served the community for over two (2) decades with minimal code violations. The applicant will improve the site by adding landscaping within and along the edges of the site.

Attachments

Z 24-02 SUP Conditions
Z 24-02 Location Map
Z 24-02 Site Photos
Z 24-02 Written Request
Z 24-02 R&M
Z 24-02 Responses
Z 24-02 Staff Presentation

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 24-02

3420 W. Walnut Street

I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a Fuel Pumps, Retail use.

II. Statement of Effect: This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.

III. General Regulations: All regulations of the Community Retail (CR) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Concept Plan:

Concept Plan: The site shall be in general conformance with the approved Concept Plan. The concept plan shall be used to represent the general idea of the proposed land use and site elements. The concept plan shall not supersede, and shall be subordinate to, the standards, requirements, and conditions of the GDC, Technical Standard Manual (TSM), a, City code, or the approved SUP.

I. Abandonment: In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;

B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

V. Specific Regulations:

A. SUP Time Period: The Specific Use Provision for a Fuel Pumps, Retail Use shall be in effect indefinitely.

[Condition recommended by Plan Commission]

A. SUP Time Period: The Specific Use Provision for a Fuel Pumps, Retail Use shall be in effect for a period of ten (10) years.

B. Additional Landscaping:

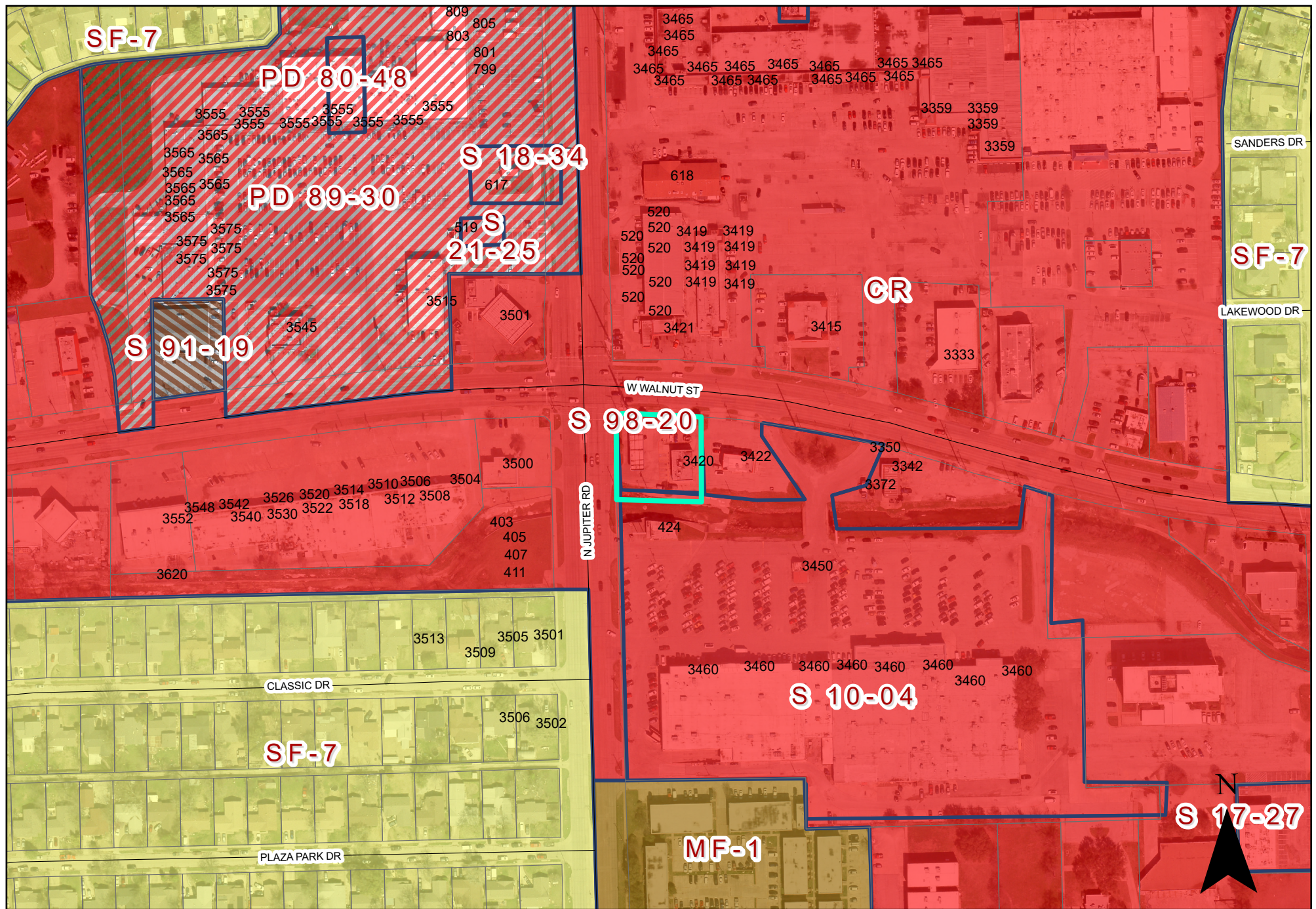
- (1) There shall be a continuous row of shrubs planted on the south side of the site in the existing landscape median. The plants shall originate from the City's Approved Plant List.
- (2) A screening row of shrubs is required along at least 50% of each street frontage along South Jupiter Road and West Walnut Street.
- (3) Shrubs that are of a "dwarf" or "miniature" variety must be a minimum of one foot in planted height at time of installation unless that particular variety and size of shrub is typically less than one foot in planted height in North Central Texas.
- (4) All landscaping shall be installed within 60 days of approval of this ordinance.

SUP Requirements

Zoning File 24-02

Page 2

- (5) All landscaping shall be maintained in accordance with Section 4.33 of the Garland Development Code.



Z 24-02



**Photo of existing convenience
store facing east**

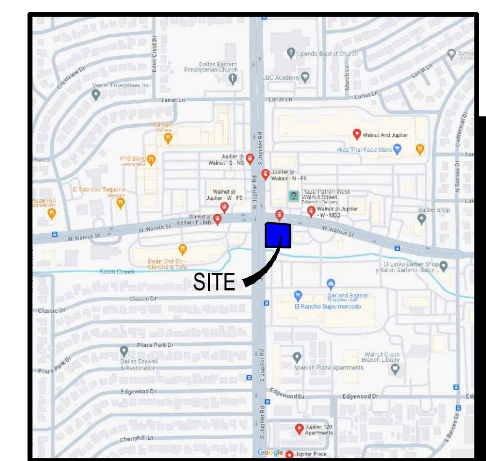
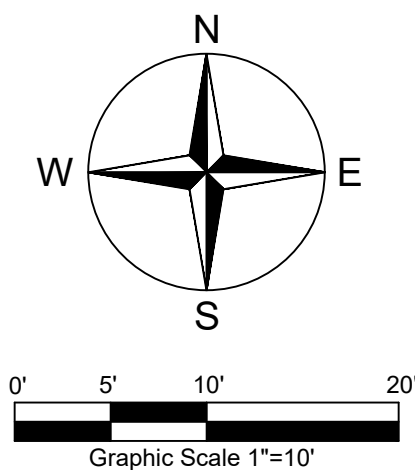


Photo of fuel pumps facing south



**Photo of fuel pumps and Refuse
container facing west**

Exhibit C



SITE DATA TABLE	
LAND AREA	0.483 ACRES (21060 SQ.FT)
EXITING ZONING	COMMERCIAL
EXISTING LAND USE	COMMERCIAL

NOTE:
SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM), AND CITY CODES UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE. THE CONCEPT PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REQUIREMENTS, AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.

LEGEND

- PROPERTY LINE
- CONVENIENT STORE
- 3 NOS. FUEL DISPENSER
- EXISTING SIDEWALK
- EXISTING DUMPSTER
- EXISTING PAVEMENT
- ADDITIONAL LANDSCAPE TO BE ADDED
- EXISTING OFFSITE LANDSCAPE
- OFFSITE PAVEMENT
- OFFSITE SIDEWALK
- OFFSITE CHANNEL (KEEN CREEK)

OWNER: TRAK GROUP INC.
NAME OF APPLICANT: KHALID REZWAN
PLAN PREPARER: KHALID REZWAN
COMPANY NAME: TRAK GROUP INC.



SITE PLAN
PROJECT NAME- TRANK TEN
3420 W. WALNUT ST., GARLAND TX. 75042
DEVELOPMENT SERVICES

REPORT & MINUTES

P.C. Meeting, May 12, 2025

2b. APPROVED Consideration of the application of **Trak Group Inc.**, requesting approval of requesting a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR). The site is located at 3420 W Walnut Road. (District 6) (File Z 24-02)

Planning Administrator - Development, Emma Chetuya, presented the request to the Commission and remained available for questions.

The applicant, Khalid Rezwan, 3420 W. Walnut Street, Garland, TX 75042, provided an overview of the request and remained available for questions.

The Commission asked several questions regarding landscaping and length of SUP.

Motion was made by Commissioner Abell to close the public hearing. Seconded by Commissioner Jenkins. **Motion carried: 9 Ayes, 0 Nays.**

The Commission asked questions regarding the timeframe of the SUP.

Motion was made by Commissioner Abell to **approve** the application with a 10-year SUP. Seconded by Commissioner Rose. **Motion carried: 9 Ayes, 0 Nays.**

Comment Form Case Z 24-02

Z 24-02 Trak Group Inc. The applicant is requesting a Specific Use Provision (SUP) for Fuel Pumps, Retail on property zoned Community Retail (CR). The property is addressed as 3420 W Walnut Road. (District 6)

Z 24-02 Trak Group Inc. El solicitante solicita una Disposición de Uso Específico (SUP) para surtidores de combustible y comercio minorista en una propiedad zonificada como Comercio Minorista Comunitario (CR). La propiedad está ubicada en 3420 W Walnut Road (Distrito 6) (véase el mapa adjunto).

Z 24-02 Trak Group Inc. Người nộp đơn đang yêu cầu Quy định sử dụng cụ thể (SUP) cho Máy bơm nhiên liệu, Bán lẻ trên bất động sản được phân vùng là Bán lẻ cộng đồng (CR). Bất động sản được định địa chỉ là 3420 W Walnut Road. (Quận 6) (xem bản đồ kèm theo)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Andrew DeVlieger

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3501 Classic Drive

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75042

Zip Code / Código postal / Mã B u chính

Andrew DeVlieger

Signature / Firma / Chữ ký

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

5/2/2025

Date / Fecha / Ngày

Comment Form

Case Z 24-02

Z 24-02 Trak Group Inc. The applicant is requesting a Specific Use Provision (SUP) for Fuel Pumps, Retail on property zoned Community Retail (CR). The property is addressed as 3420 W Walnut Road. (District 6)

Z 24-02 Trak Group Inc. El solicitante solicita una Disposición de Uso Específico (SUP) para surtidores de combustible y comercio minorista en una propiedad zonificada como Comercio Minorista Comunitario (CR). La propiedad está ubicada en 3420 W Walnut Road (Distrito 6) (véase el mapa adjunto).

Z 24-02 Trak Group Inc. Người nộp đơn đang yêu cầu Quy định sử dụng cụ thể (SUP) cho Máy bơm nhiên liệu, Bán lẻ trên bất động sản được phân vùng là Bán lẻ cộng đồng (CR). Bất động sản được định địa chỉ là 3420 W Walnut Road. (Quận 6) (xem bản đồ kèm theo)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

DAVID E VASQUEZ

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

3506 Classic Dr.

City, State / Estado de la Ciudad / Thành bang

Garland TX

Zip Code / Código postal / Mã B u Chính

75042

5/5/2025

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

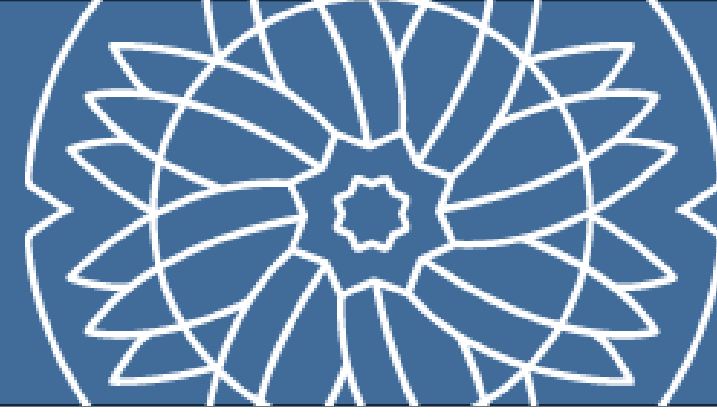


GARLAND

City Council Meeting

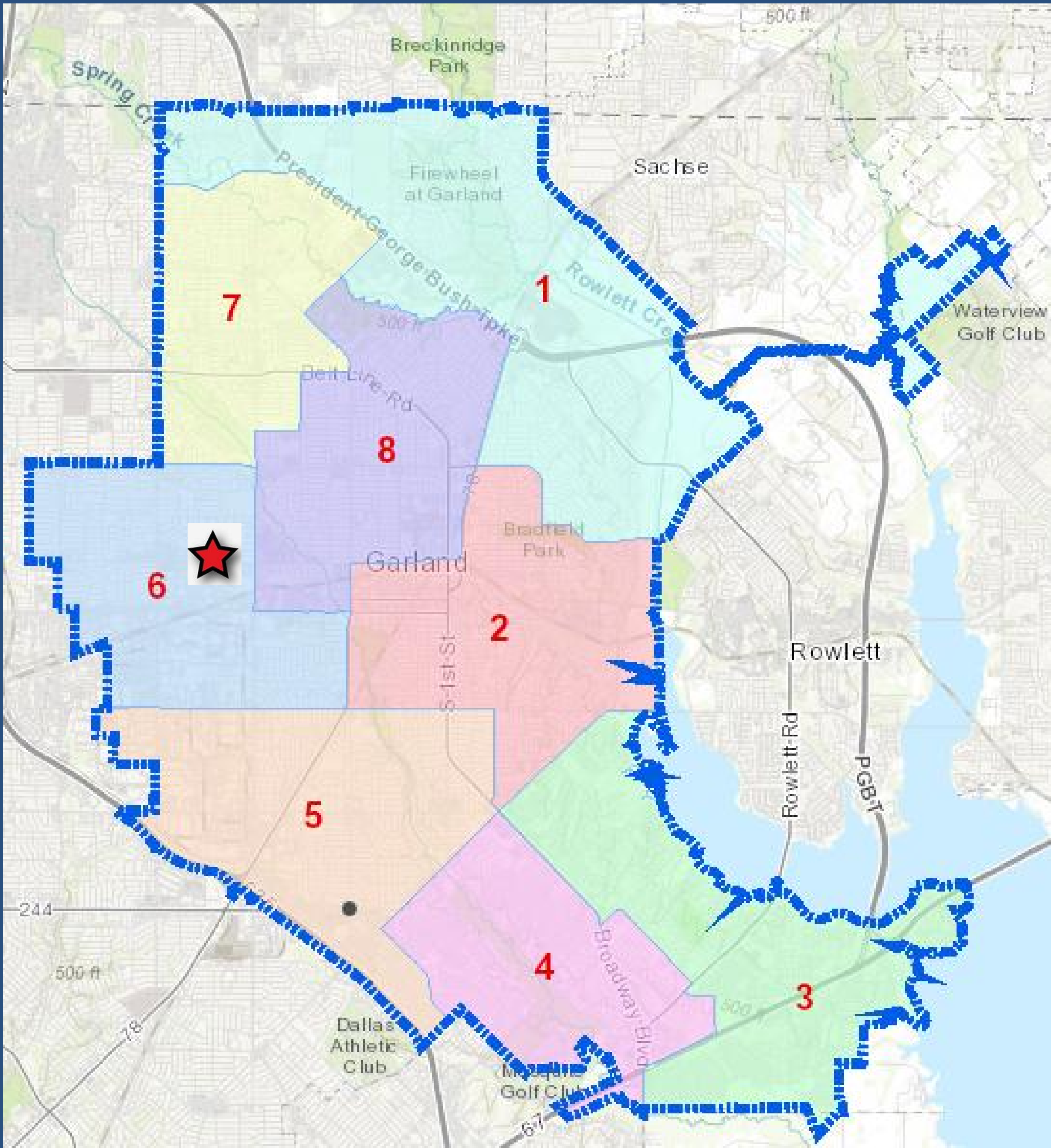
June 3, 2025





Request

The applicant requests a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR) District and 2) a Concept Plan for the existing Fuel Pumps, Retail use.



Case Information

Location: 3420 W Walnut

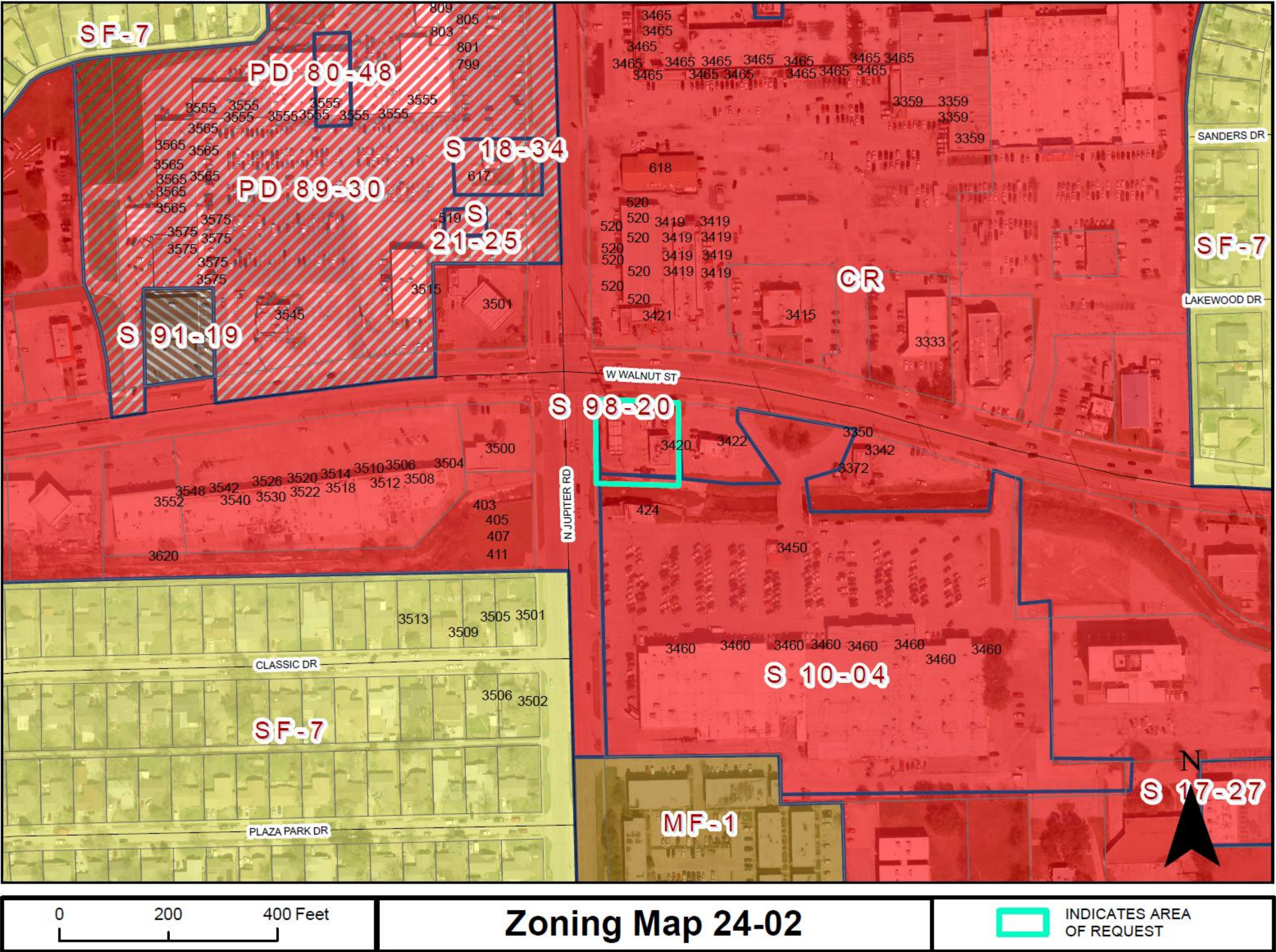
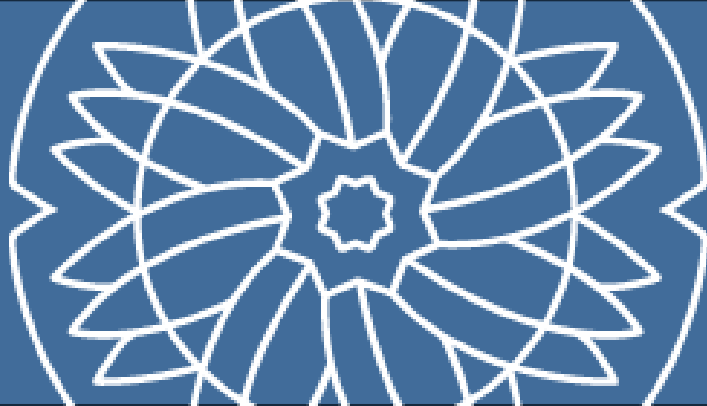
Applicant: Trak Group Inc.

Owner: Trak Group Inc.

Acreage: 21,060 Square Feet in size

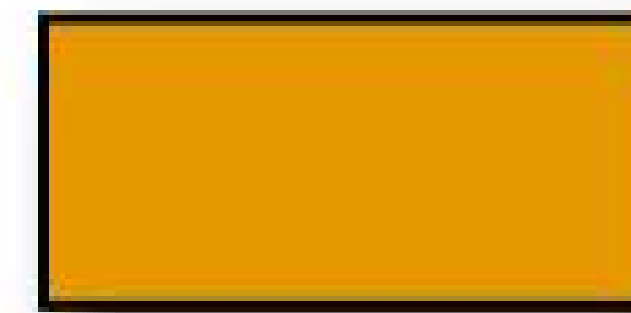
Zoning: Community Retail

Location Map

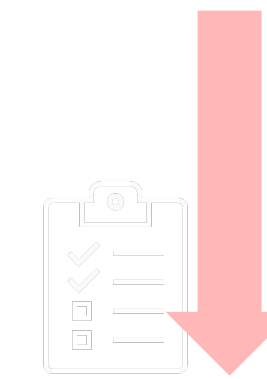


3420 West Walnut Street

Comprehensive Plan



Urban Neighborhoods



Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character.

Site Photos

3420 W Walnut



Photo of existing convenience store facing east



Photo of fuel pumps facing south

Concept Plan



SITE DATA TABLE	
LAND AREA	0.493 ACRES (21060 SQ.FT)
EXISTING ZONING	COMMERCIAL
EXISTING LAND USE	COMMERCIAL



NOTE:
SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM), AND CITY CODES UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE. THE CONCEPT PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REQUIREMENTS, AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.

LEGEND

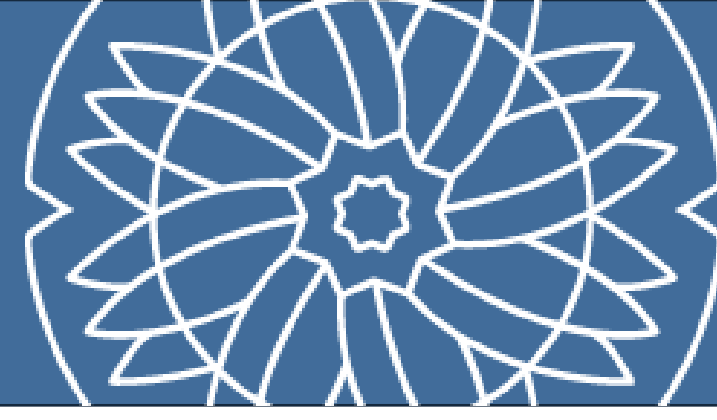
PROPERTY LINE	
CONVENIENT STORE	
3 NOS. FUEL DISPENSER	
EXISTING SIDEWALK	
EXISTING DUMPSTER	
EXISTING PAVEMENT	
ADDITIONAL LANDSCAPE TO BE ADDED	
EXISTING OFFSITE LANDSCAPE	
OFFSITE PAVEMENT	
OFFSITE SIDEWALK	
OFFSITE CHANNEL (KEEN CREEK)	

OWNER: TRAK GROUP INC.
NAME OF APPLICANT: KHALID REZWAN
PLAN PREPARER: KHALID REZWAN
COMPANY NAME: TRAK GROUP INC.



