



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland
Council Chambers, City Hall
William E. Dollar Municipal Building
200 North Fifth Street
Garland, Texas
August 3, 2021
7:00 p.m.

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

The meeting will be broadcast on City of Garland Government Access Television (CGTV). CGTV is available via GarlandTX.gov, channel 16 (Spectrum), Channel 44 (Frontier), and channel 99 (AT&T U-verse). Meetings are broadcast online via live-streaming and on-demand, and air on CGTV with several rebroadcasts during the week of the meeting.

Alternatively, the meeting will be broadcast by webinar at the following URL:

https://garlandtx.zoom.us/webinar/register/WN_XE8iWhUnQae69xb3qLgo3Q

The meeting ID is: 910 4992 6385

Public Comments:

Whether you are attending the meeting in-person or via webinar, you are invited to offer a comment or make a statement on any item on the agenda as that item is called. Your comments must relate to an item on this agenda - non-germane comments are not in order. Time limits will be imposed by the Mayor as appropriate to the nature of the agenda item. Generally, public speakers are given three minutes. Similarly, you may provide a comment at the end of the agenda during the open public comments portion of the meeting. However, due to legal restrictions, members of the City Council are not able to answer questions during the public comments portion of the agenda.

REGISTRATION : If you are attending the meeting via webinar, Registration for the webinar will be required for any citizen wishing to speak. If you choose to speak via the webinar, you must use the “raise hand” feature in order to be recognized.

IN-PERSON COMMENTS: If you are attending the meeting in-person, Registration will be required for any citizen wishing to speak. Speakers shall register using the electronic registration kiosks in the lobby of City Hall.

Garland City Hall and Council Chambers is wheelchair accessible. Special parking is available on the east side of City Hall and on Austin & State Street west of City Hall. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary’s Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made.
BRaille IS NOT AVAILABLE.



CONSENT AGENDA

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

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

1. Consider approval of the minutes of the July 20, 2021 Regular Meeting.
2. Consider approval of the following bids:
 - a. Duck Creek 18"-36" Interceptor Main Rehabilitation - Phase II Bid No. 1060-21

Insituform Technologies, LLC	\$1,578,539.25
Optional Contingency	50,000.00
TOTAL:	\$1,628,539.25

This request is for Phase II of the Duck Creek 18"-36" Wastewater Interceptor Rehabilitation Project. This phase will reline approximately 761 feet of 18" line, 805 feet of 30" line, and 2,814 feet of 36" interceptor line from just north of Buckingham Road to 1306 N. Shiloh Road in Duck Creek. An optional contingency is included for any additional work that may be required.

- b. Avenue A, Second through Fifth Street, & Haskel Drive Water & Wastewater Mains Replacement** **Bid No. 0941-21**

GRod Construction, LLC	\$1,443,285.50
Optional Contingency	180,000.00
TOTAL:	\$1,623,285.50

This request is to provide construction services to replace existing water and sewer mains on Avenue A, including Second through Fifth Street, and Haskell Drive. This project also includes replacement of existing street, driveways, and sidewalks. An Optional Contingency is included for any additional work that may be required.

- c. Water Main Replacement on Plantation Road Including Hanover and Richland Drive** **Bid No. 1089-21**

Lam Consulting Engineering	\$167,180.00
TOTAL:	\$167,180.00

This request is to provide Professional Services for replacing approximately 4,000 linear feet of water mains on Plantation Road including Hanover and Richland Drive.

- d. Spencer Cooling Tower Repair** **Bid No. 0671-21**

Master Tech Services, Inc.	\$173,395.00
TOTAL:	\$173,395.00

This request is to approve a Change Order for the Spencer Plant Unit #4 Cooling Tower Repairs. Once all exterior louvers and the fill from Cells 1 and 2 were removed, the inner members were inspected. Several additional lines and ties have been identified for replacement as well as eliminator panels and supports for all cells. Repairs are needed to correct these issues and to ensure the unit is in working order to be available to safely meet service demands.

- e. GP&L Phase 1 Transmission Line As-Built Modeling and Clearance Verification** **Bid No. 1097-21**

Burns and McDonnell	\$311,300.00
TOTAL:	\$311,300.00

This request is to obtain as-built PLS-CADD models of the Garland Power & Light (GP&L) transmission system. These models will be used to verify and document line-to-ground clearances to support GP&L's response to Texas House Bill 4150 relating to safety and inspection reporting requirements for certain utilities.

f. GP&L Queen BESS Terminal at King Mountain Switch Construction Services **Bid No. 0955-21**

Primoris T&D Services, LLC	\$576,744.73
Optional Contingency	57,674.00
TOTAL:	\$634,418.73

This request is to provide above and below-grade construction of the Queen BESS terminal at the King Mountain Switch Station. This is part of the approved King Mountain Switch to Queen BESS CIP project. An Optional Contingency is included for any additional work that may be required.

g. College Manors Wastewater & Alley Paving Improvements **Bid No. 0995-21**

Excel Trenching	\$595,997.00
Optional Contingency	60,000.00
TOTAL:	\$655,997.00

This request is to provide construction services to replace 2,309 linear feet of 6" wastewater mains including manholes and service laterals. The wastewater mains are primarily located within existing alleys at Betty Jo Lane and Muriel Drive, Stanton and Rita and Cliff Drive. This project will also replace approximately 968 square yards of concrete paving and incidentals. An Optional Contingency is included for any additional work that may be required.

h. Network Cabling for Animal Shelter & Adoption Center **Bid No. 1100-21**

Nouveau Technology Services LP	\$107,413.73
TOTAL:	\$107,413.73

This request is for the purchase and installation of network cable at the new Animal Shelter & Adoption Facility. Construction of the building is underway, and this system will be installed prior to completion of construction. This project is part of the 2019 Bond Program and approved in the 2021 CIP.

3. Public hearing(s) were previously conducted for the following zoning case(s). Council approved the request(s) and instructed staff to bring forth the following ordinance(s) for consideration.

a. Z 21-20 Beau Durham (District 6)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas by approving an Amendment to Planned Development (PD) District 95-34 and Planned Development (PD) District 20-03 to allow a Pylon Sign for a Restaurant, Drive-Through Use on a 0.598-acre tract of land located at 3428 West Buckingham Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

b. Z 18-19 Pankaj Patel (District 1)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas by approving 1) an amendment to Planned Development (PD) District 03-53; 2) a Specific Use Provision for a Hotel/Motel, Limited Service Use and 3) a Detail Plan for a Hotel/Motel, Limited Service Use on a 0.327-acre tract of land located at 565 Town Center Boulevard; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

c. Z 21-11 PM Design (District 1)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas by approving 1) an amendment to Planned Development (PD) District 19-07 for Community Retail Uses and 2) a Detail Plan for a Restaurant, Drive-Through Use on a 1.152-acre tract of land located at 5345 North President George Bush Turnpike; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

d. Consider an ordinance amending Section 32 and 33 of the Code of Ordinances Parking Enforcement Near Construction

Council is requested to consider and amendment to Section 32 and 33 of the Code of Ordinances providing that certain parking ordinances are inapplicable if violation of the ordinance is necessitated by City construction projects.