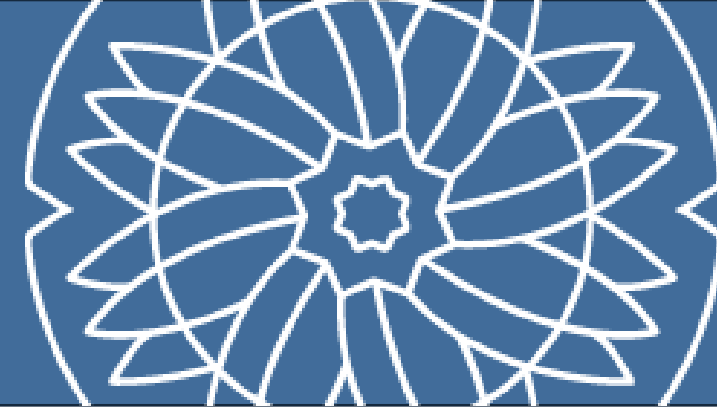
SITE PLAN	
PROJECT NAME-	TRANK TEN
3420 W. WALNUT ST., GARLAND TX. 75042	
DEVELOPMENT SERVICES	

SUP Request



The SUP time period guide recommends a period of 20-25 years. The applicant requests the maximum time period allowed.

Recommendations



The Plan Commission recommended an SUP time period of 10 years.



Response Letters

Thank You

Questions?





GARLAND

PLANNING REPORT

City Council Regular Session

9. e.

Meeting Date: 06/03/2025

Item Title: DD 24-04 Urban Strategy (District 2)

Submitted By: Nabila Nur, Planning and Development Director

REQUEST

Approval of 1) a Major Waiver to Chapter 7, Table 7-7 of the Garland Development Code for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards and 2) a Downtown Development Plan to allow for a church expansion and addition, including a major waiver for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards on a property zoned Downtown (DT) District, Uptown (U) sub-district.

LOCATION

801 West Avenue D

OWNER

First Baptist Church Garland

PLAN COMMISSION RECOMMENDATION

On May 12, 2025, with a nine (9) to zero (0) vote, the Plan Commission recommended approval of 1) a Major Waiver to Chapter 7, Table 7-7 of the Garland Development Code for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards and 2) a Downtown Development Plan to allow for a church expansion and addition, including a major waiver for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards on a property zoned Downtown (DT) District, Uptown (U) sub-district.

STAFF RECOMMENDATION

Staff recommends approval of 1) a Major Waiver to Chapter 7, Table 7-7 of the Garland Development Code for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards and 2) a Downtown Development Plan to allow for a church expansion and addition, including a major waiver for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards on a property zoned Downtown (DT) District, Uptown (U) sub-district.

The proposal meets the general intent of the district and will result in an improved project which will be an attractive contribution to the Downtown District.

BACKGROUND

The building on the subject property is currently occupied by the First Baptist Church of Garland. The Church is looking to demolish about two thirds of their existing building and rebuild it slightly larger. The remodeling of the church will be a large project and has triggered the need for the Downtown Development process. The form-based code that applies to the Downtown (DT) District in Garland has the categories of townhouses, mixed residential, loft, live/work, linear buildings, mixed use, and commercial for buildings and their standards. The Church is categorized as a commercial structure despite not having a business there. Due to the nature of a church being considered a commercial structure under the Downtown form-based code, major waivers are being triggered. In addition to this, engineering and logistical challenges have triggered the need for others.

SITE DATA

The subject site contains approximately 1.861 acres. The site has approximately 290 lineal feet of frontage along West Avenue D, South Glenbrook Drive, South 9th Street, and West Avenue C as it occupies an entire grid in the Downtown of the city. The Southern two thirds of the site will be redeveloped while the Northern one third along West

Avenue C will remain the same.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned within the Uptown (U) Sub-district of the overall Downtown (DT) District. The Uptown (U) Sub-district allows a variety of mixed uses. The current use of the property [church] is allowed by right. The public hearing Major Waiver process is triggered due to the design of the church within the Downtown (DT) District's form-based code, requiring deviations for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and monument sign standards.

CONSIDERATIONS

1. *Monument Sign:* The applicant proposes a 43 square-foot monument sign. Per section 7.26 of the GDC, the Uptown Subdistrict of the Downtown District does not permit for new monument signs. In other areas of the city where monument signs are permitted, the maximum allowed size is 50 square feet.
2. *At-grade window percentage of the façade:* The applicant proposes a window percentage of 56% on the South elevation, 27% on the East, and 33% on the West. Section 7.11 (G) (1) of the GDC states that windows shall be highly transparent and comprise a minimum of 60 and 80 percent. The church is considered a commercial structure, but a church typically isn't designed to have the appearance of a retail building.
3. *Above-grade window percentage of the façade:* The applicant proposes a window percentage of 21% on the East elevation and 25% on the West elevation of the second level of the building. Section 7.11 (G) (2) of the GDC states that windows shall represent a minimum of 30% and a maximum of 60% of each building elevation above the ground floor. The church is considered a commercial structure, but a church typically isn't designed to have the appearance of a retail building.
4. *Streetscaping:* The applicant proposes to install three (3) street trees along South 9th Street that are 25-feet apart and seven (7) small ornamental trees that are 15-feet apart along South Glenbrook Drive. Section 7.17 (A) (2) of the GDC requires that Seven (7) trees are required to be planted along South 9th Street and eight (8) trees are required to be installed along South Glenbrook Drive. The 25-feet spacing requirements are not met along South Glenbrook Drive. This is due to the limited amount of spacing on this side of Glenbrook and underground utilities. The trees meet the code on the South elevation.
5. *Build-To-Zone:* The Build-To-Zone in this area requires buildings to begin 26-36 feet from the curb. The Church building complies with this on all elevations but a canopy and roof overhang into the Build-To-Zone on the North, East, and South elevations.
6. *Architectural Articulation:* Proposed is a church which does not follow mixed use nor commercial building design. The code requires all buildings shall be designed and constructed in tri-partite architecture, with a distinct base, middle and top. An expression line, setback or other architectural element shall delineate the base and top.

The following table summarizes the request:

Development Standard	Required	Proposed
Monument Sign	Not allowed in the Uptown sub-district of the Downtown (DT) District.	A 43-square foot monument sign.
At-grade window percentage of the façade.	Shall comprise a minimum of 60% and a maximum of 80% of the ground floor façade.	Approximately 56% on the South elevation, 27% for East elevation, and 33% on West elevation.
Above-grade window percentage of the façade	Shall comprise a minimum of 30% and a maximum of 60% of each building elevation above the ground floor.	Approximately 21% on the East elevation and 25% on the West elevation.
Streetscaping	Trees must meet spacing and count requirements.	Underground utilities and limited spacing have triggered this reduction. For the west side, the applicant did not want trees in

		front of the main entrance.
Build-To-Zone	Building must begin within 26-36 feet of the curb.	Overhangs from canopies and roof on the North, East, and South sides.
Architectural Articulation	All buildings shall be designed and constructed in tri-partite architecture, with a distinct base, middle and top. An expression line, setback or other architectural element shall delineate the base and top.	The building will not follow commercial design as it is a church.

7. The applicant states, "Our Plan has taken into consideration the current zoning requirements and the city's future growth and development plans ensuring that it supports and compliments the surrounding community."
8. The intent of the Downtown (DT) District is to create a pedestrian-oriented area in context with the current Downtown. The Downtown (DT) District combines minimum and maximum specifications and standards for site layout, building design, and streetscape. One of the flexibility mechanisms in the Downtown (DT) District is the option of Major Waivers, which allow relief from the standards of the district, where applicable.

Section 7.30(C) of the GDC states that Major Waivers are material and substantial changes to the design standards in the DT District, or changes which may initially appear to be in conflict with the goals and intent of this district, including possible standards changes to land uses in the Downtown sub-districts. Major Waivers may be approved by the City Council, following a recommendation by the Planning Director and the Plan Commission. In order to approve a Major Waiver, the City Council findings are listed as follows:

- Meets the general intent of this district; and
- Will result in an improved project which will be an attractive contribution to the Downtown District.

COMPREHENSIVE PLAN

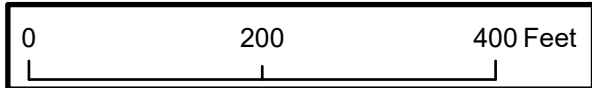
The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject property. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections to adjacent residential neighborhoods, retail centers, and employment centers.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are zoned Uptown (U) sub-district within the Downtown (DT) District. The First Baptist Church owns the properties to the West, East, and south containing parking lots and an activity center. The property to the North is another church. A church is considered a service to the community and the proposed remodeling will enhance the exterior appearance of the building.

Attachments

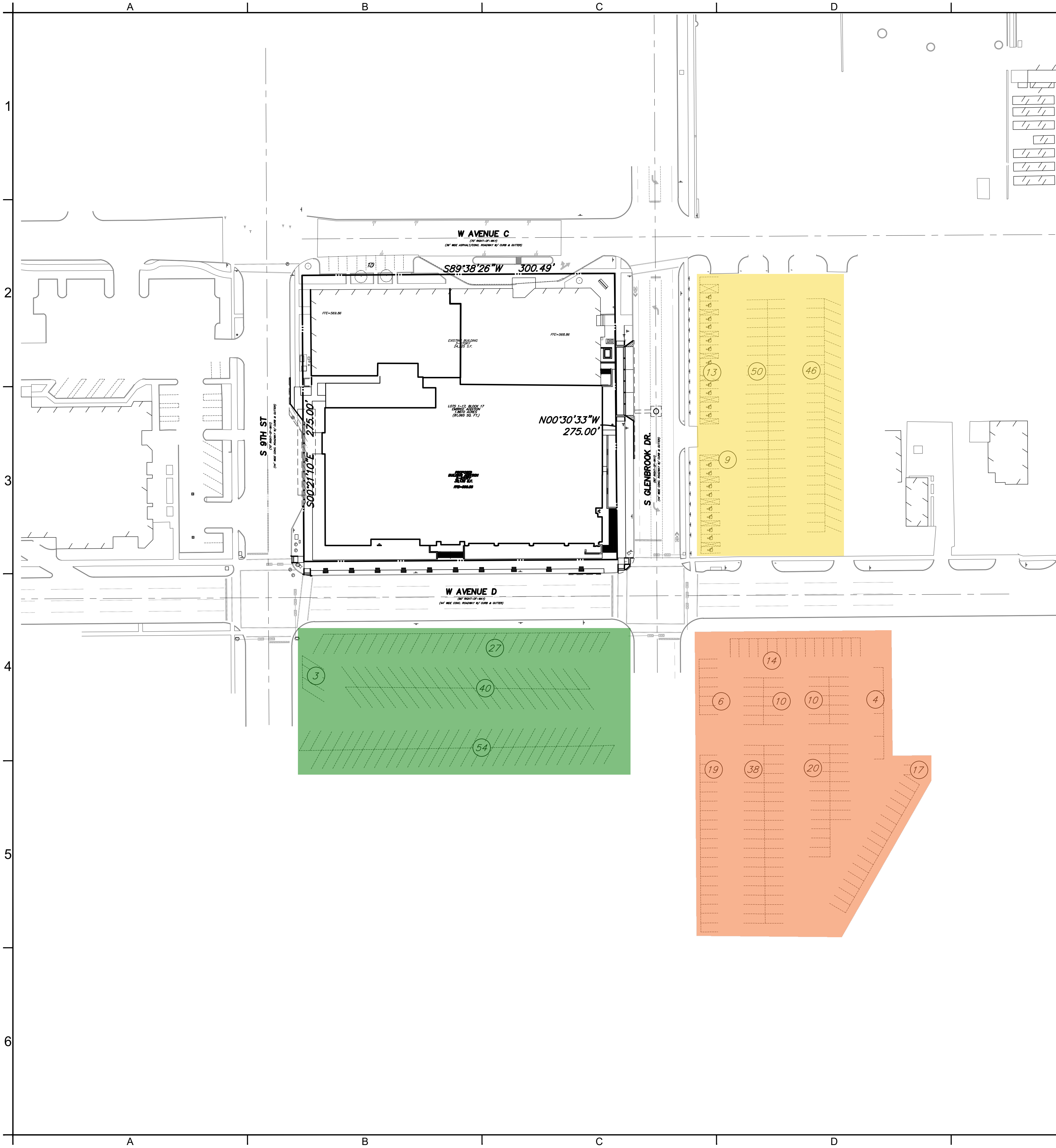
DD 24-04 Location Map
DD 24-04 Exhibits
DD 24-04 Site Photos
DD 24-04 R&M
DD 24-04 Responses
DD 24-04 Staff Presentation



 INDICATES AREA OF REQUEST

801 W. Avenue D

FILE NAME: C:\PAVING.DWG
LAST MODIFIED ON: 12/7/2025 3:01 PM
LAST MODIFIED BY: BLOKASTANIEL
PLOT DATE: 12/7/2025 3:01 PM



SITE LEGEND

- PROPERTY LINE
- SAWCUT PATH
- RETAINING WALL
- EX. ASPHALT PAVEMENT
- EX. OVERHEAD ELECTRIC WIRE
- PARKING COUNT
- EX. WASTEWATER MANHOLE
- EX. WATER MANHOLE
- EX. STORM DRAINAGE MANHOLE
- EX. GAS MANHOLE
- EX. FIRE HYDRANT
- WASTEWATER MANHOLE
- WATER METER VAULT
- WATER METER
- FIRE DEPARTMENT CONNECTION (FDC)
- EX. STREET STRIPING
- STREET STRIPING
- SIGNAGE
- EX. SIGNAGE
- EX. TRAFFIC LIGHT

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.



SITE PARKING SUMMARY

REQUIRED
*TOTAL PARKING: 300
**HANDICAP PARKING: 7

AVAILABLE
TOTAL PARKING: 377
HANDICAP PARKING: 22

*REQUIRED TOTAL PARKING CALCULATED USING 1/4 SPACE PER SEATING ACCOMODATION PER THE LAND USE MATRIX OF THE GARLAND DEVELOPMENT CODE (GDC) CHAPTER 2, ARTICLE 5, DIVISION 2.
**REQUIRED HANDICAP PARKING DERIVED USING TABLE 208.2 PARKING SPACES OF THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.

CASE NO. 240702-2

BENCHMARK DATA:

COG BM#93 (PRIMARY): 2" BRASS DISK IN CONC. STAMPED 93
LOCATED APPROX. 33' S.E. OF C/L KANSAS CITY SOUTHERN R.R.
TRACKS & APPROX. 218' S.W. OF C/L INT. NINTH ST & S. GLENBROOK
ELEV.: 559.83'

COG BM#131 (SECONDARY): 2" BRASS DISK STAMPED 131 LOCATED
IN C/L MEDIAN NOSE APPROX. 33' N. OF THE C/L OF S. FIRST ST AND
AVE. B. AND APPROX. 25' E. OF S. BOUND FIRST ST C/L
ELEV.: 530.15'

FIRST BAPTIST GARLAND

801 W. AVENUE D
ALL OF BLOCK 17, EMBREE ADDITION
GARLAND, DALLAS COUNTY, TEXAS

PARKING MAP EXHIBIT

CLIENT: BECK ARCHITECTURE

DRAWN BY: EC

DESIGNER: CMT

REVIEWER: FJS

U.S. PROJECT: 244012

SHEET

C4.0

TEL: 214-396-3339

www.urbanstrategy.us

URBAN
STRATEGY

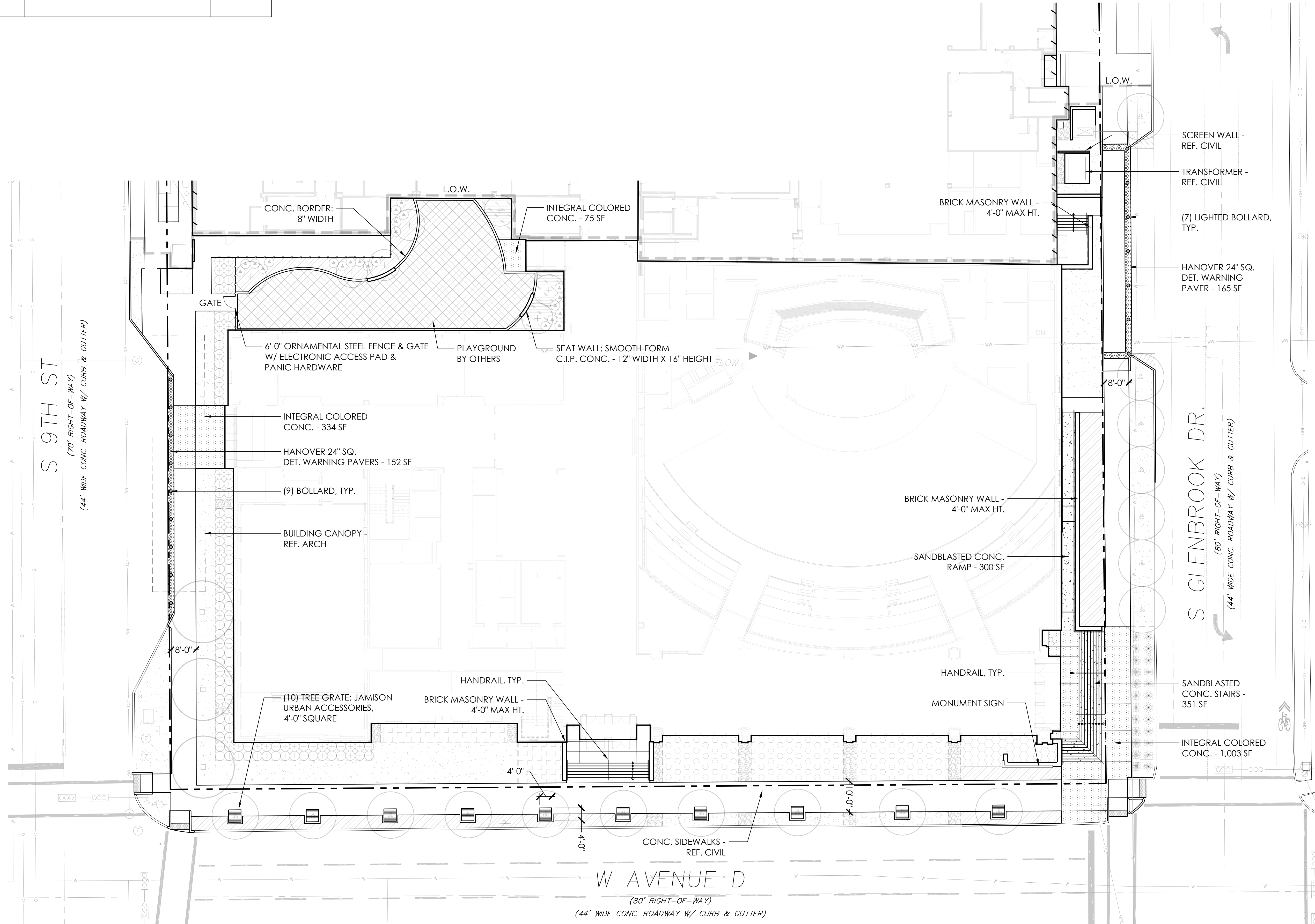
4222 Main Street
Dallas, Texas 75226
Firm Registration #F-2252



REVISION

NO. DATE

SITE DATA TABLE			
CONCRETE			
SYMBOL	DESCRIPTION	COLOR	FINISH
	PAVING - INTEGRAL COLOR	TBD- INTEGRAL COLOR, FINAL COLOR TO BE EARTH-TONED AS REQUIRED BY CITY	SANDBLAST
	PAVING	STANDARD GRAY PORTLAND	SANDBLAST
PAVERS			
SYMBOL	DESCRIPTION	COLOR	FINISH
	DET. WARNING PAVER	TBD	STANDARD
SITE FURNISHINGS			
SYMBOL	DESCRIPTION	COLOR	FINISH
	(7) LIGHTED BOLLARD (9) BOLLARD	TBD	TBD
	(10) TREE GRATE MODEL: JAMISON, 48" SQ. STEEL	N/A	N/A



A SITE PLAN

SCALE: 1/16" = 1'-0"

OWNER
FIRST BAPTIST CHURCH
801 WEST AVENUE D
GARLAND, TEXAS 75040
PHONE: 972.276.7184



FIRST BAPTIST CHURCH GARLAND
BUILDING EXPANSION
801 WEST AVENUE D
GARLAND, TEXAS 75040

ISSUE:
10/14/2024 DEVELOPMENT PLAN

REVISIONS:	
	01.24.25 CITY COMMENTS
	03.14.25 CITY COMMENTS

HARDSCAPE PLAN

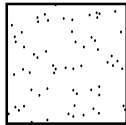
IRRIGATION NOTES:

1. PROVIDE 100% IRRIGATION COVERAGE TO ALL PLANTING AREAS USING AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM.
2. CONNECT TO EXISTING OR PROVIDE IRRIGATION CONTROLLER(S) WITH RAIN & FREEZE SENSORS AND BACKFLOW PREVENTION DEVICES.
3. WATER TAPS, METERS AND SLEEVES SHALL BE PROVIDED BY OTHERS. REFERENCE CIVIL DRAWINGS FOR LOCATION.
4. IRRIGATE LAWN AREAS WITH W/ POP-UP SPRAYS / ROTORS.
5. IRRIGATE PLANTING BEDS AREAS WITH DRIP TUBING, IRRIGATE TREES W/ 2 BUBBLERS EACH.

PLANT SCHEDULE

QUANT.	SYM.	BOTANICAL NAME/ COMMON NAME	MIN. CAL.	MIN. HEIGHT	MIN. SPREAD	CONTAINER/ ROOTBALL	SPACING	REMARKS
TREES								
17		LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ'/ NATCHEZ CRAPE MYRTLE	3"	10'	6'	65 GAL.	PER PLAN	SINGLE TRUNK, FULL CANOPY, MATCHED
3		ULMUS PARVIFOLIA 'EMER II'/ ALLEE ELM	3"	12'	4'	65 GAL.	PER PLAN	SINGLE TRUNK, FULL CANOPY, MATCHED
SHRUBS / ORNAMENTAL GRASSES / GROUNDCOVERS								
434		BOUTELOUA GRACILIS 'BLONDE AMBITION'/ BLONDE AMBITION BLUE GRAMA		12"	12"	1 GAL.	24" O.C.	
1,587		EUONYMUS FORTUNEI 'COLORATUS'/ PURPLE WINTER CREEPER		6"	12"	4" POTS	12" O.C.	
24		HESPERALOE PARVIFLORA 'PERPA'/ BRAKELIGHTS RED YUCCA		18"	18"	5 GAL.	36" O.C.	
108		ILEX CORNUTA 'DWARF BURFORD'/ DWARF BURFORD HOLLY		24"	24"	5 GAL.	36" O.C.	
74		JUNCUS TENIUS 'BLUE DART'/ BLUE DART RUSH		12"	12"	1 GAL.	24" O.C.	
52		MISCANTHUS SINENSIS 'ADAGIO'/ ADAGIO MAIDEN GRASS		24"	24"	5 GAL.	36" O.C.	

LAWN



CYNODON DACTYLON/
COMMON BERMUDAGRASS

SOLID SOD AS DESIGNATED ON PLANS. PROVIDE
TEMPORARY COVERAGE OF ANNUAL RYE SHOULD
THE TEMPERATURE NOT PERMIT COVERAGE OF BERMUDA.

First Baptist Church Garland

TAG #	SPECIES	CALIPER INCH	TO BE REMOVED (CLASS 1)	TO BE REMOVED (CLASS 2)	TO BE REMOVED (CLASS 3)
1	RED OAK	48	96		
2	RED OAK	48	96		
3	PECAN	36	72		
4	BUR OAK	30	60		
5	LIVE OAK	20	40		
6	LIVE OAK	30	60		
7	LIVE OAK	32	64		
8	SYCAMORE	42		42	
CALIPER INCHES TO RE REMOVED			488	42	
(MIN 3" TREES REQUIRED)			163	14	

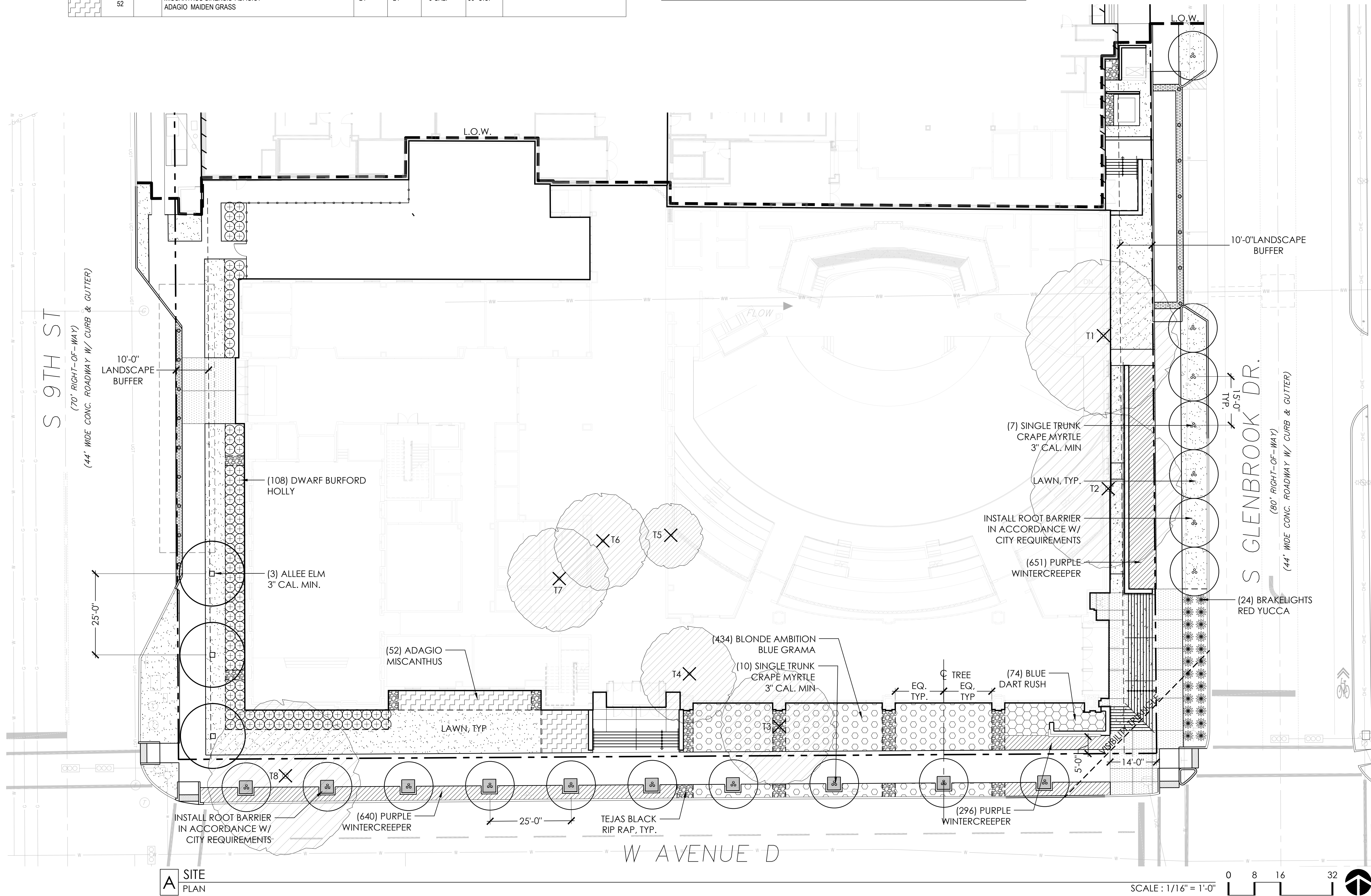
GARLAND DEVELOPMENT CODE

DT (DOWNTOWN DISTRICT)

REQUIRED: TREES 25' O.C. ALONG BLOCK FACE,
MIN 3" CAL., MAY BE PLANTED IN 6'-0"
AREA BETWEEN B.O.C. AND SIDEWALK
S NINTH STREET: 168 LF/25 = 7 TREES
W AVENUE D: 301 LF/25 = 12 TREES
S GLENBROOK DRIVE: 218 LF/25 = 8 TREES
PROVIDED: S NINTH STREET: 3 TREES
W AVENUE D: 10 TREES
S GLENBROOK DRIVE: 218 LF/25 = 7 TREES

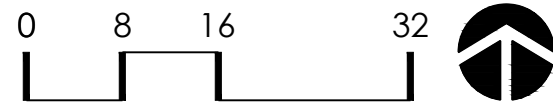
SITE DEVELOPMENT

REQUIRED: 10% OF SITE TO BE LANDSCAPE AREA
61,410 SF (ARTIFICIAL LOT) X 10% = 6,141 SF
PROVIDED: 9,789 SF
REQUIRED: 10'-0" LANDSCAPE BUFFER AT GLENBROOK
& W 9TH
PROVIDED: 10'-0" LANDSCAPE BUFFER AT GLENBROOK
& W 9TH



A SITE
PLAN

SCALE: 1/16" = 1'-0"



OWNER
FIRST BAPTIST CHURCH
801 WEST AVENUE D
GARLAND, TEXAS 75040
PHONE: 972.276.7184

CASE 240702-2

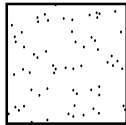
IRRIGATION NOTES:

1. PROVIDE 100% IRRIGATION COVERAGE TO ALL PLANTING AREAS USING AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM.
2. CONNECT TO EXISTING OR PROVIDE IRRIGATION CONTROLLER(S) WITH RAIN & FREEZE SENSORS AND BACKFLOW PREVENTION DEVICES.
3. WATER TAPS, METERS AND SLEEVES SHALL BE PROVIDED BY OTHERS. REFERENCE CIVIL DRAWINGS FOR LOCATION.
4. IRRIGATE LAWN AREAS WITH W/ POP-UP SPRAYS / ROTORS.
5. IRRIGATE PLANTING BEDS AREAS WITH DRIP TUBING, IRRIGATE TREES W/ 2 BUBBLERS EACH.

PLANT SCHEDULE

QUANT.	SYM.	BOTANICAL NAME/ COMMON NAME	MIN. CAL.	MIN. HEIGHT	MIN. SPREAD	CONTAINER/ ROOTBALL	SPACING	REMARKS
TREES								
7		CERCIS CANADENSIS 'FOREST PANSY'/ FOREST PANSY REDBUD	N/A	8'	4'	45 GAL.	PER PLAN	MULTI-TRUNK, 5 CANE MIN., FULL CANOPY, MATCHED
17		LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ'/ NATCHEZ CRAPE MYRTLE	3"	10'	6'	65 GAL.	PER PLAN	SINGLE TRUNK, FULL CANOPY, MATCHED
3		ULMUS PARVIFOLIA 'EMER III'/ ALLEE ELM	3"	12'	4'	65 GAL.	PER PLAN	SINGLE TRUNK, FULL CANOPY, MATCHED
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434		BOUTELOUA GRACILIS 'BLONDE AMBITION'/ BLONDE AMBITION BLUE GRAMA		12"	12"	1 GAL.	24" O.C.	
127		CAREX DIVULSA 'BERKELEY SEDGE'/ BERKELEY SEDGE		12"	12"	1 GAL.	18" O.C.	
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LAWN



CYNODON DACTYLON/
COMMON BERMUDAGRASS

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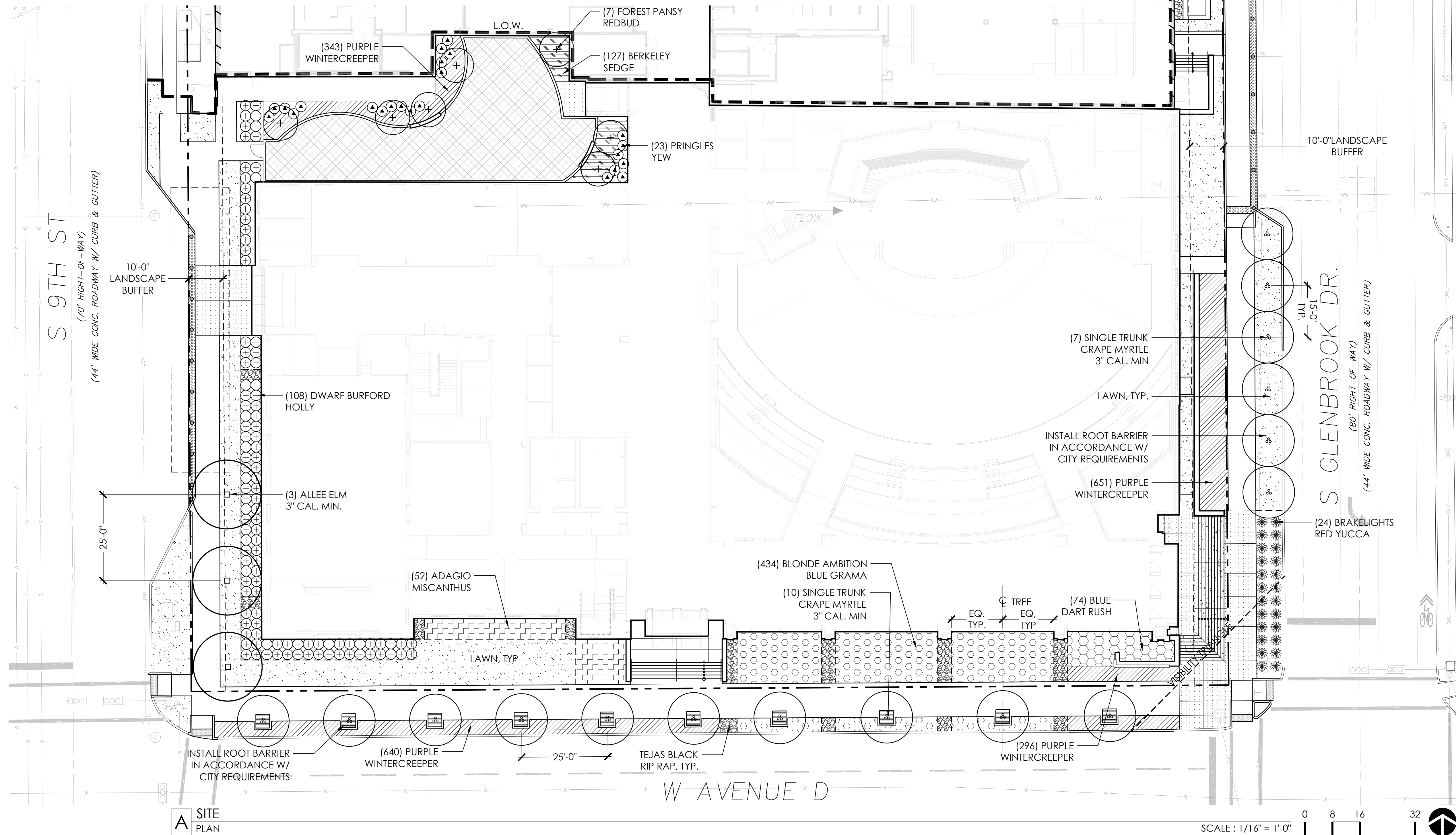
GARLAND DEVELOPMENT CODE

DT (DOWNTOWN DISTRICT)

REQUIRED: TREES 25' O.C. ALONG BLOCK FACE,
MIN 3" CAL., MAY BE PLANTED IN 6'-0"
AREA BETWEEN B.O.C. AND SIDEWALK
S NINTH STREET: 168 LF/25 = 7 TREES
W AVENUE D: 301 LF/25 = 12 TREES
S GLENBROOK DRIVE: 218 LF/25 = 8 TREES
PROVIDED: S NINTH STREET: 3 TREES
W AVENUE D: 10 TREES
S GLENBROOK DRIVE: 218 LF/25 = 7 TREES

SITE DEVELOPMENT

REQUIRED: 10% OF SITE TO BE LANDSCAPE AREA
61,410 SF (ARTIFICIAL LOT) X 10% = 6,141 SF
PROVIDED: 9,789 SF
REQUIRED: 10'-0" LANDSCAPE BUFFER AT GLENBROOK
& W 9TH
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& W 9TH



FIRST BAPTIST CHURCH GARLAND
BUILDING EXPANSION

801 WEST AVENUE D
GARLAND, TEXAS 75040

ISSUE:

10/14/2024 DEVELOPMENT
PLAN

REVISIONS:

01.24.25	CITY COMMENTS
03.14.25	CITY COMMENTS

LANDSCAPE
PLAN

OWNER
FIRST BAPTIST CHURCH
801 WEST AVENUE D
GARLAND, TEXAS 75040
PHONE: 972.276.7184

CASE 240702-2



BECK ARCHITECTURE
1601 ELM STREET
SUITE 2800
DALLAS, TX 75201
PH: 214-303-6200
FAX: 214-303-6300
WWW.BECKARCHITECTURE.COM



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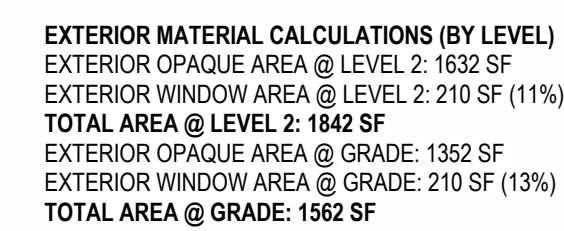
FIRST BAPTIST CHURCH GARLAND BUILDING EXPANSION

EXTERIOR
ELEVATIONS - DDP

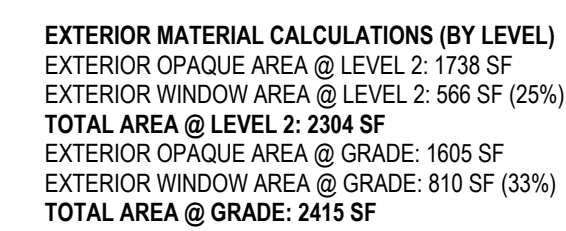




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	GL1 GLAZING-INSULATED-1" (GL1)
	AL1 ALUMINUM COLOR 1
	M1 BRICK-RUNNING BOND- COLOR 1- REDISH BROWN
	MT1 METAL PANEL
	MT2 ALUMINUM COMPOSITE METAL WALL PANEL
	CW1 CURTAIN WALL MULLION
	CWD1 COMPOSITE WOOD
	R1 COMPOSITE SHINGLE ROOF
	PG1 ARCHITECTURAL PRECAST CONCRETE- GRC
	CP3 CEMENT PLASTER SYSTEM-GRAY



ARCHITECT NAME
STATE REGISTRATION #

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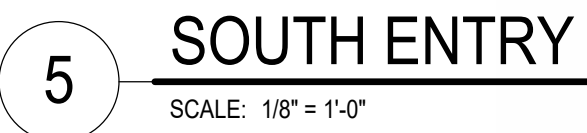
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CHURCH GARLAND
BUILDING EXPANSION

EXTERIOR
ELEVATIONS - DDP



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FIRST BAPTIST
CHURCH GARLAND
BUILDING EXPANSION

WALL SECTIONS - DIAGRAM

175594
JOB NO.

A8.13

SHEET







DD 24-04



View of the subject site looking North on Glenbrook Avenue.



View of the subject site looking North from West Avenue D.



View of the subject site looking North up 9th Avenue.



View from the subject site looking South across West Avenue D.

REPORT & MINUTES

P.C. Meeting, May 12, 2025

2a. APPROVED Consideration of the application of **Urban Strategy**, requesting approval of a "Major Waiver" from the Downtown Development Code for the at-grade and above-grade window percentage of the facade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards. The site is located at 801 West Avenue D. (District 2) (File DD 24-04)

Planning Administrator - Development, Emma Chetuya, presented the request to the Commission and remained available for questions.

The applicants, Frazier Scott, 4222 Main Street, Dallas, TX 75226, Shane Milton, 5646 Milton Street, Dallas, TX 75206 and Tobias Nome, 10114 Lakemere Drive, Dallas, TX 75238, provided an overview of the request and remained available for questions.

The Commission asked several questions regarding the timeline of the project and additional signage.

Motion was made by Commissioner Jenkins to close the public hearing and **approve** the application as presented. Seconded by Commissioner Dalton. Motion carried: 8 Ayes, 1 Recusal by Commissioner Duckworth.



801 W Avenue D

Comment Form

Case DD 24-04

DD 24-04 Urban Strategy. The applicant requests a "Major Waiver" from the Downtown Development Code for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards. The site is located at 801 West Avenue D. (District 2)

DD 24-04 Urban Strategy. El solicitante solicita una "Exención importante" del Código de Desarrollo del Centro para el porcentaje de ventanas a nivel y por encima del nivel del suelo de la fachada, la articulación arquitectónica, la construcción a medida, el paisajismo urbano y un rótulo monumental. El terreno está ubicado en 801 West Avenue D. (Distrito 2)

DD 24-04 Urban Strategy. Người nộp đơn yêu cầu "Miễn trừ lớn" từ Bộ luật Phát triển Trung tâm Thành phố đối với tỷ lệ cửa sổ trên mặt đất và trên mặt đất của mặt tiền, khớp nối kiến trúc, Xây dựng theo Khu vực, cảnh quan đường phố và biển báo tượng đài. Địa điểm này nằm tại 801 West Avenue D. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Charley Thibodeaux

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

301 S 9th St

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX 75040

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Ch + 12

Signature / Firma / Chữ ký

12 May 2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

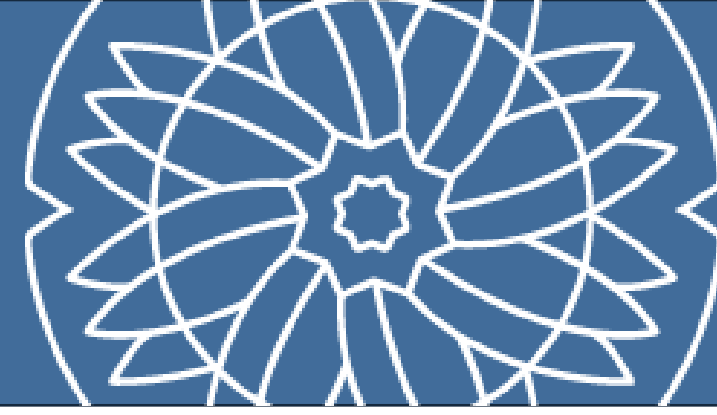


GARLAND

City Council Meeting

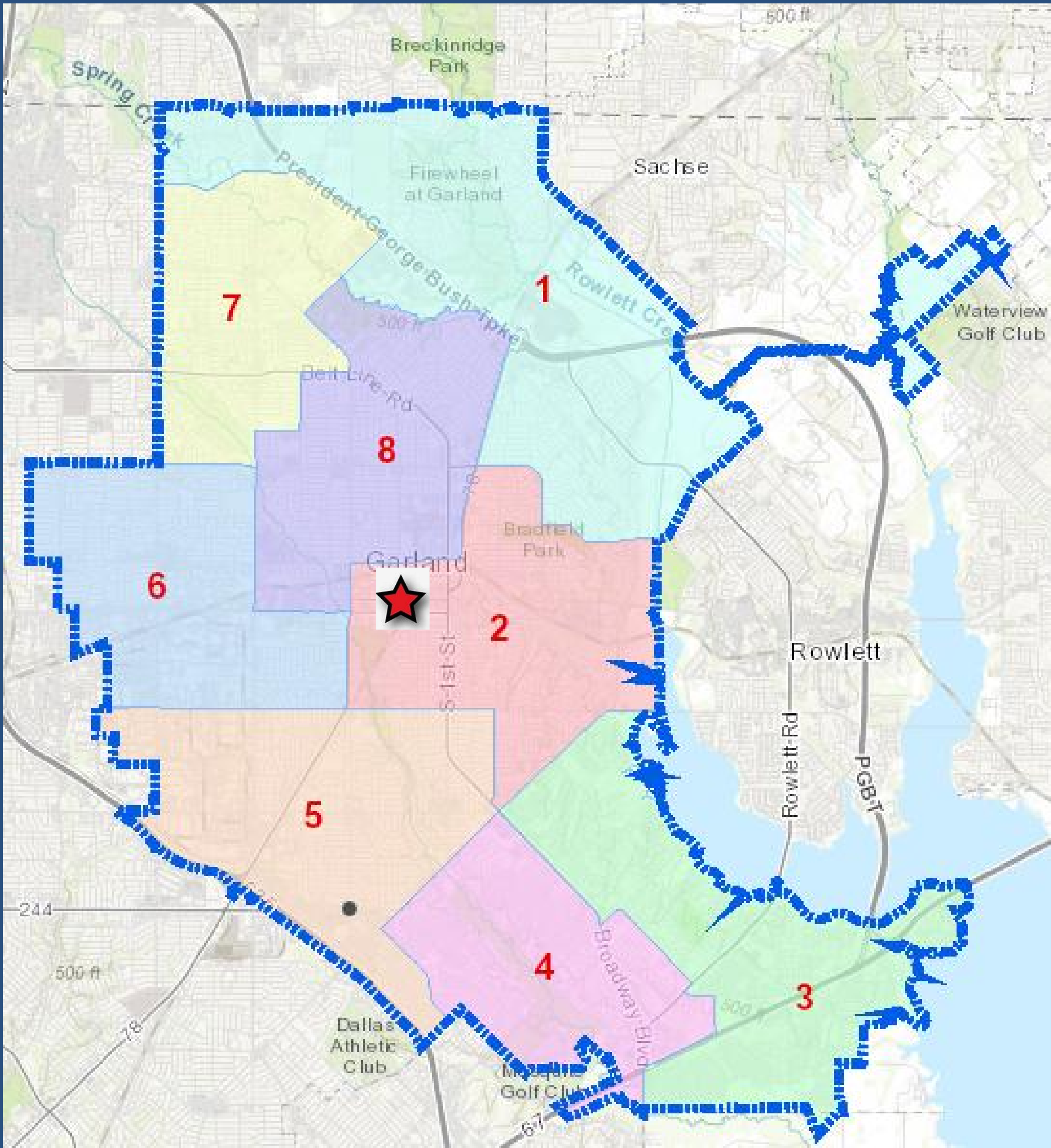
June 3, 2025





Request

This is a Downtown Major Waiver request for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards to allow for a church expansion and addition on an existing developed site with the First Baptist Garland Church on 801 West Avenue D.



Case Information

Location: 801 West Avenue D.