4. Consider a resolution adopting The Medical District Plan.

Consider a resolution and the final report and appendix of the Medical District Area Plan. The Council was briefed on the plan during the July 12, 2021 retreat, and a briefing item has been scheduled for the August 2 Work Session as well. In addition, staff and consultant Ninigret Partners have engaged representatives of the VA Hospital and received feedback from the Plan Commission.

5. Approve by minute action the Neighborhood Vitality Matching Grant Spring 2021 Applications

Council is requested to approve by minute action the Spring 2021 Neighborhood Vitality Matching Grant applications for Heron's Bay Estates and Northlake Estates.

6. Approve by minute action the Trails Recreation Club Neighborhood Vitality Matching Grant Applications

Council is requested to approve the Trails Recreation Club Neighborhood Vitality Matching Grant Applications.

7. Consider an ordinance for Electric Utility Direct Purchase Notes

Consider an ordinance approving the termination of the Electric Utility Tax-Exempt Commercial Paper Program, Series 2018 and establishing a 2021 Electric Utility System Commercial Paper Notes Program, Series A.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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8. Hold a Public Hearing Regarding the 2021-22 Proposed Budget

In accordance with the City Charter and state law, the City Manager shall submit the City Council Proposed Budget for the coming fiscal year. The City Manager will formally present his Proposed Budget which will be placed in each City Library, in the Office of the City Secretary, and on the City's website for public review and inspection.

9. Submission of Appraisal Roll & Rates for FY 2021-22 and Call for Future Public Hearings

Council is requested to provide a proposed tax rate hearing date in accordance with state law. Council will officially receive the 2021 appraisal rolls, the certification of collection rate, and calculation of the "no new tax rate" and "voter approved tax rate". The Council is asked to establish dates for public hearings and a proposed tax rate.

10. Hold public hearings on:

- a. Consider an amended Specific Use Provision (SUP) request by Tewelde Abreham to add parking spaces for semi-truck trailers. This site is located at 3877 Miller Park Drive in District 6.**

Consideration of the application of Tewelde Abreham, requesting approval of a Specific Use Provision amendment to allow a Truck/Bus Storage Use on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck / Bus Storage. This property is located at 3877 Miller Park Drive. (File Z 21-15, District 6)

- b. Consider a Site Plan request by Tewelde Abreham to add parking spaces for semi-truck trailers. This site is located at 3877 Miller Park Drive in District 6.**

Consideration of the application of Tewelde Abreham, requesting approval of a Plan for Truck/Bus Storage Use. This property is located at 3877 Miller Park Drive. (File Z 21-15, District 6)

11. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

Mayor Scott LeMay

- John Kaiwi - Board of Adjustment
- Jennifer Nguyen - Community Multicultural Commission
- Charles Pickitt - Community Multicultural Commission
- Elvia Flores - Community Multicultural Commission
- Bashir Ashimi - Community Multicultural Commission
- Tiffany Lam - Community Multicultural Commission
- Trayc Claybrook - Cultural Arts Commission
- Ken Risser - Environmental Community Advisory Board
- Bettye Haynes - Library Board
- Don Koerner - Parks and Recreation Board
- Wayne Dalton - Plan Commission
- David Perry - Property Standards Board

- Shirley Robnett - Senior Citizens Advisory Board
- Allan Stafford - Tax Increment Finance #1 Downtown Board
- Patrick Abell - Tax Increment Finance #3 Board
- Mark Tyler - Unified Building Standards Board

Council Member Deborah Morris

- Isaac Abu - Community Multicultural Commission
- Felecia Fuller - Cultural Arts Commission
- Daphne Dean - Environmental Community Advisory Board
- John Ball - Tax Increment Finance #2 South Board

12. Citizen comments.

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

13. Adjourn.

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



GARLAND

City Council Regular Session Agenda

1.

Meeting Date: 08/03/2021

Item Title: Minutes July 20

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Consider approval of the minutes of the July 20, 2021 Regular Meeting.

Attachments

Minutes July 20



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, July 20, 2021, 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 Dylan Hedrick
Deputy Mayor Pro Tem B. J. Williams
Council Member Jeff Bass
Council Member Deborah Morris
Council Member Ed Moore
Council Member Rich Aubin
Council Member Robert Vera
Council Member Robert John Smith

Staff Present: City Manager Bryan Bradford
Assistant City Manager John Baker
Deputy City Manager Mitch Bates
Assistant City Manager Judson Rex
Interim City Attorney Brian England
City Secretary Eloyce René Dowl

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Motion was made by Council Member Robert Vera, and seconded by Council Member Jeff Bass to approve the Consent Agenda, excluding Item 2I, pulled by Council Member Williams for individual consideration. Motion carried:

Vote: 9 - 0

1. **APPROVED** Consider approval of the minutes of the July 6, 2021 Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** Engineering Services for Secondary Clarifiers and Trickling Filter Rehabilitation **Bid No. 1012-21**

Arcadis U.S., Inc.	\$412,368.00
Optional Contingency	<u>25,000.00</u>
TOTAL:	\$437,368.00

This request is to obtain Professional Engineering Services for detailed design of improvements of the secondary clarifiers and one trickling filter at the Rowlett Creek Wastewater Treatment Plant. An Optional Contingency is included for any additional services that may be required.

b. APPROVED Engineering Services for Wastewater Main Replacements Bid No. 1023-21

Criado & Associates, Inc. \$162,723.00

This request is to obtain Professional Engineering Services to replace approximately 5,400 linear feet of existing 8" wastewater line within the alley just south of Village Green Drive between Mill Pond Drive and N. Shiloh Road and just east of Sam Houston Drive between Belt Line Road and Homestead Place.

c. APPROVED GP&L Dent Road to Shelby 138kV Transmission Line Construction Bid No. 0821-19

Maslonka Powerline Services \$138,000.00

This request is to approve a Change Order for GP&L Dent Road to Shelby 138kV Transmission Line Construction.

d. APPROVED TMPA Keith Switch to Steep Hollow 138kV Transmission Line Construction Services Bid No. 0827-21

RES System 3, LLC	\$4,549,106.00
Optional Contingency	<u>454,910.60</u>
TOTAL:	\$5,004,016.60

This request is to provide construction services for the TMPA Keith Switch to Steep Hollow 138kV Transmission Line rebuild. An Optional Contingency is included for any additional work that may be required.