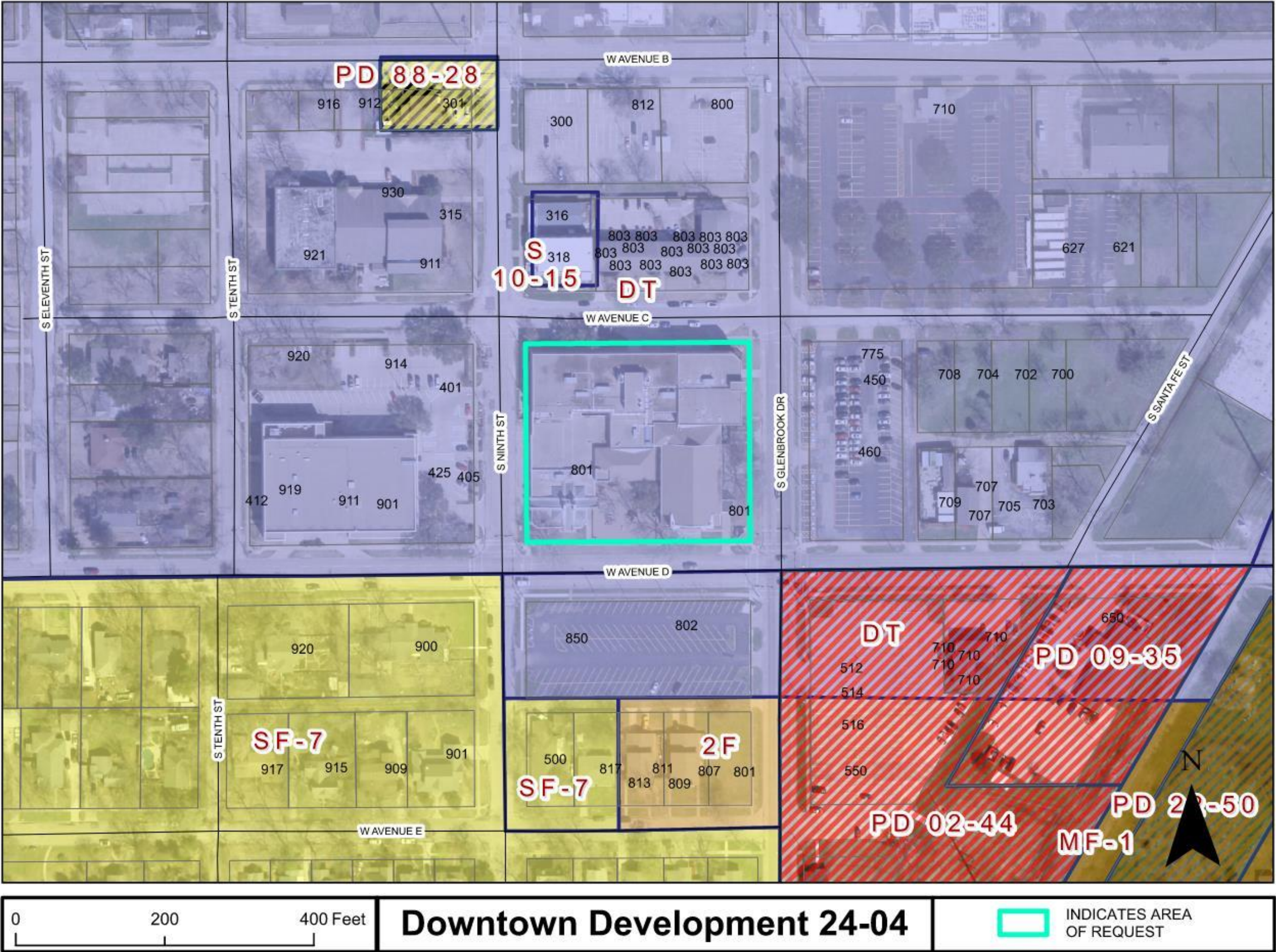
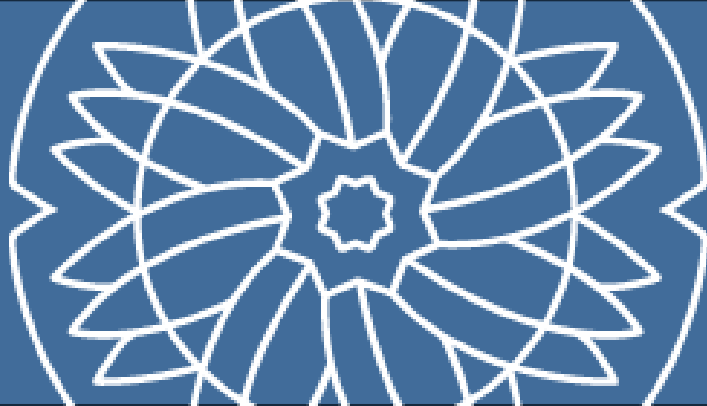
Applicant: Urban Strategy

Owner: First Baptist Church Garland

Acreage: 1.861-Acres

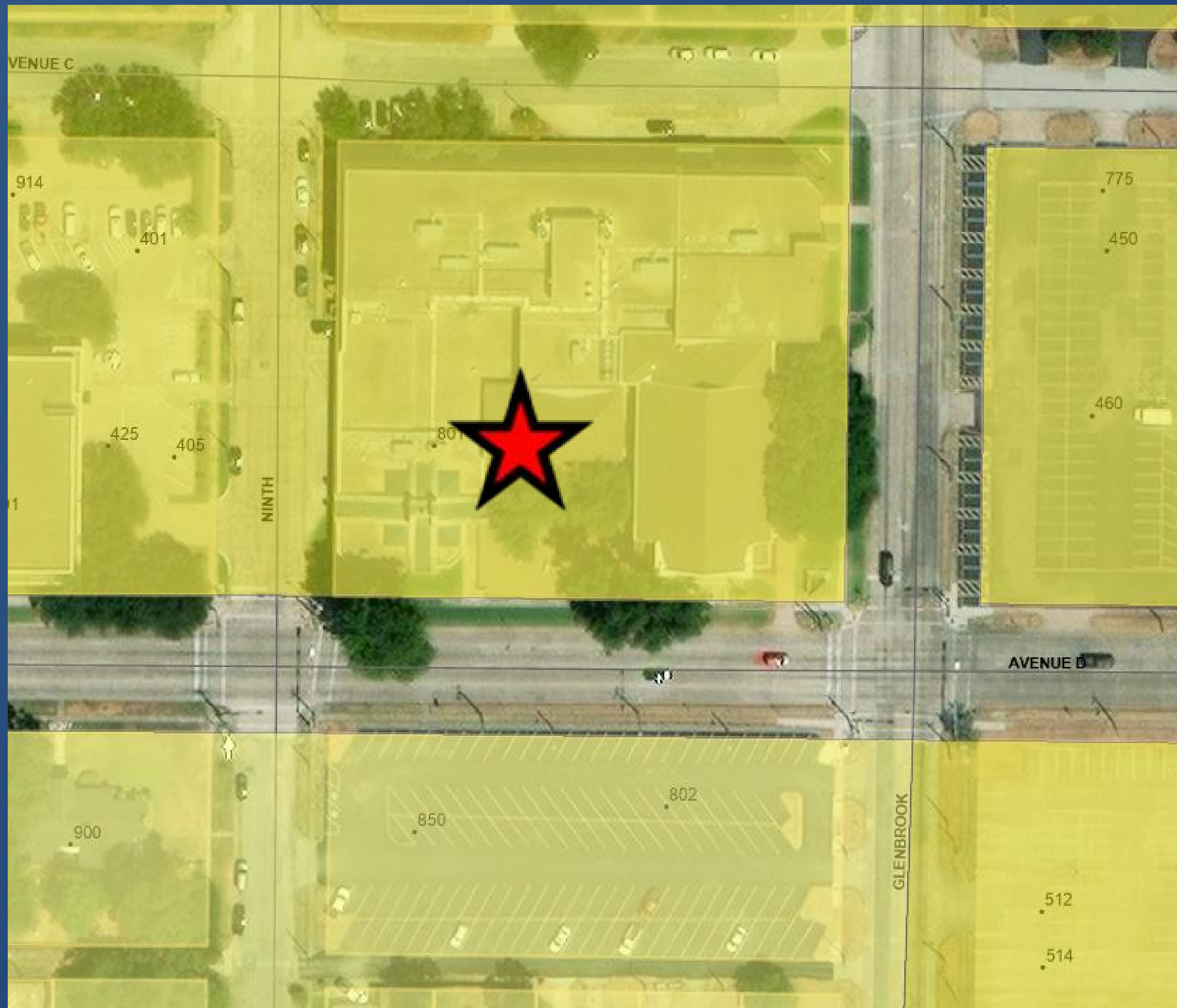
Zoning: Downtown (DT) District Uptown (U) Sub-District

Location Map

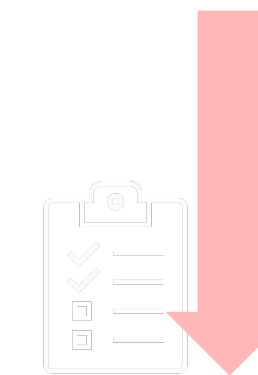


801 W. Avenue D

Comprehensive Plan



Compact Neighborhoods



Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

Site Photos

801 West Avenue D



View of the subject site looking North up
Glenbrook Avenue



View of the subject site looking North from West
Avenue D

Site Photos

801 West Avenue D



View from the subject site looking North up Ninth Avenue.

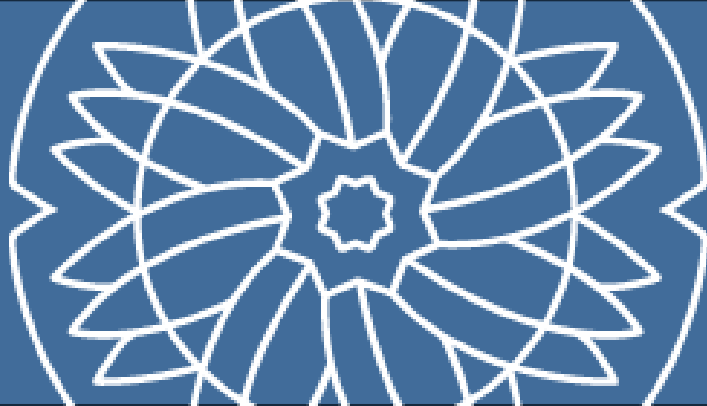


View of the subject site looking South across West Avenue D.





Landscape Plan



- IRRIGATION NOTES:**
1. PROVIDE 100% IRRIGATION COVERAGE TO ALL PLANTING AREAS USING AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM.
 2. CONNECT TO EXISTING OR PROVIDE IRRIGATION CONTROLLER(S) WITH RAIN & FREEZE SENSORS AND BACKFLOW PREVENTION DEVICES.
 3. WATER TAPS, METERS AND SLEEVES SHALL BE PROVIDED BY OTHERS. REFERENCE CIVIL DRAWINGS FOR LOCATION.
 4. IRRIGATE LAWN AREAS WITH W/ POP-UP SPRAYS / ROTORS.
 5. IRRIGATE PLANTING BEDS AREAS WITH DRIP TUBING. IRRIGATE TREES W/ 2 BUBBLERS EACH.

PLANT SCHEDULE

QUANT.	SYM.	BOTANICAL NAME/ COMMON NAME	MIN. CAL.	MIN. HEIGHT	MIN. SPREAD	CONTAINER/ ROOTBALL	SPACING	REMARKS
TREES								
7		CERCIS CANADENSIS 'FOREST PANSY' FOREST PANSY REDBUD	N/A	8'	4'	45 GAL.	PER PLAN	MULTI-TRUNK, 5 CANE MIN., FULL CANOPY, MATCHED
17		LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ' NATCHEZ CRAPE MYRTLE	3"	10'	6'	65 GAL.	PER PLAN	SINGLE TRUNK, FULL CANOPY, MATCHED
3		ULMUS PARVIFOLIA 'EMER II' ALLEE ELM	3"	12'	4'	65 GAL.	PER PLAN	SINGLE TRUNK, FULL CANOPY, MATCHED
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127		CAREX DIVULSA 'BERKELEY SEDGE' BERKELEY SEDGE		12"	12"	1 GAL.	18" O.C.	
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LAWN
CYNDON DACTYLON/
COMMON BERMUDAGRASS

SOLID SOO AS DESIGNATED ON PLANS. PROVIDE
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GARLAND DEVELOPMENT CODE

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AREA BETWEEN B.O.C. AND SIDEWALK
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REQUIRED: 10'-0" LANDSCAPE BUFFER AT GLENBROOK
& W 9TH
PROVIDED: 10'-0" LANDSCAPE BUFFER AT GLENBROOK
& W 9TH

garthoffdesign

landscape architecture
5646 milton, suite 606
dallas, texas 75206
214.750.4727
www.garthoffdesign.com



**FIRST BAPTIST CHURCH GARLAND
BUILDING EXPANSION**

801 WEST AVENUE D
GARLAND, TEXAS 75040

ISSUE:
10/14/2024 DEVELOPMENT
PLAN

REVISIONS:

01.24.25	CITY COMMENTS
03.14.25	CITY COMMENTS

LANDSCAPE
PLAN

OWNER
FIRST BAPTIST CHURCH
801 WEST AVENUE D
GARLAND, TEXAS 75040
PHONE: 972.276.7184

CASE 240702-2

L2.1



ARCHITECT NAME
STATE REGISTRATION #

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FIRST BAPTIST
CHURCH GARLAND
BUILDING EXPANSION

175594
JOB NO.

101





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EXTERIOR
ELEVATIONS - DDP

175594
JOB NO.

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SHEET

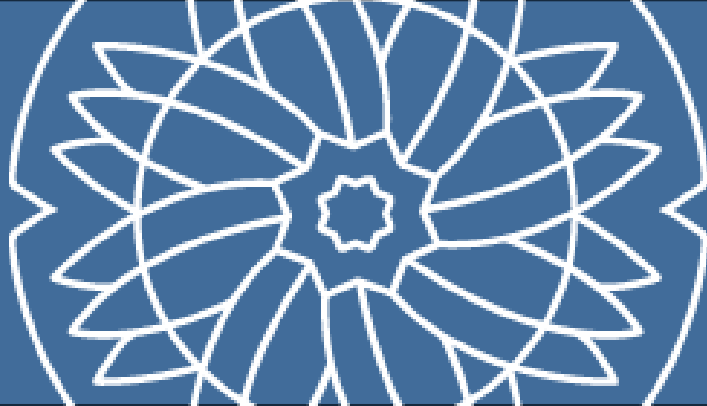


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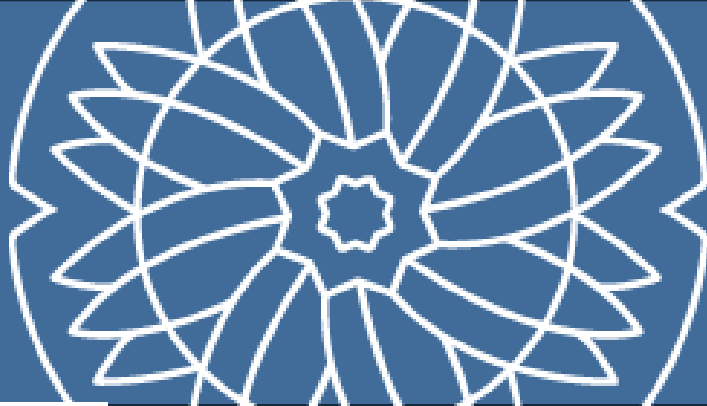
FIRST BAPTIST
CHURCH GARLAND
BUILDING EXPANSION

WALL SECTIONS -
DIAGRAM175594
JOB NO.A8.13
SHEET

Elevations



Elevations

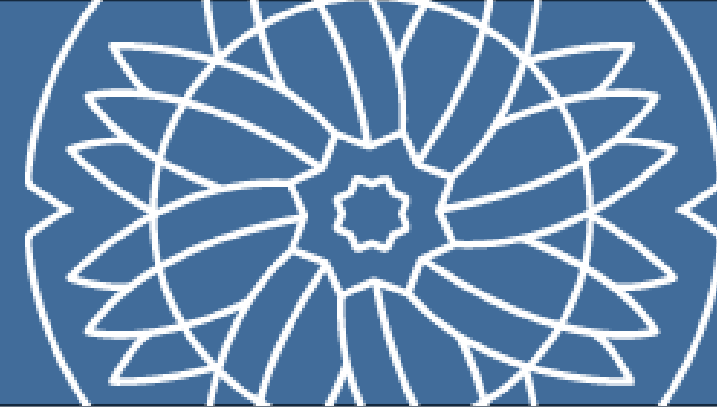


DD I SOUTHWEST VIEW

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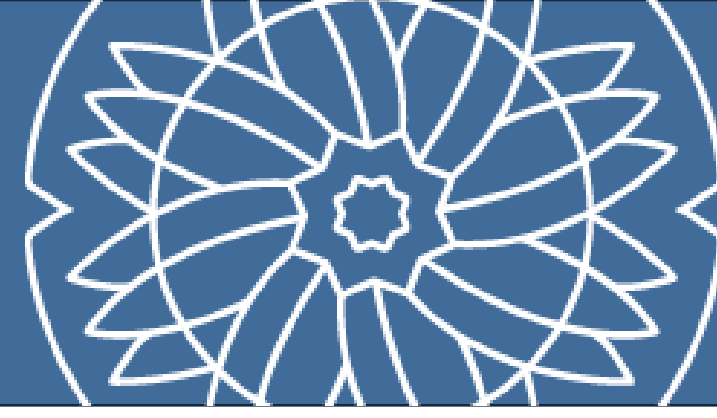
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Major Waivers



Applicant Request: a Major Waiver to Chapter 7, Table 7-7 of the Garland Development Code for the at-grade and above-grade window percentage of the façade, architectural articulation, Build-To-Zone, streetscaping, and a monument sign standards.

Recommendations



The Plan Commission recommended approval.



Response Letters

Thank You

Questions?





GARLAND

PLANNING REPORT

City Council Regular Session

9. f.

Meeting Date: 06/03/2025

Item Title: Z 25-03 The Kroger Co. (District 1)

Submitted By: Nabila Nur, Planning and Development Director

REQUEST

Approval of 1) a Specific Use Provision (SUP) for Fuel Pumps, Retail Use and 2) a Concept Plan for a Fuel Pumps, Retail Use.

LOCATION

6850 N. Shiloh Rd.

OWNER

US Regency Shiloh Springs, LLC

PLAN COMMISSION RECOMMENDATION

On May 12th, 2025, with nine (9) votes in favor and zero (0) in opposition, the Plan Commission recommended approval of 1) a Specific Use Provision (SUP) for Fuel Pumps, Retail Use for a period of 20 years and that the applicant work with staff to install additional landscaping along Shiloh Road and 2) a Concept Plan for a Fuel Pumps, Retail Use.

STAFF RECOMMENDATION

Staff recommends approval of 1) a Specific Use Provision (SUP) for Fuel Pumps, Retail Use for 20 years and 2) a Concept Plan for a Fuel Pumps, Retail Use.

BACKGROUND

The subject property is currently a shopping center containing a Kroger and many individual suites on both sides of the Kroger containing various uses such as retail, restaurant, personal services, and more. The Kroger wishes to replace 63 parking spots with a 10-fuel pump gas station. This gas station would be associated with the Kroger grocery stores and similar concept can be found at many other locations within the metroplex.

The applicant also wishes to have the ability to add more fuel pumps than currently proposed in the future. They will need to submit an SUP amendment request if they wish to expand in the future.

SITE DATA

The subject site is a 6.183-acre tract of land developed with a shopping center containing a Kroger and has approximately 895 linear feet along North Shiloh Road while the fuel area will have approximately 260 linear feet of frontage along North Shiloh Road. The site can be accessed from North Shiloh Road where a traffic signal will be added per the request of the Transportation department. Even though this development will replace 63 parking spaces, there will still be a parking surplus on site.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 98-28. This site's base zoning is Community Retail (CR). The Community Retail (CR) District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A Community Retail (CR) District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low-density residential districts without significant buffering and screening features. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a Community Retail (CR) District must be focused onto the major thoroughfare network. Development in a Community

Retail (CR) District may not be designed in a manner that increases traffic through residential areas.

CONSIDERATIONS

SPECIFIC USE PROVISION:

The applicant is requesting approval of an indefinite Specific Use Provision. The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, which serves nearby neighborhoods with a mix of uses that include retail, office, multi-family, and entertainment.

It is envisioned that retail centers such as these promote high quality retail and service uses which promote placemaking and desirable destinations. While gas stations are not always a desired use in Garland due to the existing number of stations in the city and its autocentric nature, especially on vacant land, this would be attached to the existing Kroger and replace a parking lot.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the North are zoned Planned Development (PD) District 00-69, Planned Development (PD) District 97-54, Specific Use provision (SUP) 00-18, and Planned Development (PD) District 00-72 all with a base zoning of Community Retail (CR) District. These sites contain a fast-food restaurant with drive-through, animal clinic, urgent care, doctor's office, and a gas station with convenience store. The property to the East is zoned Planned Development (PD) district 97-04 with a base zoning of Multi-Family-1 and contains an apartment development. The properties to the West are zoned Planned development (PD) District 92-30 for Single-Family-7 uses and contains a single-family detached neighborhood. The properties to the south are zoned Planned Development (PD) District 03-49 and Planned Development (PD) District 15-35 both with a Community Retail (CR) District base zoning. The sites contain a bank with drive-through ATM lanes and a minor automobile repair (oil and lube change establishment).

Although the proposed gas station will increase the amount of traffic in this area, the proposed use may be considered a neighborhood service use in this context as there is an existing grocery store that will be associated with the fuel pumps if approved. Additionally, the proposed traffic signal will help alleviate the traffic generated by this new use, as well as improve the existing traffic situation.

The applicant requests they be allowed more fuel pumps in the future than currently proposed to permit for a potential expansion in the future. In staff's opinion, the proposed 10 fuel pumps (that are included within this request) would fit within the scale and size of the existing development, and the maximum allowed number of pumps should be restricted to 10. However, that request would need to be separately evaluated as an SUP amendment.

Attachments

Z 25-03 SUP Conditions
Z 25-03 Location Map
Z 25-03 Concept Plan
Z 25-03 Site Photos
Z 25-03 Written Request
Z 25-03 R&M
Z 25-03 Responses
Z 25-03 Staff Presentation

Exhibit B

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 25-03

6850 N. Shiloh Road

I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a Fuel Pumps, Retail use.

II. Statement of Effect: This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.

III. General Regulations: All regulations of the Planned Development (PD) District 98-28 and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Concept Plan:

Concept Plan: The site shall be in general conformance with the approved Concept Plan. The concept plan shall be used to represent the general idea of the proposed land use and site elements. The concept plan shall not supersede, and shall be subordinate to, the standards, requirements, and conditions of the GDC, Technical Standard Manual (TSM), a, City code, or the approved SUP.

I. Abandonment: In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

- A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;
- B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

V. Specific Regulations:

A. SUP Time Period: The Specific Use Provision for a Fuel Pumps, Retail Use shall be in effect indefinitely.

[Condition recommended by Plan Commission]

A. SUP Time Period: The Specific Use Provision for a Fuel Pumps, Retail Use shall be in effect for a period of twenty (20) years.

B. Additional Landscaping:

(1) There shall be additional ornamental trees or evergreen shrubs planted along Shiloh Road to screen the fuel pumps. The plants shall originate from the City's Approved Plant List.

(2) All landscaping shall be maintained in accordance with Section 4.33 of the Garland Development Code.

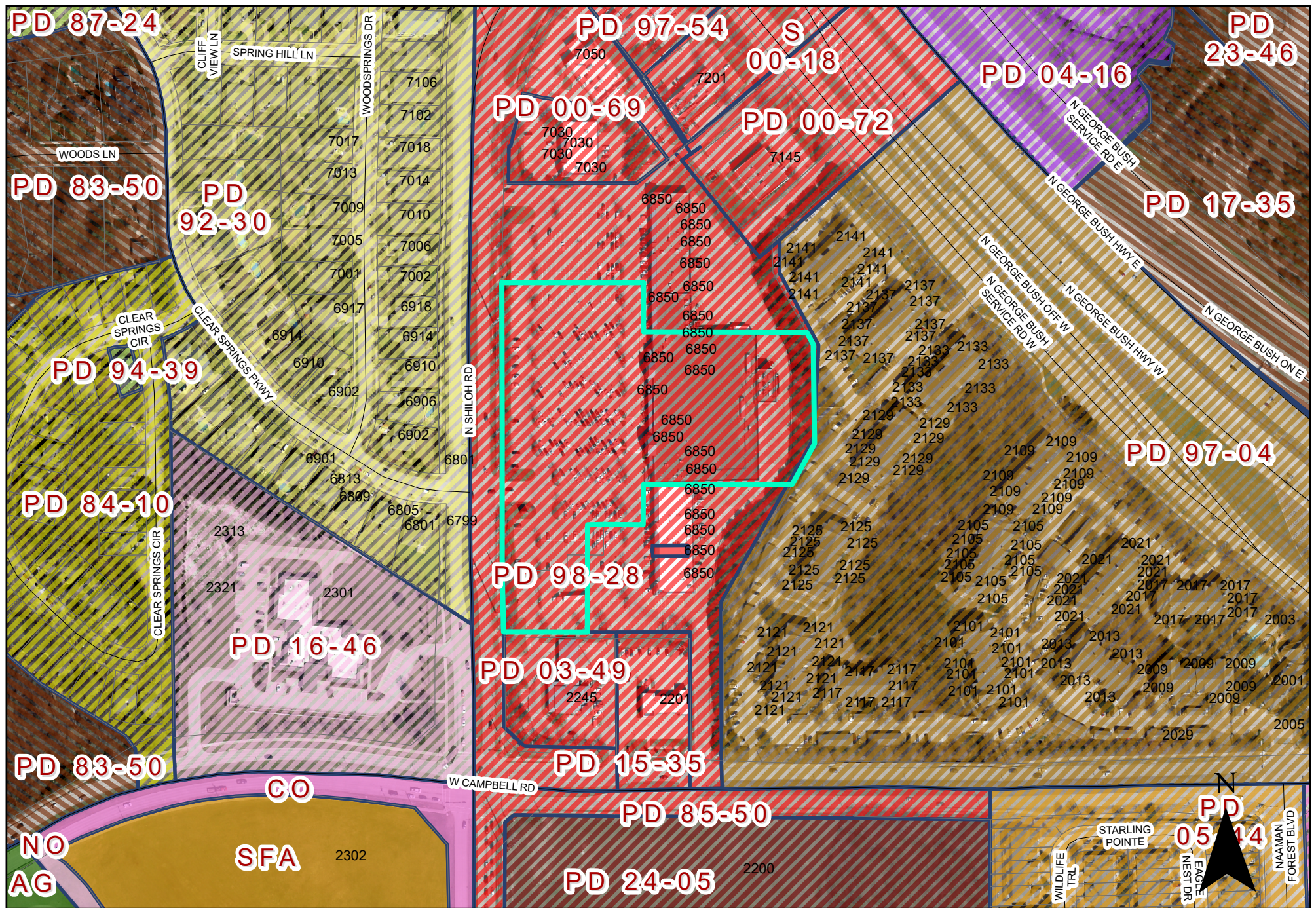
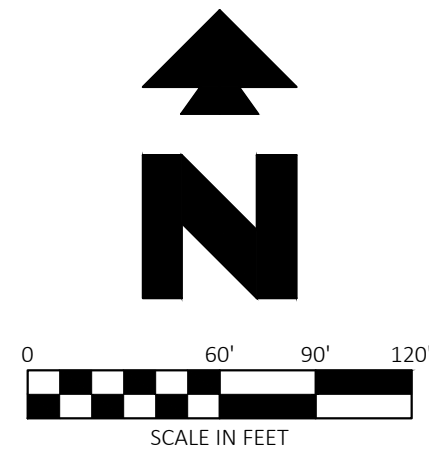


Exhibit C

NOTE: THIS DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. SITE INFORMATION WAS OBTAINED FROM CLIENT'S DOCUMENTS. DESIGN MAY VARY, DEPENDING ON ACTUAL TOPOGRAPHY, DRAINAGE, SOILS, SURVEY, ETC. THIS ADDITIONAL DATA, AND SITE CONDITIONS COULD CAUSE CHANGES IN PARKING RATIOS AND SPACE AVAILABLE FOR DEVELOPMENT, AND MAY INCREASE ESTIMATED DEVELOPMENT COSTS.



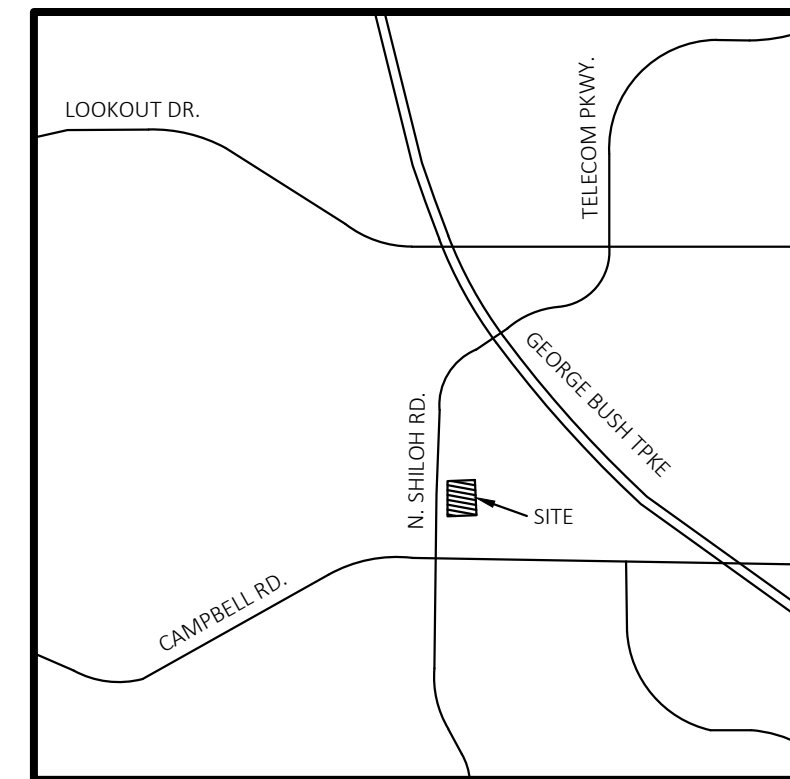
Know what's below.
Call before you dig.



CEI ENGINEERING ASSOCIATES, INC.
710 W PINE DALE AVE
FRESNO, CA 93711
PHONE: (559) 447-3119
FAX: (559) 447-3129

SITE ZONING: PD CR 98-28

SITE DATA		SETBACKS	
EXISTING KROGER AREA	65,350+ SF	FRONT BUILDING SETBACK	30 FEET
REQUIRED PARKING	262 (1/250 GFA)	SIDE BUILDING SETBACK	20 FEET
EXISTING PARKING	355 STALLS	REAR BUILDING SETBACK	30 FEET
PROPOSED FUEL AREA	184 SF	FRONT YARD (N SHILOH RD)	20 FEET
REQUIRED PARKING	N/A	SIDE YARD (N/A)	(TBD) FEET
STALLS REMOVED FOR FUEL	63 STALLS	REAR YARD	(TBD) FEET
POST FUEL PARKING	292 STALLS	PUMP ISLAND (IF APPLICABLE)	20 FEET
SITE AREA PRE PLAT	248,147 SF	SITE ARE POST PLAT	269,327 SF



VICINITY MAP
NOT TO SCALE

FIT CONSULTATION NUMBER:
240425-2

NOTE: SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM), AND CITY CODES UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE. THE CONCEPT PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REQUIREMENTS, AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.

LEGEND

- EXISTING KROGER SUPERMARKET
- RETAIL PARKING - ASPHALT AND CONCRETE PAVEMENT
- EXISTING ACCESS DRIVES
- EXISTING LANDSCAPING
- EXISTING RETAIL BUILDINGS
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE / SIDEWALK
- PROPOSED FUEL STATION CANOPY
- PROPOSED FUEL STATION KIOSK
- PROPOSED LANDSCAPING

OWNER: US REGENCY SHILOH SPRINGS, LLC 8080 N. CENTRAL EXPY, SUITE 1650 DALLAS, TX 75206 CONTACT NAME: LAUREN HAWKINS 214-706-2514		
APPLICANT: THE KROGER CO. 751 FREEPORT PARKWAY COPPELL, TX 75019 CONTACT NAME: RICHARD BINKLEY 817-675-8428		
PLAN PREPARER: CEI ENGINEERING ASSOCIATES, INC. 2600 NE 11TH ST BENTONVILLE, AR 72712 CONTACT NAME: MICHAEL SERRATO 479-715-4425		
LEGAL DESCRIPTION LOT 5R2 AND LOT 5R3 BLOCK 1 SHILOH SPRINGS RETAIL ADDITION		
CITY: GARLAND	STATE: TEXAS	
COUNTY: DALLAS	SURVEY: NORTH TEXAS SURVEYING LLC	FIT NO. 240425-2

KROGER FUEL - 557
6850 N. SHILOH ROAD
GARLAND, TX

PRELIMINARY
NOT FOR
CONSTRUCTION

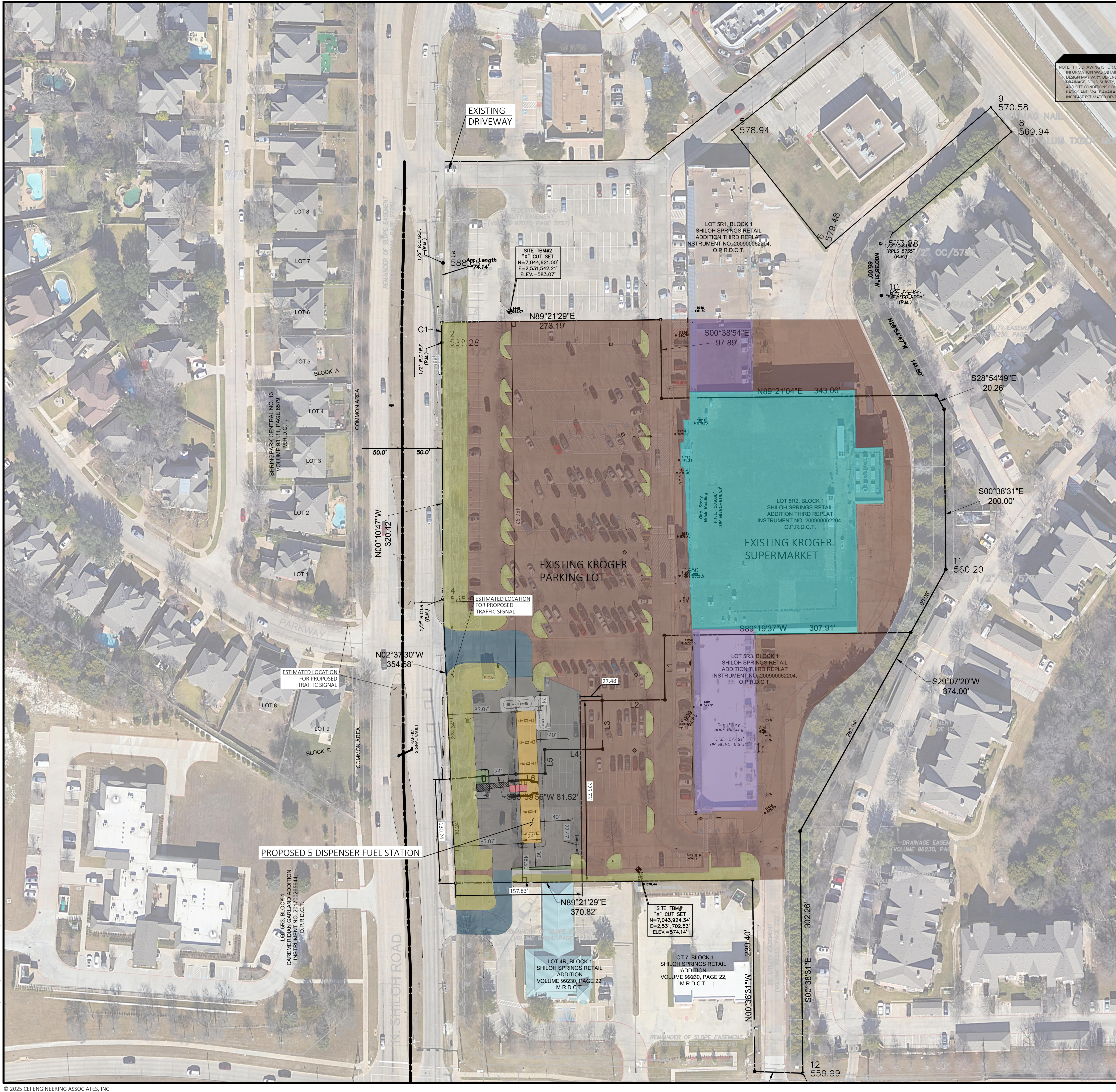
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PROJECT MANAGER	MS
DESIGNER	EN
CEI PROJECT NUMBER	96000
DATE	4/23/2025

CONCEPTUAL SITE
PLAN

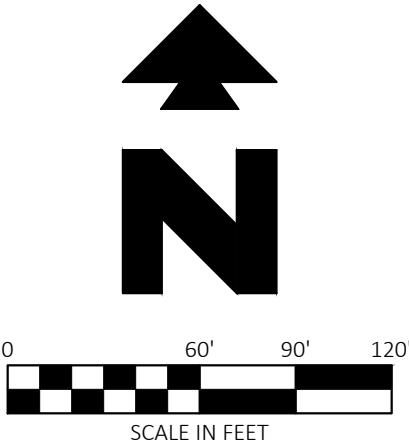
SHEET TITLE
SHEET NUMBER

CSP-1

DRAWING LOCATION: P:\3200\3282\0 DRAWINGS\CONCEPT\3282-KROGER-557-GARLAND-TX.CSP-3 COLOR.DWG - SAVED BY: E.MARTINEZ

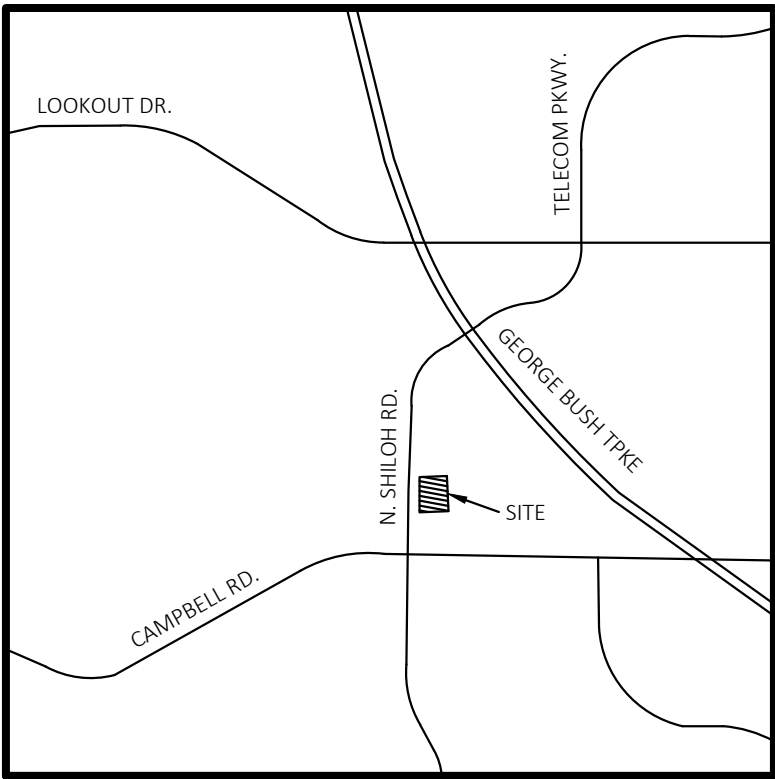


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VICINITY MAP
NOT TO SCALE

FIT CONSULTATION NUMBER:
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KROGER FUEL - 557
6850 N. SHILOH ROAD
GARLAND, TX

PRELIMINARY
NOT FOR
CONSTRUCTION

PROFESSIONAL OF RECORD	POR
PROJECT MANAGER	MS
DESIGNER	EN
CEI PROJECT NUMBER	96000
DATE	4/23/2025

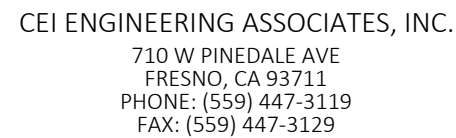
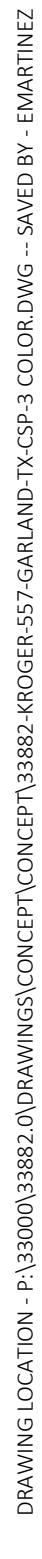
CONCEPTUAL SITE
PLAN

SHEET TITLE
SHEET NUMBER

CSP-1A



CSP-1E

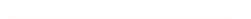


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	EXISTING RETAIL BUILDINGS
	PROPOSED ASPHALT PAVEMENT
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	PROPOSED FUEL STATION CANOPY
	PROPOSED FUEL STATION KIOSK
	PROPOSED LANDSCAPING
	EXISTING PROPERTY LINE
	ADJUSTED PROPERTY LINE

OWNER:			
US. REGENCY SHILOH SPRINGS, LLC 8080 N. CENTRAL EXPY, SUITE 1650 DALLAS, TX 75206			
CONTACT NAME: LAUREN HANSEN 214-706-2514			
APPLICANT:			
THE KROGER CO. 751 FREPORT PARKWAY CORPELL, TX 75019 CONTACT NAME: RICHARD BINKLEY 817-675-8428			
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LEGAL DESCRIPTION LOT SR2 AND LOT SR3 BLOCK 1 SHILOH SPRINGS RETAIL ADDITION			
CITY: GARLAND		STATE: TEXAS	
COUNTY: DALLAS	SURVEY: NORTH TEXAS SURVEYING LLC		FIT NO. 240425-2

KROGER FUEL - 557
6850 N. SHILOH ROAD
GARLAND, TX

PRELIMINARY
NOT FOR
CONSTRUCTION

PROFESSIONAL OF RECORD	POR
PROJECT MANAGER	MS
DESIGNER	EN
CEI PROJECT NUMBER	96000
DATE	4/23/2025

CSP-3AE
CONCEPTUAL SITE
PLAN PROPERTY
EXHIBIT

SHEET TITLE
SHEET NUMBER

CSP-1AE

Z 25-03



View of the subject site from N Shiloh Road.



View from the subject site North up North Shiloh Road.



View from the subject site looking South down North Shiloh Road.



View of the subject site looking across North Shiloh Road.



*Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management*

710 W. Pinedale Avenue
Fresno, CA 93711
Office: 559.447.3119
Toll-free: 1.800.473.1887
ceieng.com

April 23, 2025

City of Garland
Planning Department
200 N. Fifth St.
Garland, TX 75046

Re: SUP Request - Kroger – 6850 N. Shiloh Road

Planning Department:

Please let this letter serve as a request for a Specific Use permit for the proposed Kroger Fuel Center to accompany the Existing Kroger Grocery Store located at 6850 N. Shiloh Road.

Summary of Project:

We are requesting the approval to develop a portion of an existing Kroger Fuel store to add an accessory use of a Fuel Station to the property. The Existing Kroger Grocery Store is currently 65,350 SF. The Fuel Kiosk would add an additional 179 SF with a Kiosk building height of 11ft and a canopy height of 19ft. The proposed fuel station would include a dual product fuel price sign and a monument sign. The proposed fuel station would have a total of 5 inline fuel pumps with each pump having 2 fueling positions (a fueling position at each side) totaling 10 fueling positions for the site. Kroger would consider a maximum fuel pump limit being set in the SUP ordinance, but requests that we be allowed more fuel pumps than currently proposed to allow for potential expansion in the future. If Kroger does expand its fuel station in the future, the expansion would be limited to the currently proposed fuel station area.

The proposed development is comprised of a total of 0.75 acres and is known as Lot 5R2 Block 1 of the Shiloh Springs Retail Addition. This SUP will only apply to Lot 5R2. The SUP will address allowing the use of a Fuel Facility as a supplemental use. The site will have 3 points of access to N. Shiloh Road (public roadway) and 2 points of access to W. Campbell Road (public roadway). These access points will remain as existing with the proposed development onsite.

The proposed fuel center will be operational 24 hours via pay at the pump and will have an attendant from 7AM – 10PM. The proposed development will be harmonious with the surrounding areas as the property and will provide service to the surrounding residential homes. The activities associated with the addition of the fuel center will fall in line with the current developed site and is appropriate within the area shown. This should not create a negative impact to the surrounding area.

The proposed Fuel Center will offer access to the current customers visiting the Grocery store. We are not proposing any retention or detention ponds with this expansion. This site is not located within a floodplain.

SUP Criteria

1. The use is harmonious and compatible with surrounding existing uses or proposed uses; The proposed use of the Kroger Fuel Center will fit into the surrounding settings. The proposed site is located within a community retail zone and will provide a service that is compatible within the area.
2. The activities requested by the applicant are normally associated with the permitted uses in the base district; The activities/uses are in line as a complementary use to the Community Retail zoning district. The proposed use is commonly located within a commercial development such as the Shiloh Springs retail center.
3. The nature of the use is reasonable and appropriate in the immediate area; The proposed site offers a great opportunity to offer the surrounding area with a service to complement their grocery shopping. The service/use of the proposed development is appropriate for a commercial development such as the Shiloh Springs retail center.
4. The City traffic engineer identified the need for a traffic impact analysis for the intersection of N. Shiloh Rd and Clear Springs Pkwy due to historical issues. CEI and Kroger have hired Lee Engineering to conduct a traffic impact analysis based on items requested during the initial meeting with the City traffic engineer. Based on the traffic impact analysis, Kroger and the City of Garland have worked together to propose the addition of traffic signals to the intersection of N Shiloh Road and Clear Springs Parkway. This will ensure that access to both the residential community and commercial development are safer and experience a little impact as possible.
5. The development of the fuel station will remove approximately 63 stalls.
6. That any additional conditions specified ensure that the intent of the district purposes are being upheld. There are not any additional special conditions requested at this time.

Kroger is very excited to bring their development into the Town of Garland. Please let us know if you need additional information for this request. Should you have any questions or concerns, please contact me at 479-715-4425.

Sincerely,

Michael Serrato, P.M.

REPORT & MINUTES

P.C. Meeting, May 12, 2025

2. APPROVED Consideration of the application of **The Kroger Co.**, requesting approval of a Specific Use Provision for Fuel Pumps, Retail use. The site is located at 6850 North Shiloh Road. (District 1) (File Z 25-03)

Planning Administrator - Development, Emma Chetuya, presented the request to the Commission and remained available for questions.

The Commission asked several questions regarding the turn signal, landscaping, traffic issues and total number of fuel pumps.

The applicants, Michael Serrato, 3030 Lyndon B. Johnson, Dallas, TX and Craig Winkler, 751 Freeport Parkway, Coppell, TX, provided an overview of the request and remained available for questions.

The Commission asked several questions regarding the landscaping and signage.