e. APPROVED Patricia Drive Water Main Replacement - CMT Bid No. 1316-20

Professional Service Industries, Inc. \$5,484.00

This request is to approve a Change Order for the Patricia Drive Water Main Replacement.

f. APPROVED Dump Truck Bid No. 1038-21

Freightliner of Austin \$111,876.00

This request is for the purchase of one replacement dump truck to be utilized by GP&L.

g. APPROVED Street Department Concrete Repairs Bid No. 0317-18

XIT Paving and Construction, Inc. \$750,000.00

This request is to approve a Change Order to add funds to the 2018 Street Department Term Contract for Concrete Repair (Section One).

h. APPROVED Itron Water Meter Modules Bid No. 1045-21

Republic Meter, Inc. \$332,500.00

This request is for the purchase of Itron water meter modules for Warehouse Inventory. This approval is for a Term Agreement with four optional renewals.

j. APPROVED Lookout Capacitor Bank Steel Structures Bid No. 0902-21

DIS-TRAN Steel, LLC	\$366,216.00
Optional Contingency	<u>36,621.60</u>
TOTAL:	\$402,837.60

This request is for the purchase of steel support structures, lightning protection masts and associated apparatus for the installation of two 30 MVAR – 138kV capacitor banks at the Lookout Substation. An Optional Contingency is included for any additional material that may be required.

k. APPROVED Lookout Substation Capacitor Bank Materials Bid No. 0908-21

Techline, Inc.	\$529,669.52
Optional Contingency	<u>52,966.95</u>
TOTAL:	\$583,636.47

This request is for the purchase of materials for the installation of 60 MVAR of manually switched capacitors and 120 MVAR of dynamic capacity support at the Lookout Substation. An Optional Contingency is included for any additional material that may be required.

l. APPROVED Commit to Wellness Technology Platform Partners Bid No. 1004-20

Virgin Pulse, Inc.	\$75,000.00
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This request is to approve a Change Order for the Virgin Pulse Wellness Platform. This platform is fully funded by a rebate from Blue Cross Blue Shield of Texas.

m. APPROVED Rick Oden Park Construction - Phase 1B Bid No. 0976-20

Dean Construction (Dean Electric, Inc.)	\$6,798,842.00
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This request is for construction services at Rick Oden Park. Phase 1B includes construction of the baseball field, trail, pedestrian bridge, pavilions, parking lots, a restroom building and site amenities.

n. APPROVED Country Club Park Estates Drainage Improvements Design Services Bid No. 1051-21

Metropolitan Infrastructure, PLLC	\$340,640.00
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This request is to obtain professional services for design of improvements to the drainage channel and storm drain system, replacement of existing roadway pavement and improvements to the various wastewater utilities in the Country Club Park Estates Addition area.

o. APPROVED Access Controls for Animal Shelter & Adoption Facility Bid No. 1055-21

Entech Sales and Service	\$169,012.00
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This request is for the purchase and installation of access controls at the new Animal Shelter & Adoption Facility.

Pinnacle Consulting Management Group, Inc. \$15,750.00

This request is to approve a Change Order for the Holford Road Segment A appraisal services.

3. **Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.**

- a. **APPROVED Zoning File No. Z 21-01, Burger Engineering, LLC (District 7)**

Ordinance No. 7233 amending the Garland Development Code of the City of Garland, Texas by approving Specific Use Provision Amendment for a Restaurant, Drive-Through Use on a 1.234-acre tract of land zoned Community Retail (CR) District and located at 5425 North President George Bush Turnpike; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date .

- b. **APPROVED Zoning File No. Z 21-14, Langan (District 5)**

Ordinance No. 7234 amending the Garland Development Code of the City of Garland, Texas by approving 1) a Restaurant, Drive-Through Use and 2) a Detail Plan for a Restaurant, Drive-Through on a 0.689-acre tract of land zoned Planned Development (PD) District 08-52 and located at 3205 South Garland Avenue; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

c. **APPROVED Zoning File No. Z 21-19, Simon Property Group (Texas), L.P (District 1)**

Ordinance No. 7235 amending the Garland Development Code of the City of Garland, Texas by approving an Amendment to Planned Development (PD) District 03-53 to allow Additional Commercial Uses on approximately 68.107 acres of land located at 245 Cedar Sage Drive; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

4. **APPROVED Council authorized the City Manager to execute a contingent fee legal services contract, subject to the approval of the City Attorney and the Texas Attorney General and the requirements of State law.**

At the June 7, 2021 Work Session, Council considered whether to pursue litigation against the video service providers for unpaid franchise fees.

5. **APPROVED Resolution No. 10497** approving the abandonment, release and conveyance of a public right of way, Orpheus Drive Right-of-Way; authorizing the Mayor of the City of Garland to execute a Deed conveying the property to Two Worlds - Apollo Residents' Association (A/K/A Brentwood Village Homeowners Association); and providing an effective date.

Council approved a resolution authorizing the Mayor to abandon and convey Orpheus Drive Right-of-Way (ROW) in its entirety from Pegasus Drive to the adjacent alley and conveying the tract to the Two Worlds-Apollo Residents Association.

6. **APPROVED Ordinance No. 7236** authorizing an amendment to the 2021 Capital Improvement Program (2021 CIP Amendment No. 1); providing for the Supplemental Appropriation of Funds in the Railroad Crossing Improvements Program; providing a Savings Clause; and providing an effective date.

At the July 5, 2021 Work Session, Council considered amending the 2021 Capital Improvement Program (CIP) to appropriate \$585,000 for the Downtown Garland Pedestrian Crossing Improvements.

7. **APPROVED** **Ordinance No. 7237** amending Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.

Council is requested to adopt the attached ordinance to prohibit parking on the south side of West Avenue F from Flook Street to 12th Street between the hours of 9:00 a.m. - 10:00 a.m. and 1:00 p.m. - 2:00 p.m. on school days.

8. **APPROVED** **City Health Plan Third-Party Administrator Extension**

Council approved a one-year extension to the Blue Cross Blue Shield of Texas (BCBSTX) agreement.

9. **APPROVED** **Minute action approving an Interlocal Agreement which authorizes the City Manager to execute the Interlocal Agreement with the City of Dallas.**

The City of Garland and the City of Dallas are will enter into an Interlocal Agreement for the sharing of communication tower space.

10. **APPOINTMENTS: Council appointment of an Interim City Attorney**

Due to the impending retirement of City Attorney Brad Neighbor and the winding down and transition of duties, Council appointed Brian England as Interim City Attorney effective July 21, 2021.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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11. **APPROVED** **EMS Medical Control Services** **Bid No. 1061-21**
(formerly 2i on the Consent Agenda)

Medical City Plano

\$130,699.50

This request is for the improvements to an already robust Emergency Medical System by moving the Medical Oversight and Direction agreement from Parkland Hospital to Medical City Plano. This approval is for a one-year Term Agreement.