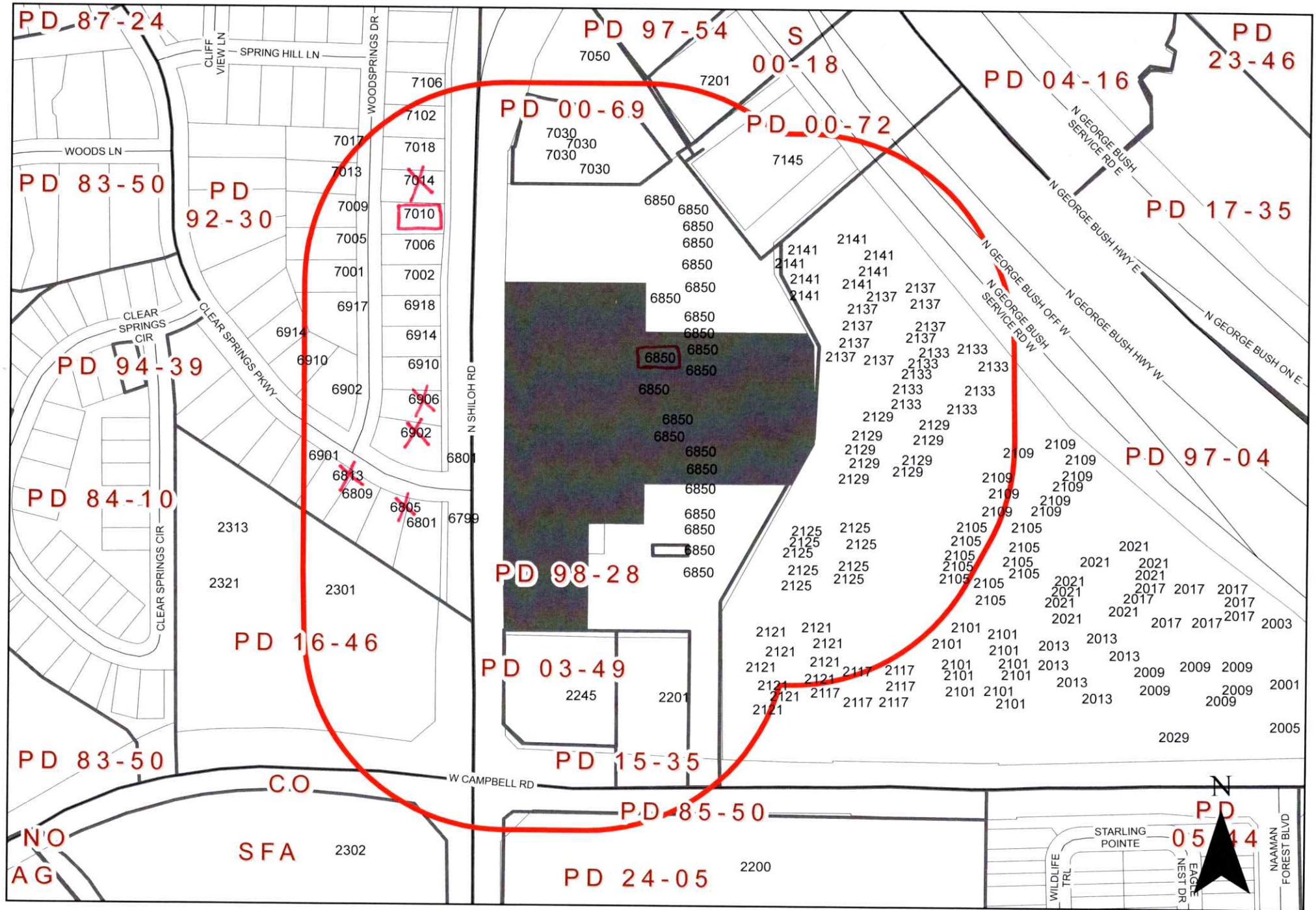
Resident speaking in opposition of the request:

Norma Walker, 6813 Clear Springs Parkway, Garland, TX 75044.

The resident speaking in opposition expressed concerns about the traffic and multiple gas stations within a short distance.

Motion was made by Commissioner Jenkins to close the public hearing. Seconded by Commissioner Paris. **Motion carried: 9 Ayes, 0 Nays.**

Motion was made by Commissioner Dalton to **approve** the application with a 20-year SUP and landscaping requirements along Shiloh Road. Seconded by Commissioner Paris. **Motion carried: 9 Ayes, 0 Nays.**



0200400 Feet

Zoning Map 25-03

6850 North Shiloh Road

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

Comment Form

Case Z 25-03

Z 25-03 The Kroger Co. The applicant requests a Specific Use Provision for Fuel Pumps. The site is located at 6850 North Shiloh Road. (District 1)

Z 25-03 The Kroger Co. El solicitante solicita una Disposición de Uso Específico para Surtidores de Combustible. El sitio está ubicado en 6850 North Shiloh Road. (Distrito 1)

Z 25-03 The Kroger Co. Người nộp đơn đang yêu cầu Quy định sử dụng cụ thể cho Máy bơm nhiên liệu. Địa điểm nằm tại 6850 North Shiloh Road. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

RAJ GOPAL / Franchise Owner / PIZZA HUT

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

6850 N. Shiloh Rd, Suite 1

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

05/04/25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Case Z 25-03

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Kim Phuong Vu Pham

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

6902 Woodsprings Drive

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Tx

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Kim Phuong Vu Pham

Signature / Firma / Chữ ký

May 04, 2025

Date / Fecha / Ngày

Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / (Cung cấp địa chỉ email và số điện thoại là tùy chọn.)

**Comment Form Continued –
Case Z 25-03**

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

Our home is situated at the entrance to the Spring Park subdivision, directly facing the Krogers shopping plaza, and only a few yards from the Campbell/Shuleh intersection. It's a high traffic area during rush hour and motor vehicle accidents are regular occurrences. In fact, cars have collided directly into the residence at 6801 Clear Springs Pkwy (the other single family dwelling flanking the Spring Park entrance) more than a few times in recent years. Aside from the obvious nuisance caused by the fuel truck pumps themselves, the increased traffic that follows the (presumed) introduction of a Kroger fuel station at this intersection increases already problematic concerns for public safety. Meaning there is already a fuel station at 7235 PG BT serving the neighborhood's needs, therefore the addition of another fuel station in the same shopping plaza would not provide much, if any, benefit.

Comment Form

Case Z 25-03

Z 25-03 The Kroger Co. The applicant requests a Specific Use Provision for Fuel Pumps. The site is located at 6850 North Shiloh Road. (District 1)

Z 25-03 The Kroger Co. El solicitante solicita una Disposición de Uso Específico para Surtidores de Combustible. El sitio está ubicado en 6850 North Shiloh Road. (Distrito 1)

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Thomas V Murto IV (Property Owner)

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

7010 Woodsprings Dr.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Thomas V Murto IV

Signature / Firma / Chữ ký

5/7/25

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

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MIN CHAN - PROPERTY OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

6906 WOODSPRINGS DR.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Ch ữ ký

5/4/2025

Date / Fecha / Ngày

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Comment Form Continued – Case Z 25-03

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

DO NOT WANT CHANGE ~~of~~ OF USE FOR NEW FUEL PUMP. BELIEVE IT WILL CAUSE HEAVY AMOUNT OF TRAFFIC AT INTERSECTION OF LOT, WHERE THERE ARE ALREADY MANY ACCIDENTS. DON'T WANT THE FUEL STATION VISIBLE FROM BACKYARD/WINDOWS FACING MAIN ROAD. BELIEVE IT WILL BE A HAZARD TO HEALTH, ~~WHICH~~ DUE TO THE EXPOSURE TO GASOLINE & FUEL IN AIR.

Comment Form

Case Z 25-03

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☐

For / A Favor / Đúng

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Against / En Contra / Không

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HABEEB MOHAMAD

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

6805 Clear Springs Pkwy

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Haarab Md

Signature / Firma / Chữ ký

5/12/2025

Date / Fecha / Ngày

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My Opinion

1) This Fuel Pump installation is very detrimental to our neighborhood and especially to my house and my neighbors for following reasons:

- We are very closely situated to the proposed Fuel Pump site and this could pose serious Fire Hazard to us
- The value of our houses will decrease and selling our property will be difficult and lead to losses.
- Our Home Insurance rates will go up due to Fire Hazard
- The junction of Shiloh Road and Clear Springs Pkwy has seen many many traffic accidents, and Car Collisions. This could again increase the chances of the fuel pump catching fire.

2) Because of the above listed reasons, I vehemently oppose this Zoning Change and I request this Zoning Request may be denied.

Comment Form

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For / A Favor / Đúng

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norma Rachel walker

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

6813 Clear Springs Plwy

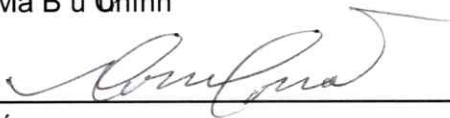
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u chính



Signature / Firma / Chữ ký

5/12/2025

Date / Fecha / Ngày

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As a resident in the community of Spring Park, I am vehemently opposed to having a gas station across from my property. This Kroger gas station would decrease our property values and bring more traffic to an already congested intersection of Campbell and Shiloh and even more to Clear Springs park and Shiloh, where I have personally witnessed many accidents due to the lack of traffic light at this intersection.

I would like to highlight that there is an already existing Chevron gas station at the corner of George Bush and Shiloh; it makes zero sense to build an additional gas station, which will bring more crime and loitering to the existing nearby communities.

Thank you for your kind consideration to this matter,
noma walker

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-03	May 12, 2025	June 3, 2025	Matthew Wolverton

Z 25-03 The Kroger Co. The applicant requests a Specific Use Provision for Fuel Pumps. The site is located at 6850 North Shiloh Road. (District 1)

**Michael and
Rebecca
Norvell**

5/12/2025
11:04:44 PM

Against

7014 Woodsprings

Garland
Texas
United States
75044

Our home backs up to Kroger, and we are against the request to put in fuel pumps in the location.

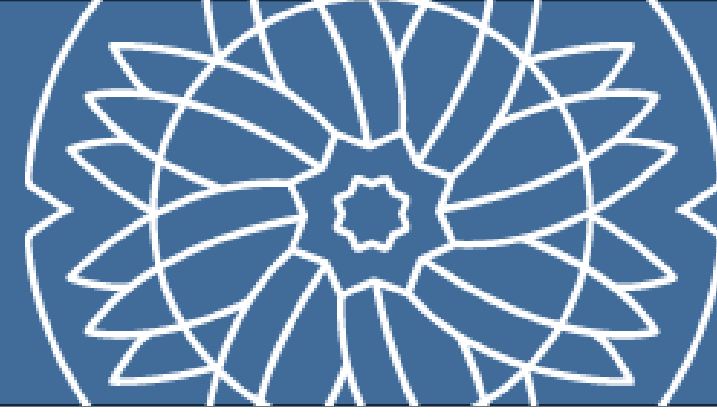


GARLAND

City Council Meeting

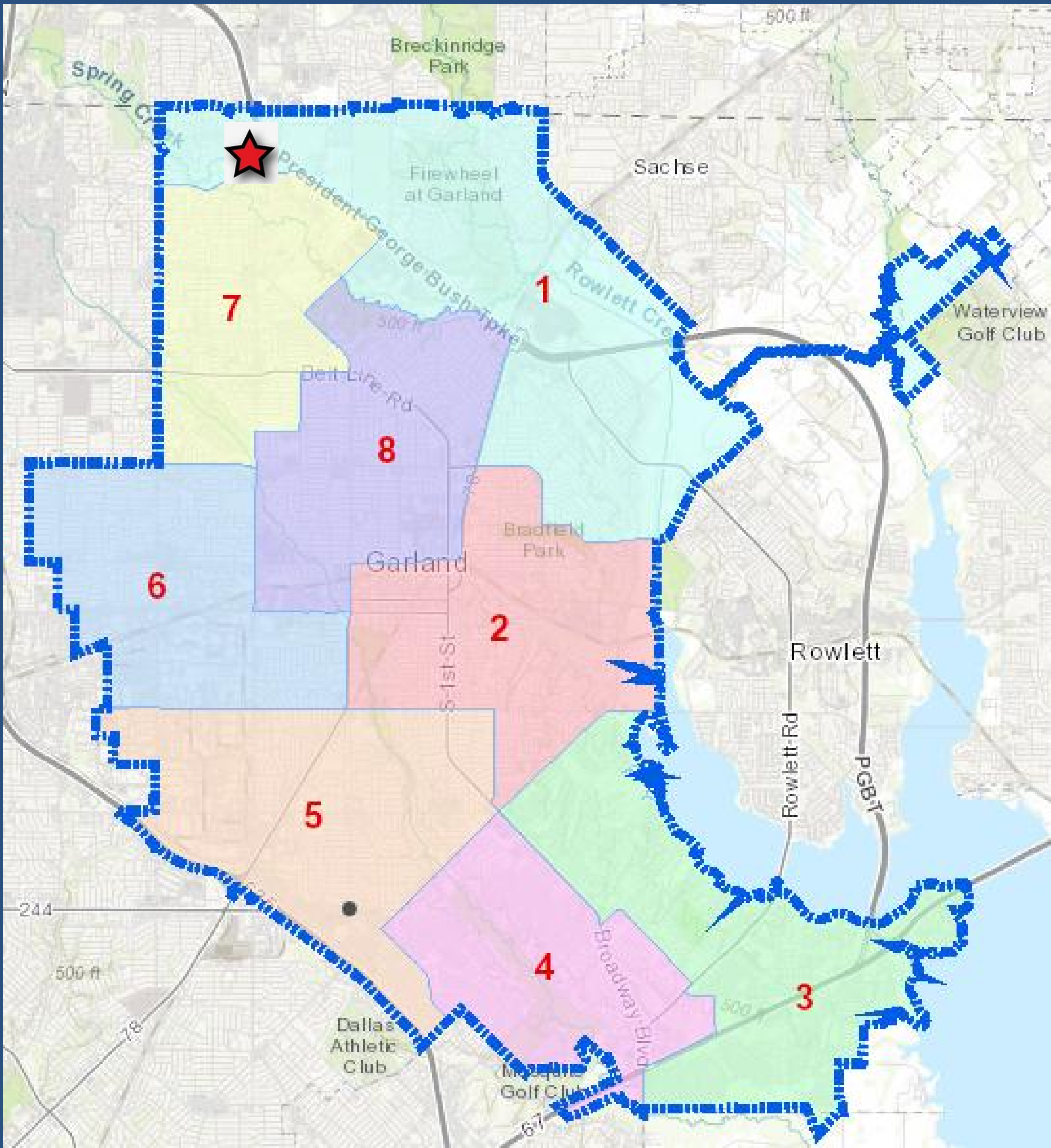
June 3, 2025





Request

The applicant requests a Specific Use Provision for a **Fuel Pumps, Retail Use** on a property zoned Planned Development (PD) District 98-28 containing an existing Kroger grocery store and shopping center.



Case Information

Location: 6850 North Shiloh Road

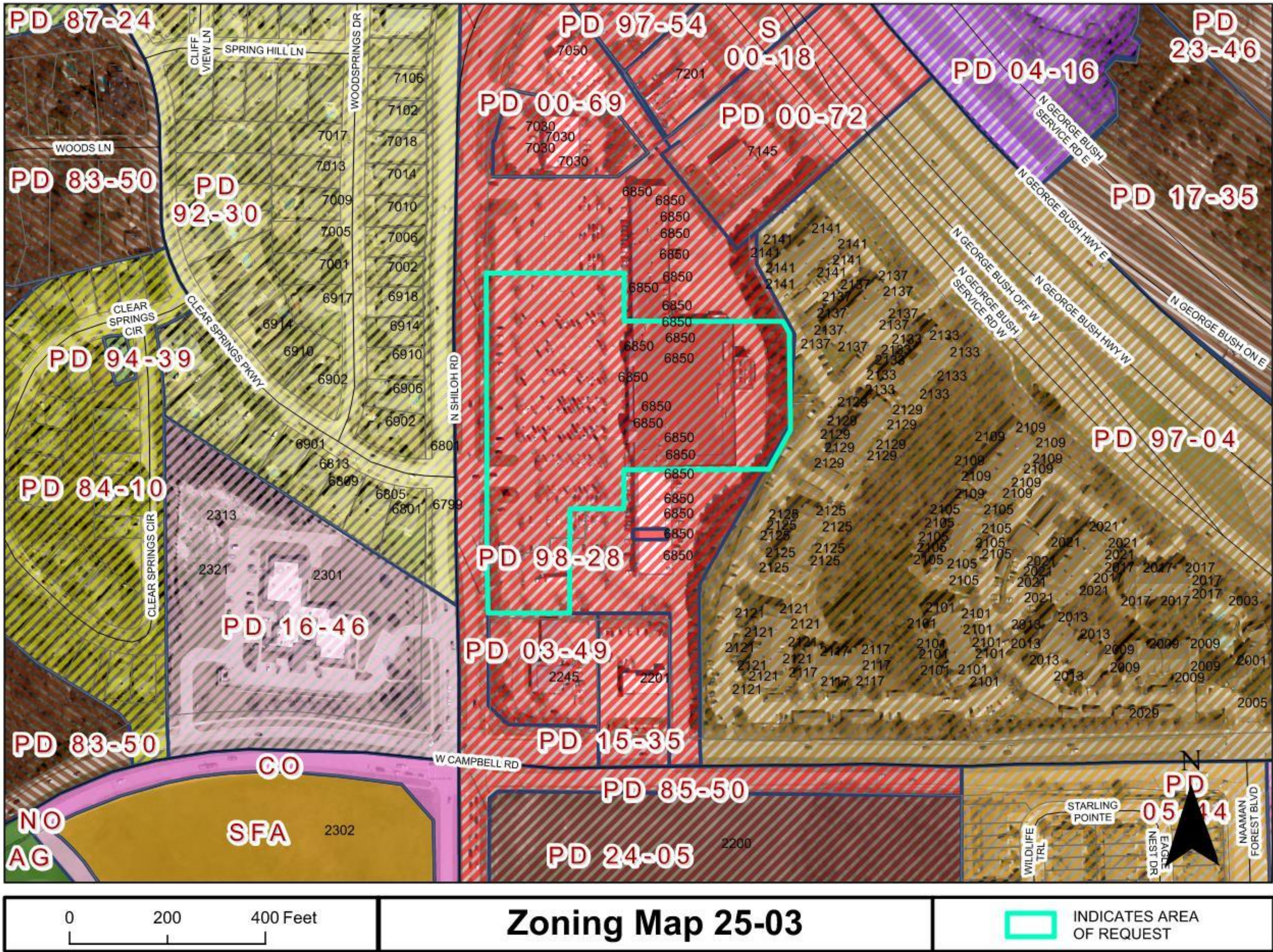
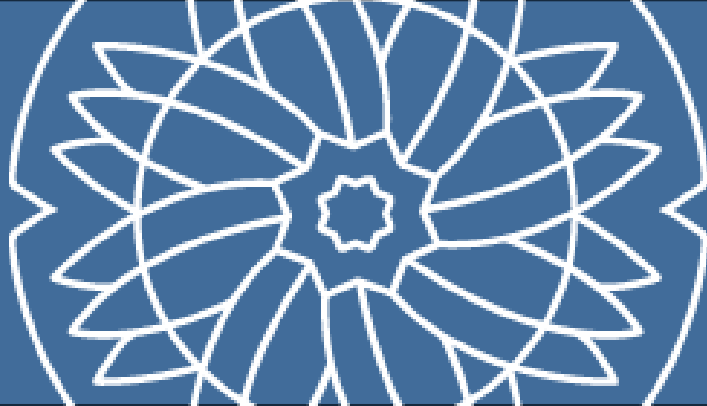
Applicant: The Kroger Co.

Owner: US Regency Shiloh Springs, LLC

Acreage: 6.183-Acres

Zoning: PD 98-28 Community Retail (CR) District (base zoning)

Location Map



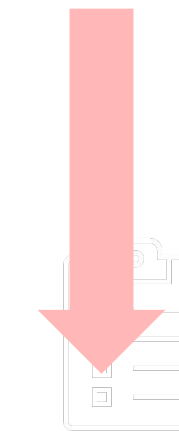
Zoning Map 25-03

6850 North Shiloh Road

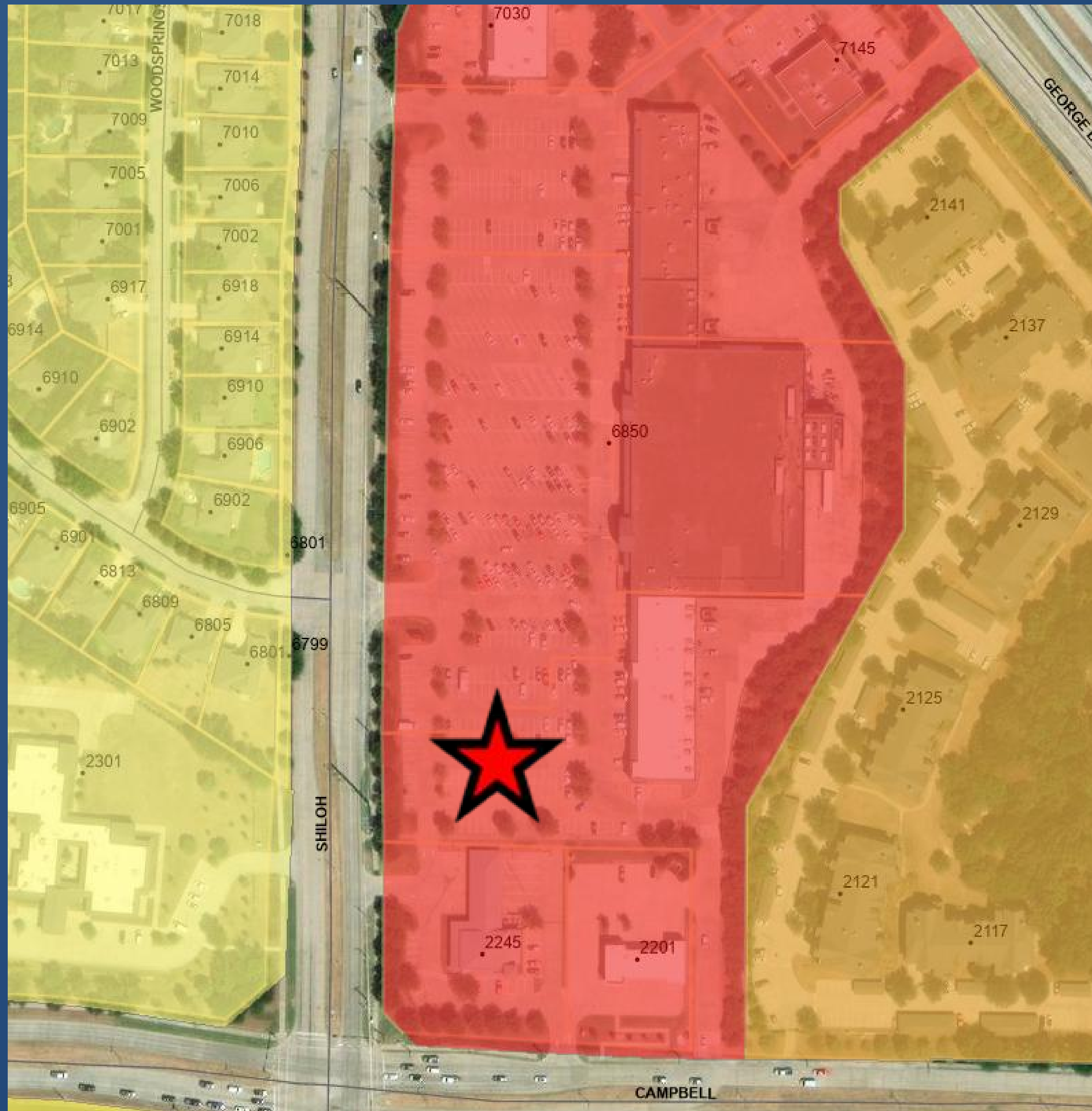
Comprehensive Plan



Community Centers



Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.