The staff report was presented by Assistant Chief Webb, Garland Fire Department.

Council Member Williams requested an overview for the change of the Medical Oversight and Direction from Parkland Hospital to Medical City Plano.

Motion was made by Council Member Robert Vera, and seconded by Council Member Rich Aubin to approve Item 2i. Motion carried:

Vote: 9 - 0

12. APPOINTMENTS: Council appointed a City of Garland representative to the Texas Municipal Power Agency Board of Directors.

At the July 19, 2021 Work Session, Council interviewed candidates interested in being appointed as the City of Garland's representative to the Texas Municipal Power Agency Board of Directors for a two-year term beginning July 20, 2021.

Council Member Aubin presented Mr. Tom Jefferies for nomination to the TMPA Board, seconded by Council Member Vera. A vote was cast as follows:

Vote: 9 - 0

13. Hold public hearings on:

a. APPROVED Consider a request by Pankaj Patel for a Limited Service Hotel [Fairfield Inn and Suites by Marriott] with 85 rooms. This property is located at 565 Town Center Boulevard in District 1.

Consideration of the application of Pankaj Patel, requesting approval of an Amendment to Planned Development (PD) District 03-53, 2) a Specific Use Provision for Hotel/Motel, Limited Service Use, and 3) a Detail Plan for Hotel/Motel, Limited Service. This property is located at 565 Town Center Boulevard. (This application was submitted prior to September 1, 2019.) (File Z 18-19, District 1)

The staff report was presented by William Guerin, Director of Planning.

There was Council Discussion.

Speaker on this item was Pankaj Patel, architect for the applicant.

Motion was made by Council Member Jeff Bass, and seconded by Council Member Rich Aubin to approve the Amendment to Planned Development, Specific Use Provision for Hotel/Motel and Detail Plan. Motion carried:

Vote: 9 - 0

b. APPROVED

Consider a Zoning request by PM Design for a Drive-Through Restaurant [Raising Cane's]. This property is located at 5345 North President George Bush Turnpike in District 1.

Consideration of the application of PM Design, requesting approval of an Amendment to Planned Development (PD) District 19-07 for Community Retail Uses, to allow a Restaurant, Drive-Through. This property is located at 5345 North President George Bush Turnpike. (File Z 21-11, District 1)

Mayor LeMay announced there would be one motion to consider Items 12 b and 12 c.

The staff report was presented by William Guerin, Director of Planning. Speaker on this item was Everett Fields, applicant.

Motion was made by Council Member Jeff Bass, and seconded by Council Member Rich Aubin to approve the Zoning request and the Detail Plan for a Drive-Through Restaurant. Motion Carried:

Vote: 9 - 0

c. APPROVED

Consider Detail Plan request by PM Design for a Drive-Through Restaurant [Raising Cane's]. This property is located at 5345 North President George Bush Turnpike in District 1.

Consideration of the application of PM Design, requesting approval of a Detail Plan for a Restaurant, Drive-Through on a property zoned Planned Development (PD) District 19-07 for Community Retail Uses. This property is located at 5345 North President George Bush Turnpike. (File Z 21-11, District 1)

d. APPROVED

Consider a Zoning request by Beau Durham to allow a Pylon Sign for a Drive-Through establishment [HTeaO]. This property is located at 3428 West Buckingham Road in District 6.

Consideration of the application of Beau Durham, requesting approval of an amendment to Planned Development (PD) Districts 95-34 and 20-03 to allow a Pylon Sign for a Restaurant, Drive-Through. This property is located at 3428 West Buckingham Road. (File Z 21-20, District 6)

Mayor LeMay announced there would be one motion to consider Items 12 d and 12 e.

The staff report was presented by William Guerin, Director of Planning.

Speaker on this item was Scott Dougherty.

There was discussion by the Council.

Motion was made by Council Member Robert Vera, and seconded by Council Member Robert John Smith to approve a Pylon Sign for a Drive-Through Establishment. Motion carried:

Vote: 9 - 0

e. APPROVED

Consider a Detail Plan request by Beau Durham to allow a Pylon Sign for a Drive-Through establishment [HTeaO]. This property is located at 3428 West Buckingham Road in District 6.

Consideration of the application of Beau Durham, requesting approval of a Detail Plan to allow a Pylon Sign for a Restaurant, Drive-Through. This property is located at 3428 West Buckingham Road. (File Z 21-20, District 6)

f. APPROVED

Zoning File No. Z 21-04, MVAH Partners (District 8)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas by approving 1) a Change in Zoning from Community Office (CO) District and Industrial (IN) District to a Planned Development (PD) District for Multi-Family Use and 2) a Detail Plan for Multi-Family Use on a 11.90-acre tract of land located at 1102 North Shiloh Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date. **(This item was approved at the May 18, 2021 Regular City Council meeting with the condition that the ordinance is brought back at a later date as a Planned Development with a Detail Plan.)**

The staff report was presented by William Guerin, Director of Planning. Speakers on this item were: Darren W. Smith and David Greer, for the applicant.

There were comments by Council Member Smith.

Motion was made by Council Member Robert John Smith, and seconded by Council Member Ed Moore to approve Item 12 f as presented. Motion carried:

Vote: 9 - 0

14.

Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

Council Members presented their nominations to boards and commissions, with Mayor Pro Tem Hedrick presenting the nominees for Mayor LeMay. A vote was cast appointing the following persons to the respective boards and commissions:

Vote: 9 - 0

Mayor Scott LeMay

- Eric Duggan - Garland Youth Council
- Jotham Simon - Garland Youth Council

Council Member Jeff Bass

- Ariella Colunga - Garland Youth Council
- Serene Haroon - Garland Youth Council

Council Member Deborah Morris

- Marione Ogboi - Garland Youth Council
- Medina Yasin - Garland Youth Council

Council Member Ed Moore

- Wesley Johnson - Board of Adjustment
- Justina James - Community Multicultural Commission
- Reuben Lael Griffin - Cultural Arts Commission
- Robert Bruns - Environmental Community Advisory Board
- Lisa Araiza - Library Board
- Jerry Carter - Parks & Recreation Board
- Stephanie Paris - Plan Commission
- Vicki Wohlander - Property Standards Board
- Forrest Oliver - Senior Citizens Advisory Board
- Joffrun Alexander - Tax Increment Finance #1 Downtown Board
- Lisa Roark - Tax Increment Finance #2 South Board
- David Perry - Tax Increment Finance #3 Board
- Calvin Nichols - Unified Building Standards
- Leah Tharakan - Garland Youth Council
- Anne-Marie Schlueter - Garland Youth Council

Council Member Rich Aubin

- Nia Pellegrin - Garland Youth Council
- Victoria Penick - Garland Youth Council

Council Member Robert Vera

- Daniyal Saleem - Garland Youth Council
- Emilio Arevalo - Garland Youth Council

Mayor Pro Tem Dylan Hedrick

- Hailey Gonzalez - Garland Youth Council
- Julian Rashod Brown-Griffin - Garland Youth Council

Council Member Robert John Smith

- John McDonald - Board of Adjustment
- Kymberlaine Banks - Community Multicultural Commission
- Lupita Torres - Cultural Arts Commission
- Robert Kaaa - Environmental Community Advisory Board
- Trellas Gotcher - Library Board
- Kenia Hudson-Ott - Parks & Recreation Board
- Christopher Ott - Plan Commission
- Dale Long - Property Standards Board
- Kim Everett - Senior Citizens Advisory Board
- Joseph Schroeder - Tax Increment Finance #1 Downtown Board
- Carissa Dutton - Tax Increment Finance #2 South Board
- Tony Torres - Tax Increment Finance #3 Board
- James Hope - Unified Building Standards Board
- Nkemsinachi Ukachi-Nwata - Garland Youth Council
- Christian Williams - Garland Youth Council

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

16. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:04 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. a.

Meeting Date: 08/03/2021

Item Title: Duck Creek 18"-36" Interceptor Main Rehabilitation - Phase II

Submitted By: Wes Kucera, Managing Director

Bid Number: 1060-21

Purchase Justification:

This request is for Phase II of the Duck Creek 18"-36" Wastewater Interceptor Rehabilitation Project. This phase will reline approximately 761 feet of 18" line, 805 feet of 30" line, and 2,814 feet of 36" interceptor line from just north of Buckingham Road to 1306 N. Shiloh Road in Duck Creek. An Optional Contingency is included for any additional work that may be required.

Evaluation:

The rehabilitation is being provided by Insituform Technologies, LLC, through the BuyBoard Cooperative Purchasing Contract 635-21.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Insituform Technologies, LLC	All	\$1,578,539.25
Optional Contingency		50,000.00
TOTAL:		\$1,628,539.25

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45630

Fiscal Impact

Total Project/Account:	\$3,660,000
Expended/Encumbered to Date:	1,942,006
Balance:	\$1,717,994
This Item:	1,628,539
Proposed Balance:	\$89,455
Account #:	230-4149-3218300-7111

Fund/Dept/Project – Description and Comments:

Wastewater CIP / Duck Creek Interceptor Rehab

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 266

Budget Director Approval: Allyson Bell Steadman

Approval Date: 07/19/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 07/12/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. b.

Meeting Date: 08/03/2021

Item Title: Avenue A, Second through Fifth Street, & Haskell Drive Water & Wastewater Mains Replacement

Submitted By: Wes Kucera, Managing Director

Bid Number: 0941-21

Purchase Justification:

This request is to provide construction services to replace existing water and sewer mains on Avenue A, including Second through Fifth Street, and Haskell Drive. This project also includes replacement of existing streets, driveways, and sidewalks. An Optional Contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Seven (7) bids were received and evaluated with GRod Construction, LLC, submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
GRod Construction, LLC	All	\$1,443,285.50
Optional Contingency		180,000.00
	TOTAL:	\$1,623,285.50

Basis for Award: Straight Low Bid

Purchase Requisition #: 45469

Fiscal Impact

Total Project/Account: \$7,918,941
Expended/Encumbered to Date: 1,918,211
Balance: \$6,000,730
This Item: 1,623,286
Proposed Balance: \$4,377,444
Account #: 220-4049-3020700-9129 & 230-4149-3219000-9305

Fund/Dept/Project – Description and Comments:

Water CIP / Upgrade Undersized Water Mains	\$803,446
Wastewater CIP / Rehab Sewer Collection Mains in Dirt Alleys	819,840
Total	\$1,623,286

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 241 & 270

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	07/19/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	07/08/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. c.

Meeting Date: 08/03/2021

Item Title: Water Main Replacement on Plantation Road Including Hanover and Richland Drive

Submitted By: Wes Kucera, Managing Director

Bid Number: 1089-21

Purchase Justification:

This request is to provide Professional Engineering Services for replacing approximately 4,000 linear feet of water mains on Plantation Road including Hanover and Richland Drive.

Evaluation:

Lam Consulting Engineering was selected as the Most Qualified firm for this project from RFQ 0960-19 based on previous experience on Ridgewood, Vista, Celeste Alley, & Forestbrook Wastewater Mains Replacement, a project of similar size and scope.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Lam Consulting Engineering	All	\$167,180.00
	TOTAL:	\$167,180.00

Basis for Award: Most Qualified

Purchase Requisition #: 45697

Fiscal Impact

Total Project/Account: \$16,308,745

Expended/Encumbered to Date: 13,897,642

Balance: \$2,411,103

This Item: 167,180

Proposed Balance: \$2,243,923

Account #: 220-4049-3019100-7101, 227-4049-3019100-7101, & 831-4693-7111

Fund/Dept/Project – Description and Comments:

Water CIP / Distribution Lines (Up to 14-Inch)	\$151,580
Infrastructure Repair & Replacement Fund / Operations	15,600
Total	\$167,180

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
 CIP

Fiscal Year: 2020-21

Document Location: Oper. Budget - Page 211 / CIP - Page 235

Budget Director Approval: Allyson Bell Steadman Approval Date: 07/20/2021

Purchasing Director Approval: Gary L. Holcomb Approval Date: 07/19/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. d.

Meeting Date: 08/03/2021

Item Title: Spencer Cooling Tower 4 Repair

Submitted By: Dan Bailey, Energy Services Director

Bid Number: 0671-21

Purchase Justification:

This request is to approve a Change Order for the Spencer Plant Unit #4 Cooling Tower Repairs. Once all exterior louvers and the fill from Cells 1 and 2 were removed, the inner members were inspected. Several additional lines and ties have been identified for replacement as well as eliminator panels and supports for all cells. Repairs are needed to correct these issues and to ensure the unit is in working order to be available to safely meet service demands.

Evaluation:

Master Tech Services, Inc., was awarded the original PO 31650 in the amount of \$362,608.40 at the April 6, 2020, City Council Meeting.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Master Tech Services, Inc.	All	\$173,395.00
	TOTAL:	\$173,395.00

Basis for Award: Change Order

Purchase Requisition #: 45687

Fiscal Impact

Total Project/Account: \$566,000

Expended/Encumbered to Date: 342,714

Balance: \$223,286

This Item: 173,395
Proposed Balance: \$49,891
Account #: 215-3449-3160601-7111
Fund/Dept/Project – Description and Comments:
Electric CIP / Production Program

Attachments

Bid Recap

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2021
Document Location: Page 288

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 07/20/2021
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 07/19/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. e.