Site Photos

6850 N Shiloh Road



View of the subject site from N Shiloh Rd



View from the subject site looking North up North Shiloh Road

Site Photos

6850 N Shiloh Road

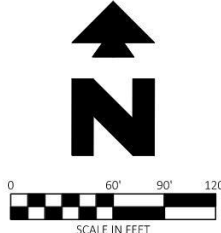
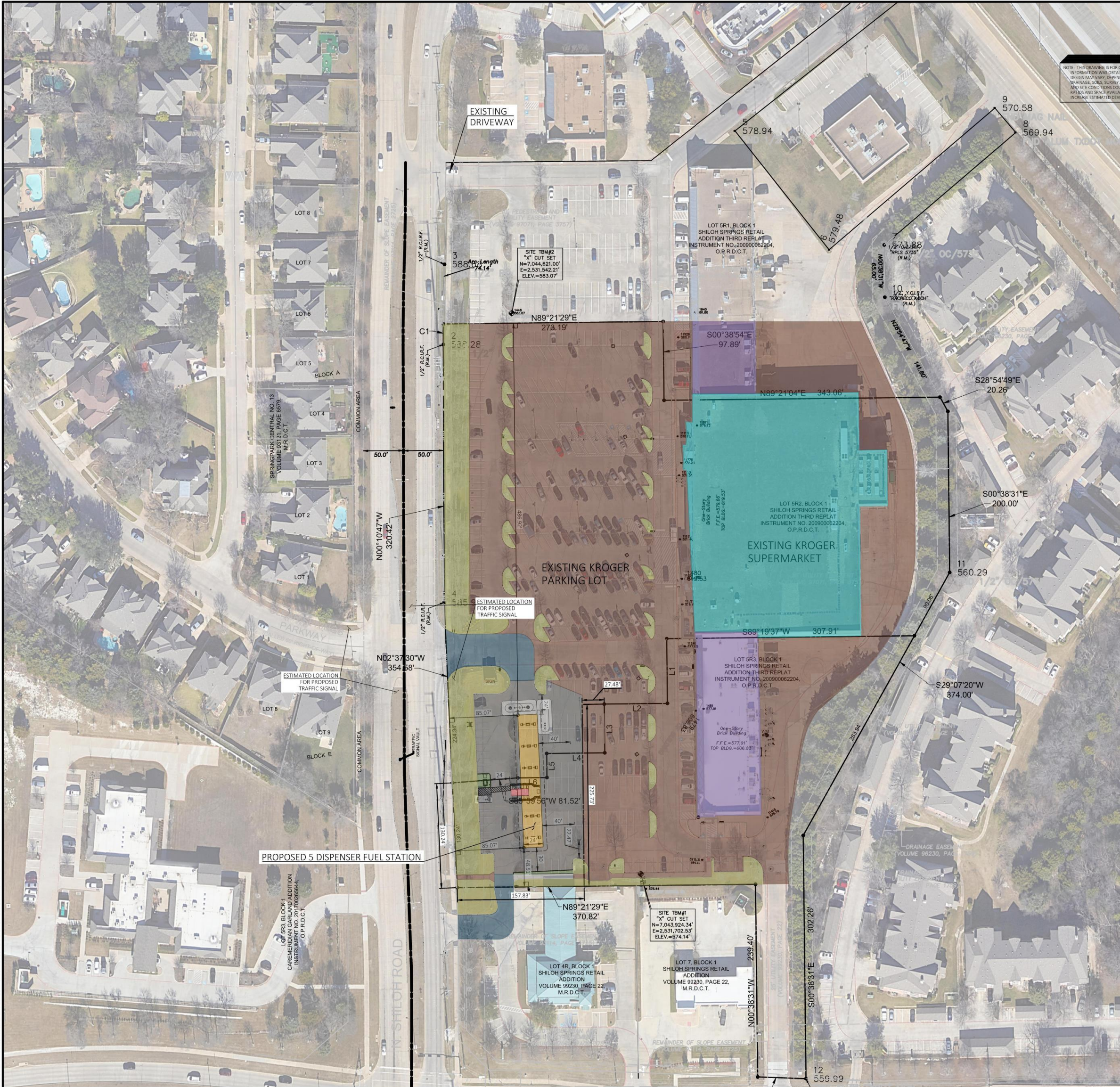
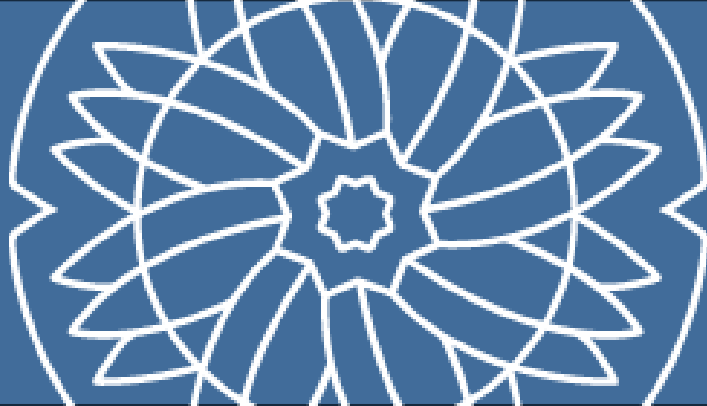


View from the subject site looking South down N Shiloh Road.



View from the subject site looking across North Shiloh Road.

Concept Plan



SITE ZONING: PD CR 98-28

SITE DATA		SETBACKS	
EXISTING KROGER AREA	65,350± SF	FRONT BUILDING SETBACK	30 FEET
REQUIRED PARKING	262 (1,250 GFA)	SIDE BUILDING SETBACK	20 FEET
EXISTING PARKING	355 STALLS	REAR BUILDING SETBACK	30 FEET
PROPOSED FUEL AREA	184 SF	FRONT YARD (N SHILOH RD)	20 FEET
REQUIRED PARKING	N/A	SIDE YARD (N/A)	(TBD) FEET
STALLS REMOVED FOR FUEL	63 STALLS	REAR YARD	(TBD) FEET
POST FUEL PARKING	292 STALLS	PUMP ISLAND (N/A)	20 FEET
SITE AREA PRE PLAT	248,347 SF	SITE ARE POST PLAT	269,327 SF

PARKING REMOVED: 54 SPACES



VICINITY MAP
NOT TO SCALE

FIT CONSULTATION NUMBER:
240425-2

NOTE: SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE LAND AND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM), AND CITY CODES. UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE, THE CONCEPT PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REQUIREMENTS, AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.

LEGEND

- EXISTING KROGER SUPERMARKET
- RETAIL PARKING - ASPHALT AND CONCRETE PAVEMENT
- EXISTING ACCESS DRIVES
- EXISTING LANDSCAPING
- EXISTING RETAIL BUILDINGS
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE / SIDEWALK
- PROPOSED FUEL STATION CANOPY
- PROPOSED FUEL STATION KIOSK
- PROPOSED LANDSCAPING

OWNER: US REGENCY SHILOH SPRINGS, LLC 8080 N. CENTRAL EXPY, SUITE 1650 DALLAS, TX 75206 CONTACT NAME: LAUREN HAWKINS 214-706-2514		APPLICANT: THE KROGER CO. 751 FREEMONT PARKWAY CORPELL, TX 75019 CONTACT NAME: RICHARD BINKLEY 817-675-8428	
PLAN PREPARER: CEI ENGINEERING ASSOCIATES, INC. 2650 NE 11TH ST BENTONVILLE, AR 72712 CONTACT NAME: MICHAEL SERRATO 479-715-4425		LEGAL DESCRIPTION LOT 5R2 AND LOT 5R3 BLOCK 1 SHILOH SPRINGS RETAIL ADDITION CITY: GARLAND STATE: TEXAS	
COUNTY: DALLAS	SURVEY: NORTH TEXAS SURVEYING LLC	FIT NO. 240425-2	



CEI ENGINEERING ASSOCIATES, INC.
710 W PINEDALE AVE
FRESNO, CA 93711
PHONE: (559) 447-3119
FAX: (559) 447-3129

KROGER FUEL - 557
6850 N. SHILOH ROAD
GARLAND, TX

PRELIMINARY
NOT FOR
CONSTRUCTION

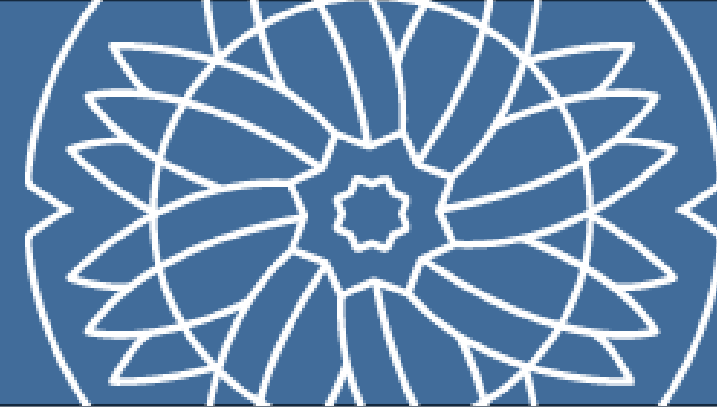
PROFESSIONAL OF RECORD:	POR
PROJECT MANAGER:	MS
DESIGNER:	EN
CEI PROJECT NUMBER:	96000
DATE:	4/23/2025

CONCEPTUAL SITE
PLAN

SHEET TITLE
SHEET NUMBER

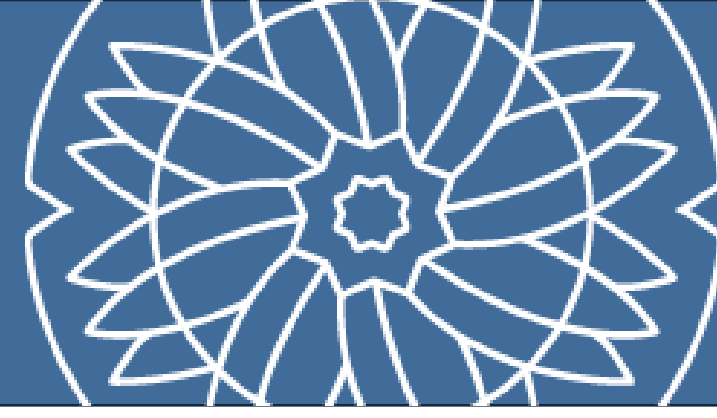
CSP-1A

Specific Use Provision (SUP)



Applicant Request: Specific Use Provision (SUP) to allow for Fuel Pumps, Retail Use with an indefinite time period.

Recommendations



The Plan Commission recommended approval of a 20-year SUP and additional landscaping be installed.



Response Letters

Thank You

Questions?





GARLAND

PLANNING REPORT

City Council Regular Session

9. g.

Meeting Date: 06/03/2025

Item Title: Z 25-16 CCM Engineering (District 3)

Submitted By: Nabila Nur, Planning and Development Director

REQUEST

Approval of 1) an Amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces.

LOCATION

2126 Rowlett Road

OWNER

CHP Development LLC

PLAN COMMISSION RECOMMENDATION

On May 12, 2025, with a nine (9) to zero (0) vote, the Plan Commission recommended approval of 1) an Amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and reduce the number of provided parking spaces from 13 to 11.

STAFF RECOMMENDATION

Staff recommends approval of an amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces.

BACKGROUND

The subject property is currently zoned PD20-44 for the development of 43 townhomes and associated easements and open space lots. It is currently developed with internal streets, landscaping and masonry screening wall as was approved per the PD. During the site plan review process, staff found that Lots 17-25 of Block 2 do not meet the minimum lot depth and/or size requirements due to the 10 feet pedestrian and utility easement and 8 feet landscape buffer located at the rear of the lots. The applicant will also be providing 11 guest parking spaces per the GDC. The PD states that 13 guest parking spaces will be provided.

SITE DATA

The subject site is 4.67 acres in size. The site can be accessed from Crescent Heights Road on the west and east.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 20-44 for single-family attached uses. There is an approved detail plan with landscaping, elevation, and site plans. The Single-Family Attached district is intended to promote stable, quality, attached-occupancy residential development on individual lots in logical, livable, and sustainable neighborhoods. This district may be included within certain areas of neighborhoods or, when in accordance with the intent of the Comprehensive Plan, may provide a transition district between lower density residential areas, multifamily or nonresidential areas, or major thoroughfares.

CONSIDERATIONS

Planned Development:

1. The subject zoning requires for the lots to be a minimum of 1,925 square feet and have a minimum lot depth of 75 feet. In order to accommodate for the 10 feet pedestrian and utility easement and 8 feet landscape buffer, Lots 17-25 of Block 2 are proposed to have a reduced size ranging from 1,713 square feet to 1,913 square feet. The depths will also range from 66 feet to 77 feet.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject site. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject site is surrounded by properties that are primarily zoned residential districts. The property to the north, across Roan Road, is zoned Agricultural (AG) District and has a single-family dwelling. The property to the south is zoned Agricultural (AG) District and is vacant. Further to the southwest is zoned Community Retail (CR) District and developed with a skating rink. To the south of that tract is zoned Single-Family (SF-7) and developed with single-family detached homes. The property to the east, across Roan Road, is zoned Planned Development (PD) District 72-14 and developed with single-family detached homes. The property to west is zoned Agricultural District (AG) and is developed with a church. Across Rowlett Road, is zoned Single-Family-10 (SF-10) District and Planned Development (PD) District 06-05. The Single-Family-10 (SF-10) area is developed with an event center and the Planned Development (PD) District 06-05 is for Neighborhood Service Uses and developed with a single-family home.

Attachments

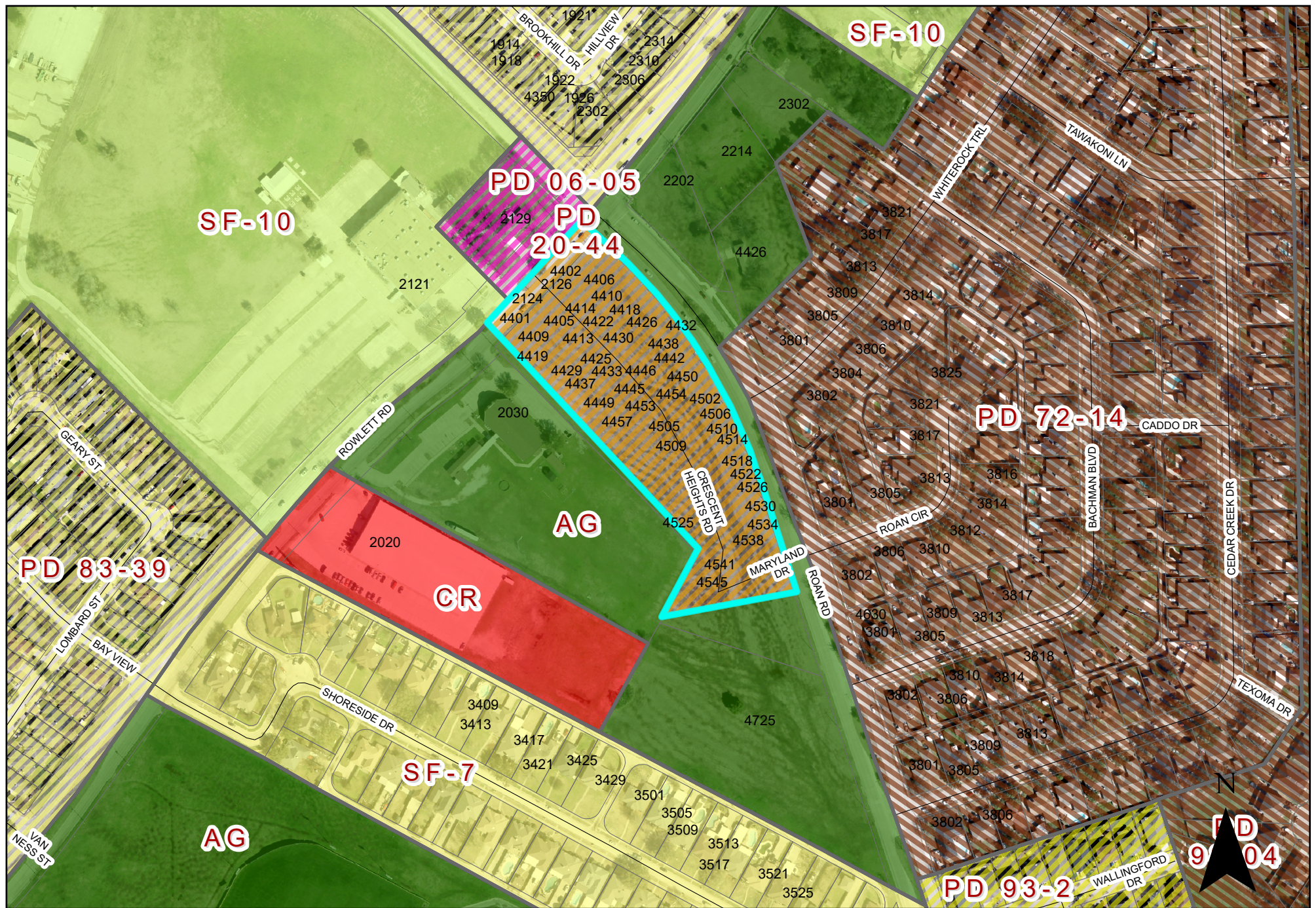
Z 25-16 PD Conditions
Z 25-16 Location Map
Z 25-16 Site Photos
Z 25-16 Exhibit A Crescent Heights Townhomes Plat with Proposed Amended Lots
Z 25-16 Written Request
Z 25-16 R&M
Z 25-16 Responses
Z 25-16 Staff Presentation

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 25-16

2126 Rowlett Road

- I. Statement of Purpose:** The purpose of this Planned Development (PD) amendment is to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces.
- II. Statement of Effect:** This Planned Development amendment shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of Planned Development (PD) District PD 20-44 as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- V. Specific Conditions:**
- A. Lot Size: Lots 17-25 of Block 2 shall be allowed a minimum lot size of 1,713 square feet.
 - B. Lot Depth: Lots 17-25 of Block 2 shall be allowed a minimum lot depth of 66 feet.
 - C. Parking: 11 guest parking spaces shall be provided.



0 200 400 Feet

Zoning Map 25-16

 INDICATES AREA OF REQUEST

2126 Rowlett Road

Z 25-16



Photo on Roan Road facing north

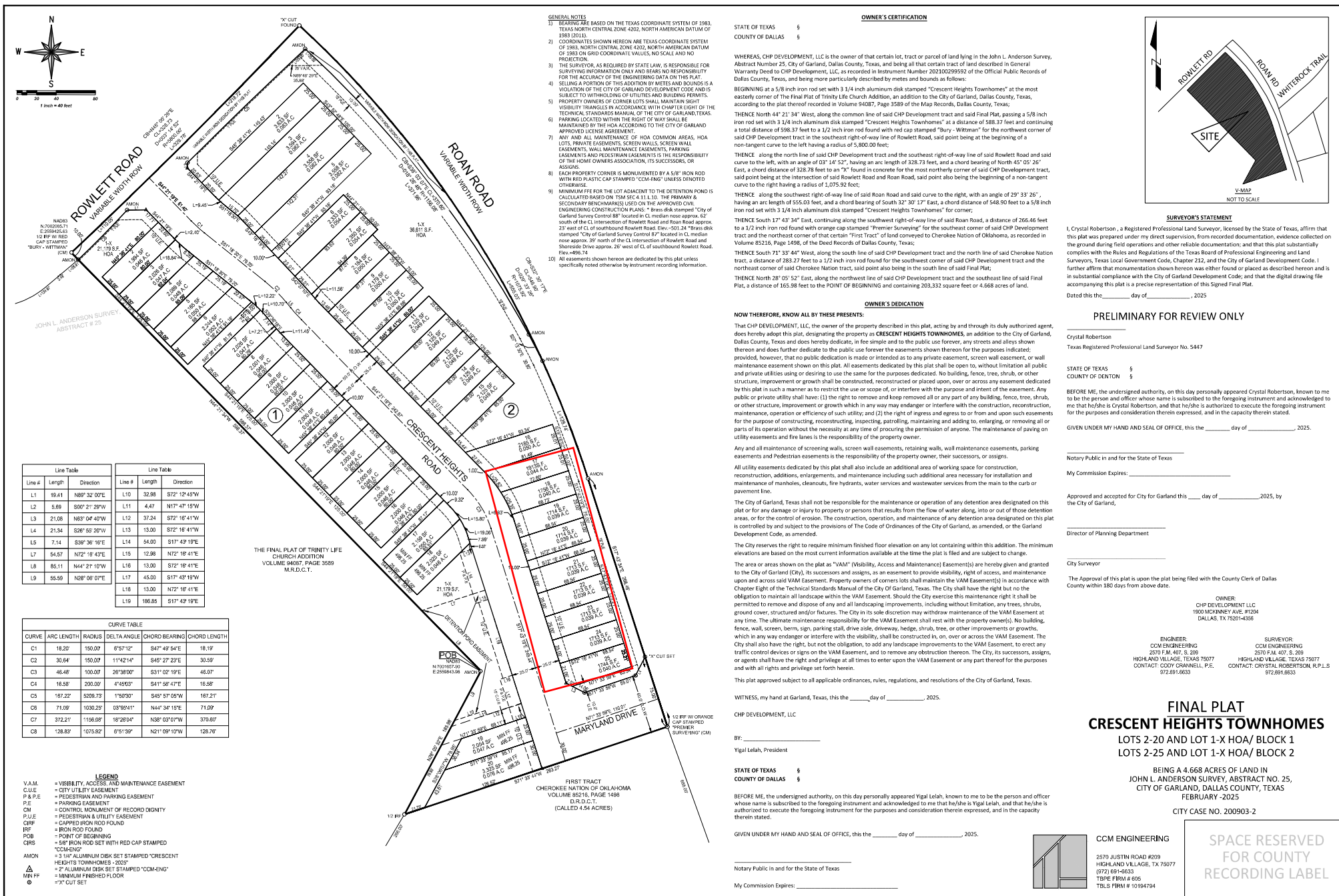


Photo from within the development facing east



**Photo from within the development
facing east on the intersection of
Rowlett Rd. and Crescent Heights Road**

Exhibit A





CCM Engineering

2570 FM 407 STE. 209, Highland Village, TX 75077

Office: 972-691-6605

TBPE FIRM #605

April 21, 2025

Crescent Heights Luxury Townhomes

PD Zoning

The site will conform to all items as stated in the ordinance PD-20-40 (SFA) except for the following:

- (A) Minimum Lot Depth = 66'
- (B) Minimum Lot Size = 1,713 SF
- (C) Parking Spaces Provided = 11 spaces

REPORT & MINUTES

P.C. Meeting, May 12, 2025

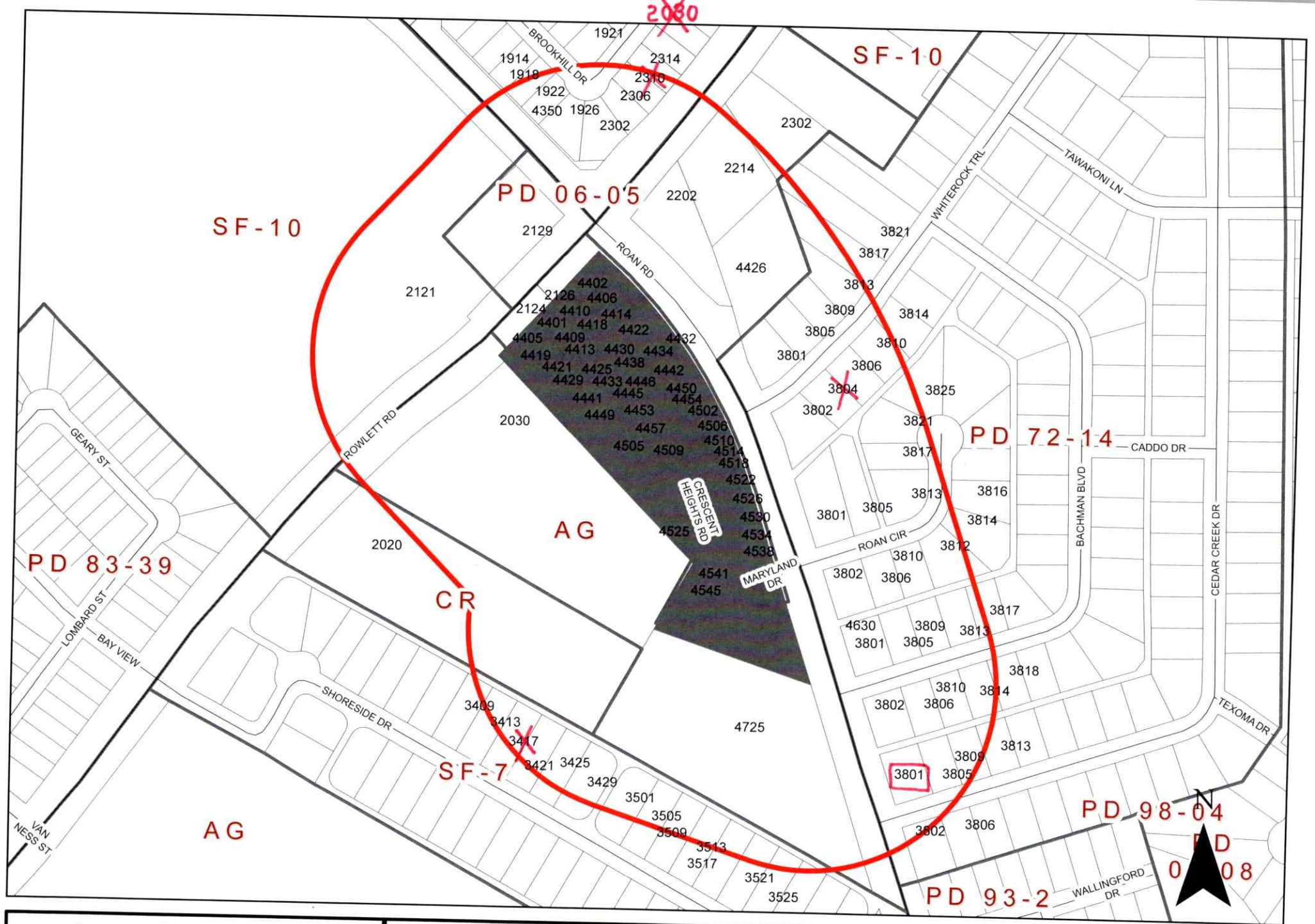
2e. APPROVED Consideration of the application of **CCM Engineering**, proposing an amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces. The site is located at 2126 Rowlett Road. (District 3) (File Z 25-16)

Planning Administrator - Development, Emma Chetuya, presented the request to the Commission and remained available for questions.

The Commission asked several questions regarding the parking, fencing and lot size requirements.

The applicant, Celimar Bracho, 2570 Justin Road, Highland Village, TX 75077, provided an overview of the request and remained available for questions.

Motion was made by Commissioner Paris to close the public hearing and **approve** the application as presented. Seconded by Commissioner Abell. **Motion carried: 9 Ayes, 0 Nays.**



Zoning Map 25-16

2126 Rowlett Road

INDICATES AREA
OF REQUEST

INDICATES
NOTIFICATION AREA

Comment Form

Case Z 25-16

Z 25-16 CCM Engineering. The applicant proposes an amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces and amend the fencing material requirement. The site is located near 2126 Rowlett Road. (District 3) (District 3)

Z 25-16 CCM Engineering. El solicitante propone una enmienda al Distrito de Desarrollo Planificado (PD) 20-44 para reducir los requisitos mínimos de tamaño y profundidad de los lotes en lotes específicos, así como el número de plazas de aparcamiento, y modificar el requisito de material para cercas. El terreno se encuentra cerca de 2126 Rowlett Road (Distrito 3)

Z 25-16 CCM Engineering. Người nộp đơn đề xuất sửa đổi Quy hoạch Phát triển (PD) Quận 20-44 để giảm yêu cầu về kích thước lô đất tối thiểu và độ sâu đối với các lô đất cụ thể và số lượng chỗ đậu xe được cung cấp, và sửa đổi yêu cầu về vật liệu rào chắn. Khu đất nằm gần 2126 Rowlett Road. (Quận 3)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Griselda TORRES

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2310 Hillview Dr.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã Bưu Chính

Griselda Torres

Signature / Firma / Chữ ký

05-07-2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-16

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

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Mark Eggert (owner)

mark.eggert@ymail.com
972-261-8481

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3801 Cedar Creek Dr.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Mark Eggert

Signature / Firma / Chữ ký

May 5, 2025

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 25-16

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I like the progress they are making
in turning this open land into homes
for many.

Welcome neighbors!

Mark

Morales, Elisa

From: Shannon Phillips <slp4hire@gmail.com>
Sent: Thursday, May 8, 2025 6:51 PM
To: Planning Group
Cc: Tommy Zapata
Subject: Z 25-16 CCM Engineering (District 3)

Outside the Notification Area

You don't often get email from slp4hire@gmail.com. [Learn why this is important](#)

https://destinyhosted.com/agenda_publish.cfm?id=42752&mt=ALL&vl=true&get_month=5&get_year=2025&dsp=agm&seq=11055&rev=0&ag=4903&ln=44415&nseq=11044&nrev=0&pseq=11053&prev=0

I oppose, we need quality development in S Garland, not more quantity.

Shannon Phillips
4448 Chaha Rd

CAUTION: This email is from an external source. DO NOT click links or open attachments without verifying the sender. Never enter **USERNAME, PASSWORD or SENSITIVE INFORMATION** on linked pages from this email. If you are unsure about the message, please contact the **Help Desk at x7240** for assistance.

Comment Form

Case Z 25-16

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

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Bowens, Max + Clara Revocable TR

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

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3417 Shore side Dr

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Clara M. Bowens

Signature / Firma / Chữ ký

Max B. Bowens

Date / Fecha / Ngày

5/7/2025

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 25-16

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For / A Favor / Đúng

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Micheal Arthur Elder & Treasurer

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2030 Rowlett Road

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

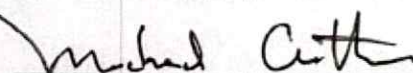
Garland, TX

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

05/08/2025



Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

**Comment Form Continued –
Case Z 25-16**

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Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

We as a Church that since the zoning was change to allow the

construction of these condo, they were aware of the building requirements no further changes should be allowed.

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-16	May 12, 2025	Jun 3, 2025	Emma Chetuya

Z 25-16 CCM Engineering. The applicant proposes an amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces and amend the fencing material requirement. The site is located near 2126 Rowlett Road. (District 3)

Michael Wessling
5/12/2025
10:17:33 PM

Against

3804 Whiterock Trail	Mjwntx@gmail.com
Garland	2148020942
Texas	
United States	
75043	

I am opposed to this change. The street, fencing, and utilities are already installed. There is no reason to reduce minimum lot sizes and depth. This will only impact the quality of the townhomes to be built which could impact home values in the established neighborhoods adjacent to this property.

Michael Wessling
5/12/2025
10:17:32 PM

Against

3804 Whiterock Trail	Mjwntx@gmail.com
Garland	2148020942
Texas	
United States	
75043	

I am opposed to this change. The street, fencing, and utilities are already installed. There is no reason to reduce minimum lot sizes and depth. This will only impact the quality of the townhomes to be built which could impact home values in the established neighborhoods adjacent to this property.

Michael Wessling
5/12/2025
10:17:22 PM

Against

3804 Whiterock Trail	Mjwntx@gmail.com
Garland	2148020942
Texas	
United States	
75043	

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-16	May 12, 2025	Jun 3, 2025	Emma Chetuya

I am opposed to this change. The street, fencing, and utilities are already installed. There is no reason to reduce minimum lot sizes and depth. This will only impact the quality of the townhomes to be built which could impact home values in the established neighborhoods adjacent to this property.

Michael Wessling
5/12/2025
10:17:22 PM

Against

3804 Whiterock Trail Mjwntx@gmail.com

Garland 2148020942
Texas
United States
75043

I am opposed to this change. The street, fencing, and utilities are already installed. There is no reason to reduce minimum lot sizes and depth. This will only impact the quality of the townhomes to be built which could impact home values in the established neighborhoods adjacent to this property.

Michael Wessling
5/12/2025
10:17:21 PM

Against

3804 Whiterock Trail Mjwntx@gmail.com

Garland 2148020942
Texas
United States
75043

I am opposed to this change. The street, fencing, and utilities are already installed. There is no reason to reduce minimum lot sizes and depth. This will only impact the quality of the townhomes to be built which could impact home values in the established neighborhoods adjacent to this property.

Michael Wessling
5/12/2025
10:17:21 PM

Against

3804 Whiterock Trail Mjwntx@gmail.com

Garland 2148020942
Texas
United States
75043

I am opposed to this change. The street, fencing, and utilities are already installed. There is no reason to reduce minimum lot sizes and depth. This will only impact the quality of the townhomes to be built which could impact

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 25-16	May 12, 2025	Jun 3, 2025	Emma Chetuya

home values in the established neighborhoods adjacent to this property.

**Michael
Wessling**

5/12/2025
10:17:18 PM

Against

3804 Whiterock Trail

Mjwntx@gmail.com

Garland

2148020942

Texas

United States

75043

I am opposed to this change. The street, fencing, and utilities are already installed. There is no reason to reduce minimum lot sizes and depth. This will only impact the quality of the townhomes to be built which could impact home values in the established neighborhoods adjacent to this property.

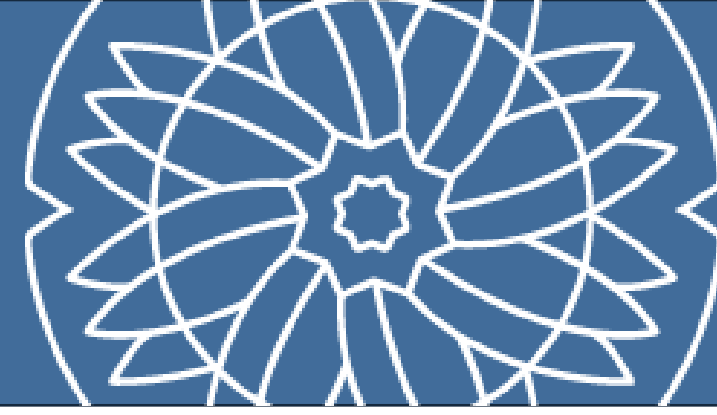


GARLAND

City Council Meeting

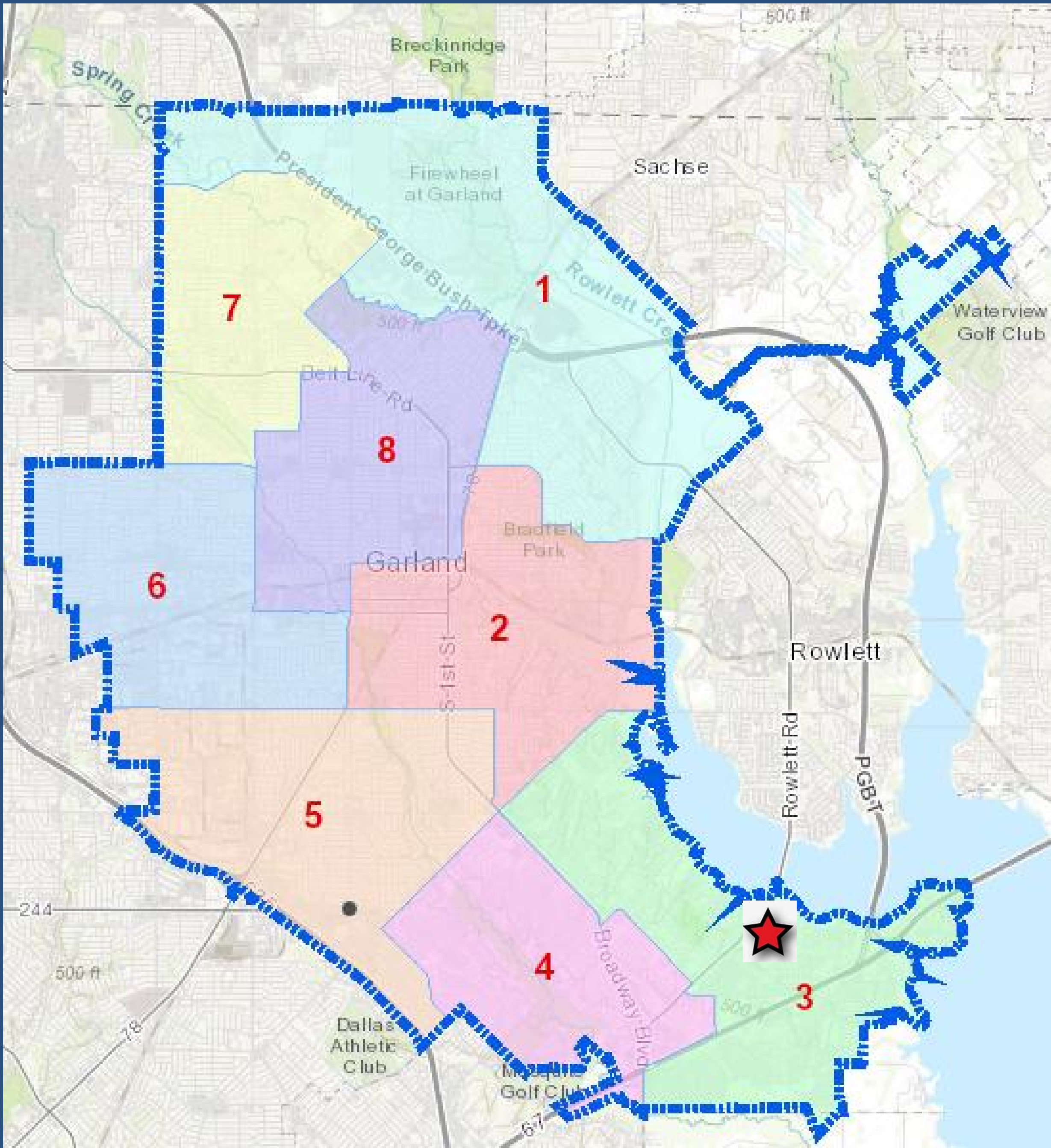
June 3, 2025





Request

The applicant requests an Amendment to Planned Development (PD) District 20-44 to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces.



Case Information

Location: 2126 Rowlett Road

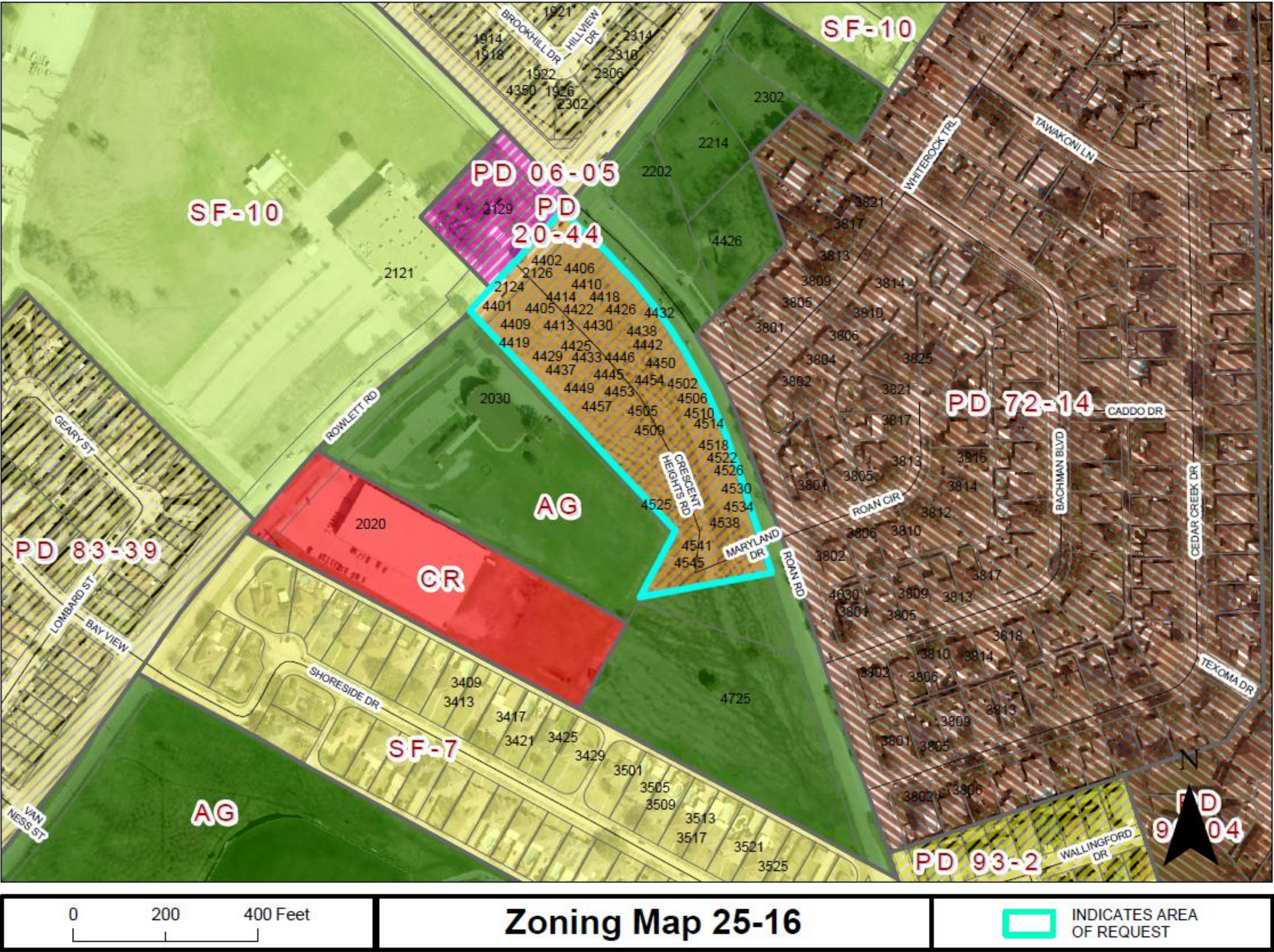
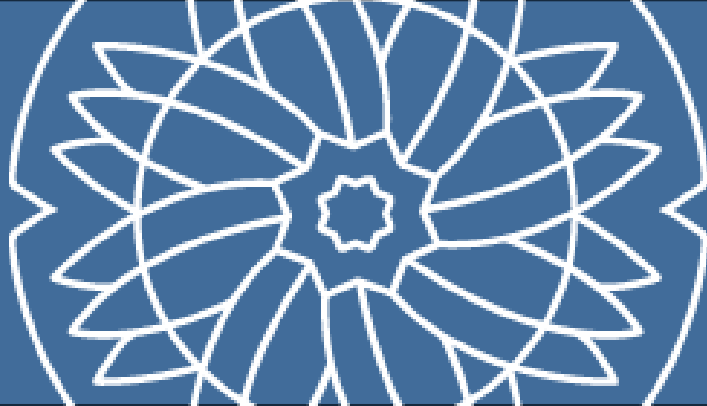
Applicant: CCM Engineering

Owner: CHP Development LLC

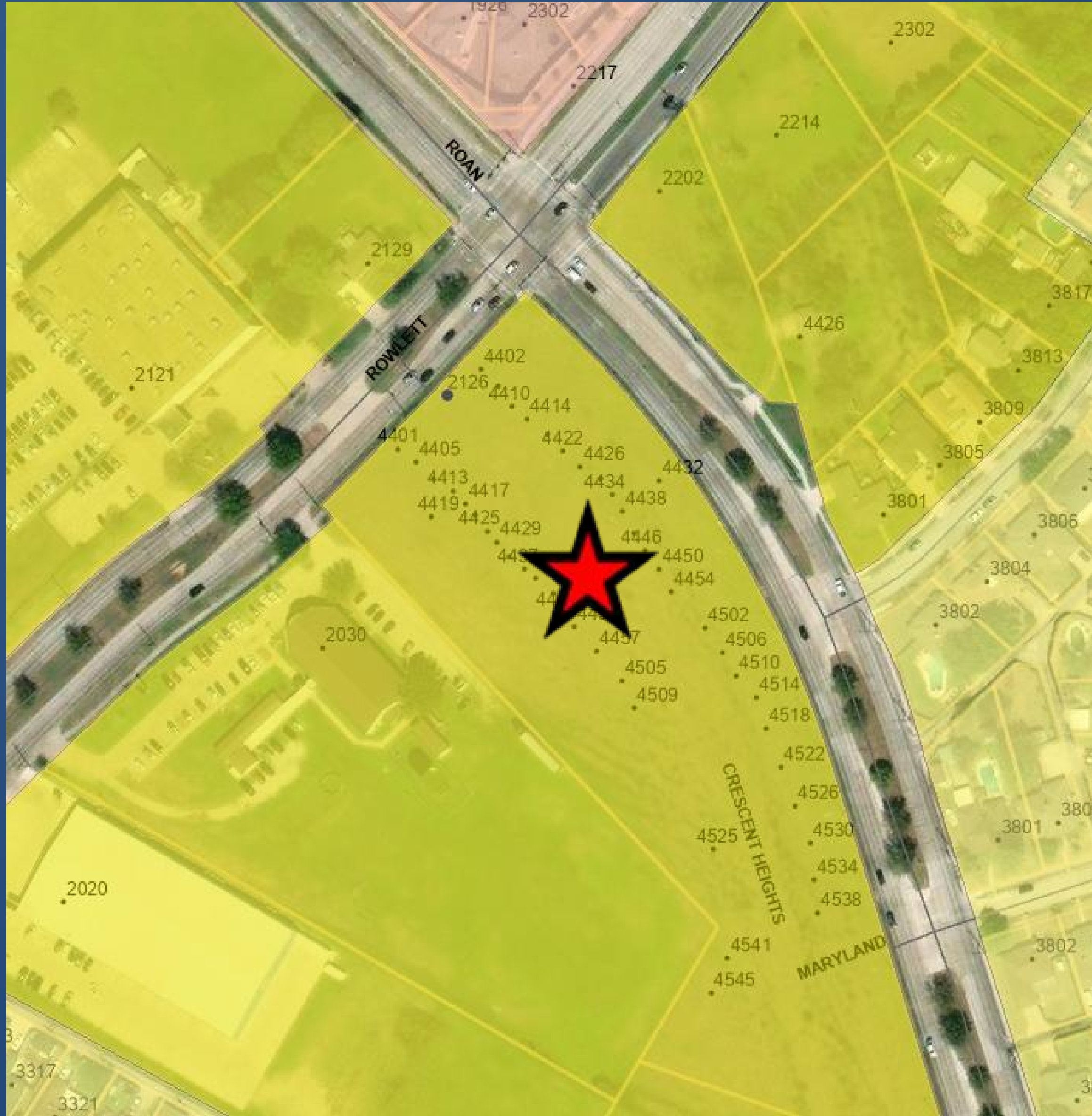
Acreage: 4.67 –Acres in size

Zoning: PD 20-44 for Townhomes

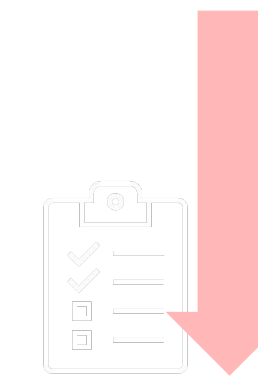
Location Map



Comprehensive Plan



Compact Neighborhoods



Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

Site Photos

2126 Rowlett Road

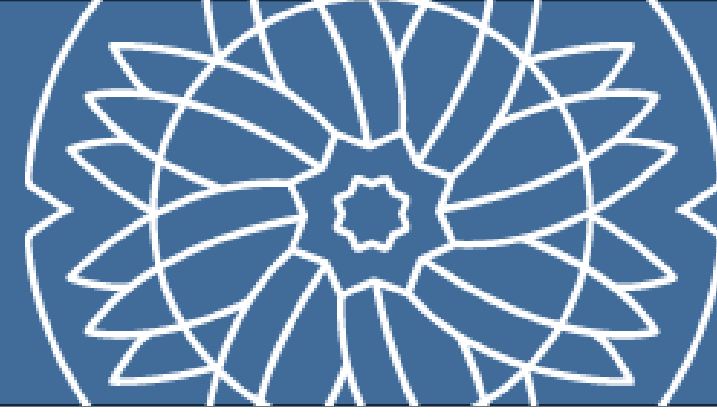


Photo on Roan Road facing north



Photo from within the development facing east

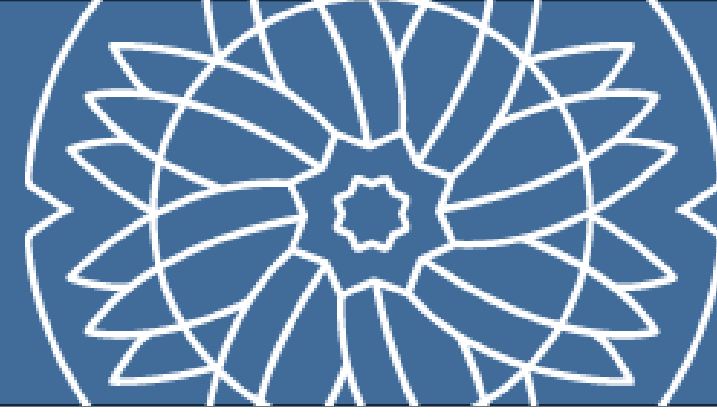
PD Amendment



Applicant Request: PD Amendment to reduce the minimum lot size and depth requirements on specific lots and number of provided parking spaces.



Recommendations



The Plan Commission recommended approval.



Response Letters

Thank You

Questions?