Meeting Date: 08/03/2021

Item Title: GP&L Phase 1 Transmission Line As-Built Modeling and Clearance Verification

Submitted By: Steve Martin, Transmission Director

Bid Number: 1097-21

Purchase Justification:

This request is to obtain as-built PLS-CADD models of the Garland Power & Light (GP&L) transmission system. These models will be used to verify and document line-to-ground clearances to support GP&L's response to Texas House Bill 4150 relating to safety and inspection reporting requirements for certain utilities.

Evaluation:

Burns & McDonnell was selected as the Most Qualified firm for this project from RFQ 0753-19. Burns & McDonnell successfully completed a similar study for GP&L in 2011.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Burns & McDonnell	All	\$311,300.00
	TOTAL:	\$311,300.00

Basis for Award: Most Qualified

Purchase Requisition #: 45689

Fiscal Impact

Total Project/Account: \$3,975,826

Expended/Encumbered to Date: 3,675,781

Balance: \$300,045

This Item: 311,300

Proposed Balance: \$(11,255) *

Account #: 211-3523-7101

Fund/Dept/Project – Description and Comments:

Electric Utility Fund / Transmission Operations

* This Purchase Order will carry over into FY 2021-22.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Page 233

Budget Director Approval: Allyson Bell Steadman

Approval Date: 07/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 07/20/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. f.

Meeting Date: 08/03/2021

Item Title: GP&L Queen BESS Terminal at King Mountain Switch Construction Services

Submitted By: Steve Martin, Transmission Director

Bid Number: 0955-21

Purchase Justification:

This request is to provide above and below-grade construction of the Queen BESS terminal at the King Mountain Switch Station. This is part of the approved King Mountain Switch to Queen BESS CIP project. An Optional Contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Sixteen (16) bids were received and evaluated based on the published criteria. Primoris T&D Services, LLC, received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Primoris T&D Services, LLC	All	\$576,744.73
Optional Contingency		57,674.00
	TOTAL:	\$634,418.73

Basis for Award: Best Value

Purchase Requisition #: 45486

Fiscal Impact

Total Project/Account: \$5,568,000

Expended/Encumbered to Date: 1,571,258

Balance: \$3,996,742

This Item: 634,419

Proposed Balance: \$3,362,323
Account #: 210-3799-3179201-7111
Fund/Dept/Project – Description and Comments:
Electric CIP / Substations Upgrades

Attachments

Bid Recap 1 of 4
Bid Recap 2 of 4
Bid Recap 3 of 4
Bid Recap 4 of 4

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2021
Document Location: Page 290

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 07/21/2021
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 07/21/2021

[illegible]



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. g.

Meeting Date: 08/03/2021

Item Title: College Manors Wastewater & Alley Paving Improvements

Submitted By: Wes Kucera, Managing Director

Bid Number: 0995-21

Purchase Justification:

This request is to provide construction services to replace 2,309 linear feet of 6" wastewater mains including manholes and service laterals. The wastewater mains are primarily located within existing alleys at Betty Jo Lane and Muriel Drive, Stanton and Rita Drive, and Rita and Cliff Drive. This project will also replace approximately 968 square yards of concrete paving and incidentals. An Optional Contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Ten (10) bids were received and evaluated with Excel Trenching submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Excel Trenching	All	\$595,997.00
Optional Contingency		60,000.00
	TOTAL:	\$655,997.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 45543

Fiscal Impact

Total Project/Account: \$5,711,025
Expended/Encumbered to Date: 2,397,533
Balance: \$3,313,492
This Item: 655,997
Proposed Balance: \$2,657,495
Account #: 230-4149-3219000-9305 & 831-4693-7111

Fund/Dept/Project – Description and Comments:

Wastewater CIP / Rehab Sewer Collection Mains in Dirt Alleys	\$499,972
Infrastructure Repair & Replacement Fund / Construction	156,025

	Total	\$655,997
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Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: Operating Budget
CIP

Fiscal Year: 2020-21

Document Location: Operating Budget - Page 211; CIP - Page 270

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	07/21/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	07/20/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. h.

Meeting Date: 08/03/2021

Item Title: Network Cabling for Animal Shelter & Adoption Facility

Submitted By: Rick Galceran, Capital Project Management Director

Bid Number: 1100-21

Purchase Justification:

This request is for the purchase and installation of network cabling at the new Animal Shelter & Adoption Facility. Construction of the building is underway, and this system will be installed prior to completion of construction. This project is part of the 2019 Bond Program and approved in the 2021 CIP.

Evaluation:

The equipment and installation are being provided by Nouveau Technology Services LP through the TIPS Cooperative Purchasing Contract 181101.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Nouveau Technology Services LP	All	\$107,413.73
	TOTAL:	\$107,413.73

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45708

Fiscal Impact

Total Project/Account: \$15,800,000
Expended/Encumbered to Date: 13,355,478
Balance: \$2,444,522
This Item: 107,414
Proposed Balance: \$2,337,108

Account #: 658-1429-1606819-9029

Fund/Dept/Project – Description and Comments:

Municipal Facilities & Misc. Tax Supported CIP / Animal Shelter & Adoption Facility

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 190

Budget Director Approval: Allyson Bell Steadman

Approval Date: 07/21/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 07/21/2021



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. a.

Meeting Date: 08/03/2021

Item Title: Z 21-20 Beau Durham (District 6)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 21-20 Beau Durham

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 21-20 Ordinance

Z 21-20 Exhibit A

Z 21-20 Exhibit B

Z 21-20 Exhibits C & D

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 95-34 AND PLANNED DEVELOPMENT (PD) DISTRICT 20-03 TO ALLOW A PYLON SIGN FOR A RESTURANT, DRIVE-THROUGH USE ON A 0.598-ACRE TRACT OF LAND LOCATED AT 3428 WEST BUCKINGHAM ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 28th day of June, 2021, the Plan Commission did consider and make recommendations on a certain request for approval of an Amendment to Planned Development (PD) District 95-34 and Planned Development (PD) District 20-03 to allow a Pylon Sign for a Restaurant, Drive-Through Use made by **Beau Durham**; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the Garland Development Code would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1

The Garland Development Code is hereby amended by approving an Amendment to Planned Development (PD) District 95-34 and Planned Development (PD) District 20-03 to allow a Pylon Sign for a Restaurant, Drive-Through Use on a 0.598-acre tract of land located at 3428 West Buckingham Road and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

ZONING FILE NO. Z 21-20

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

Section 3

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of Exhibit B of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within Exhibit B of this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

ZONING FILE NO. Z 21-20

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2021.

CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 21-20

BEING A 0.598 Acre Tract Of Land Described In The Deed To
Lidl/Us Operations L.L.C. Recorded In Document Number
201800086763, Deed Records Of Dallas County, Texas Situated
In The Levi Turner Survey, Abstract Number 1487, Dallas
County, Texas.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-20

3428 West Buckingham Road

- I. Statement of Purpose:** The purpose of this Planned Development (PD) District is to allow a Pylon Sign.
- II. Statement of Effect:** This Planned Development (PD) District shall not affect any regulations found in the Garland Development Code, Ordinance No. 6773, as amended prior to the adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 95-34, Planned Development (PD) District 20-03 and Community Retail (CR) District 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.
- IV. Development Plans:**
 - A. Development is to be in general conformance with the approved site plan and elevations labeled Exhibit C and Exhibit D. In the event of conflict between the conditions and development plans, the conditions listed below are to apply.
- V. Specific Conditions:**
 - A. Pylon Sign: The Pylon Sign shall be in conformance with Exhibit C and Exhibit D, including a maximum sign height of twenty (20) feet. Further, the Pylon Sign's support columns shall be clad in masonry material.

C.1

20"

20'

12'

8'

4'

7'-8"

ILLUMINATED STATIC SIGN
NON-ELECTRONIC
MESSAGE READER

MASONRY COVER

TOTAL SQ. FT.: 144

A large wooden sign for HTeaO, featuring a white outline of Texas with a star, the text 'HTeaO BORN IN TEXAS 2009', and 'DRIVE - THRU'. Below it is a white sign that reads 'HAVE A GREAT DAY'. The sign is supported by two stone pillars in a grassy area.



- Project Mgr: Mark Song
Assist Project Mgr: Victor Martins
Master Electrician: Tomas Eggers
Fabrication Mgr: Elizabeth Wright
Installation Mgr: Mike R.

- Print Mgr: Christina H
Finishing Mgr: Gerry G
CNC: David
Paint:
Admin: Marie Cuellar

- Design Leader: Kat Sullon
Design Team:
Design Coord:
3D Rendering:
Design View

- Architect Firm: NA
Architect: NA
Engineer: NA
Construction Co: NA
General Contractor: NA

- Pantone Color Schematic:

DRAWING

Signature:

Date:

- ☐ **Approved as Submitted**
☐ **Approved / Revise as Noted**
☐ **Rejected / Re-Submit**
☐ **Waiting on Permit**



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. b.

Meeting Date: 08/03/2021

Item Title: Z 18-19 Pankaj Patel (District 1)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 18-19 Pankaj Patel

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 18-19 Ordinance

Z 18-19 Exhibit A

Z 18-19 Exhibit B

Z 18-19 Exhibits C-E

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 03-53; 2) A SPECIFIC USE PROVISION FOR HOTEL/MOTEL, LIMITED SERVICE USE AND 3) A DETAIL PLAN FOR HOTEL/MOTEL, LIMITED SERVICE USE ON A 0.327-ACRE TRACT OF LAND LOCATED AT 565 TOWN CENTER BOULEVARD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 28th day of June, 2021, the Plan Commission did consider and make recommendations on a certain request for approval of 1) an amendment to Planned Development (PD) District 03-53; 2) a Specific Use Provision for a Hotel/Motel, Limited Service Use and 3) a Detail Plan for a Hotel/Motel, Limited Service Use made by **Pankaj Patel**; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the Garland Development Code would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1

The Garland Development Code is hereby amended by approving 1) an amendment to Planned Development (PD) District 03-53; 2) a Specific Use Provision for a Hotel/Motel, Limited Service Use and 3) a Detail Plan for a Hotel/Motel, Limited Service Use on a 0.327-acre tract of land located at 565 Town Center Boulevard and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

ZONING FILE NO. Z 18-19

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

Section 3

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of Exhibit B of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within Exhibit B of this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

ZONING FILE NO. Z 18-19

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 18-19

BEING a portion of Lot 1R, Block 1, Firewheel Center, an addition to the City of Garland, recorded in Instrument Number 200070384706, Official Public Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at the northeast corner Lot 3R, Block 1, Firewheel Center, recorded in Volume 2003247, Page 355, of said Official Public Records;

THENCE N 29°51'39"E, 642.92 feet to an X-cut set as the POINT of BEGINNING;

THENCE N 60°18'31"W, 16.15 feet, to an X-cut set;

THENCE N 29°41'29"E, 60.10 feet, to a 5/8 inch iron rod with plastic cap stamped "PELTON" set;

THENCE S 60°18'31"E, 15.95 feet, to a 5/8 inch iron rod with plastic cap stamped "PELTON" set;

THENCE N 29°41'29"E, 17.40 feet, to a 5/8 inch iron rod with plastic cap stamped "PELTON" set;

ZONING FILE NO. Z 18-19

THENCE S 60°18'31"E, 7.53 feet, to a 5/8 inch iron rod with plastic cap stamped "PELOTON" set;

THENCE N 29°41'29"E, 17.29 feet, to a 5/8 inch iron rod with plastic cap stamped "PELOTON" set;

THENCE S 60°18'31"E, 15.96 feet, to a 5/8 inch iron rod with plastic cap stamped "PELOTON" set;

THENCE N 29°41'29"E, 30.30 feet, to a 5/8 inch iron rod with plastic cap stamped "PELOTON" set;

THENCE N 60°18'31"W, 7.01 feet, to a 5/8 inch iron rod with plastic cap stamped "PELOTON" set;

THENCE N 29°41'29"E, 55.75 feet, to an X-cut set;

THENCE S 60°21'45"E, 42.79 feet, to an X-cut set;

THENCE N 29°42'51"E, 10.65 feet, to an X-cut set;

THENCE S 60°18'31"E, 22.59 feet, to an X-cut set;

THENCE S 29°41'29"W, 191.54 feet, to an X-cut set;

EXHIBIT A

ZONING FILE NO. Z 18-19

THENCE N 60°18'31"W, 81.67 feet to the Point of Beginning
and containing 14246 square feet or 0.327 acres of land
more or less.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 18-19

565 TOWN CENTER BOULEVARD

- I. Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan for a Hotel/Motel, Limited Service Use.
- II. Statement of Effect:** This Planned Development 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 03-53, 12-36 and the Urban Business (UB) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

Detail Plan: Development shall be in general conformance with the Detail Plan labeled Exhibit C through Exhibit E. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.

V. Specific Conditions:

- A. Permitted Uses:** In addition to those uses permitted in Planned Development (PD) 03-53, the Hotel/Motel, Limited Service Use is permitted by Specific Use Provision (SUP).
- B. Site Plan:** The site layout, building placement, parking shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. Building Height:** The maximum building height shall be eighty-one (81) feet.
- D. Lot Coverage:** The maximum lot coverage shall be 65%.

- E. Guest Rooms: The proposed development shall consist of eighty-five (85) guest rooms.
- F. Meeting or Conference Room: A meeting or conference room is not required with this development.
- G. Porte-Cochere or Covered Valet Area: A Porte-Cochere or Covered Valet Area is not required with this development.
- H. Swimming Pool: The minimum water surface area shall be 318 square feet.
- I. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.

J. Maintenance requirements:

(1) Landscaping must be continuously maintained in a healthy, growing condition and in compliance with this ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all landscaping as promptly as needed to comply with the requirements of this subsection. All exposed ground surfaces shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.

(2) Any dead or dying plant or vegetation, whether or not a component of required landscaping, must be promptly replaced with another approved plant or vegetation variety that complies with the approved landscape plan and in no event later than sixty days after notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend,

withhold, or revoke city permits, approvals, consents and the certificate of occupancy for the retail fuel pumps and convenience store. See Section 4 of the granting ordinance.

(3) Screening and paving must be installed and continuously maintained in compliance with this ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approval, consents and the certificate of occupancy for the travel center.

- K. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.

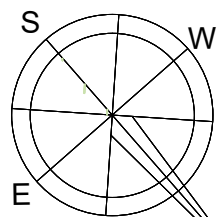
SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 18-19

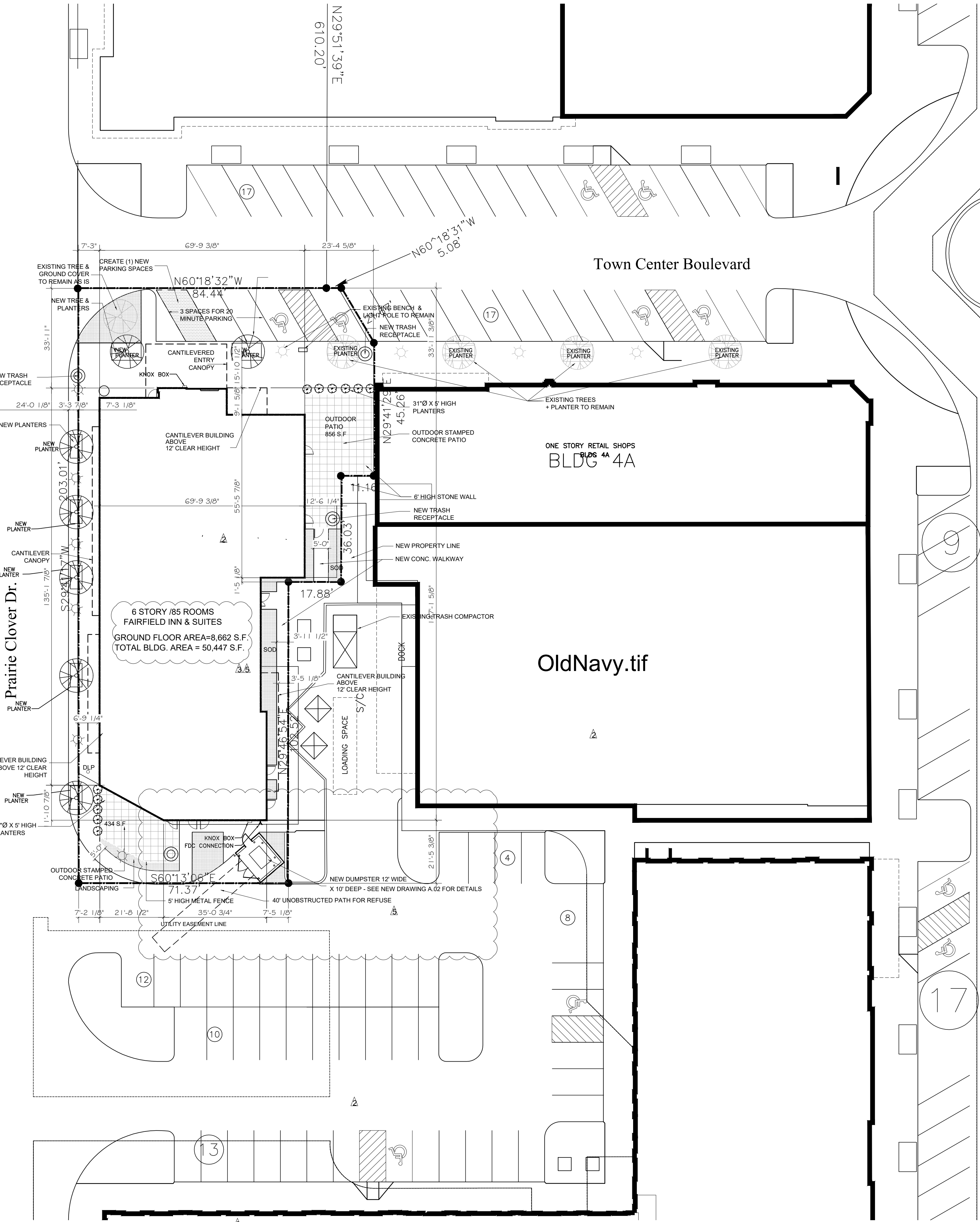
565 TOWN CENTER BOULEVARD

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Hotel/Motel, Limited Service 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.
- II. General Regulations:** All regulations of Planned Development (PD) District 12-36, 03-53 and the Urban Business (UB) District 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.
- III. Specific Use Provision:**
- A. SUP Time Period: The Specific Use Provision shall be in effect for thirty (30) years.

DSW.tif



SITE - PLAN
SCALE - 1:20'



- GENERAL NOTES:
1. ALL PROPOSED MATERIALS ARE BY REPUTED AMERICAN COMPANIES.
 2. PATIOS PRESENTS AN ACCESSIBLE PEDESTRIAN PATHS TO BUILDING OPENINGS.
 3. BACKFLOW DEVICE REQUIRED ON ALL NON-RESIDENTIAL IRRIGATION, FIRE SPRINKLER, AND DOMESTIC WATER SERVICE LINES.

STATISTICS:

6 STORY - FAIRFIELD INN & SUITES

85 ROOMS

1. SITE AREA = 13227 s.f or 0.304 acres
2. BUILDING AREAS = (TOTAL) 50,447 S.F S.F.
 - * GROUND FLOOR = 8,662 S.F
 - * 2ND,3RD,4TH,5TH & 6TH FLOORS = 41,785 S.F (8,321 S.F EACH FLOOR)

3. ROOM BREAKDOWN:

- * GROUND = 0
- * SECOND FLOOR = 17 GUESTROOMS
- * THIRD FLOOR = 17 GUESTROOMS
- * FOURTH FLOOR = 17 GUESTROOMS
- * FIFTH FLOOR = 17 GUESTROOMS
- * SIXTH FLOOR = 17 GUESTROOMS

TOTAL = 85 GUESTROOMS

DLP = DECORATIVE LIGHT POLE

DETAILED INFO:

NO.	DESCRIPTION	REQUIRED	PROVIDED
1.	MIN. GUEST ROOMS	75	85
2.	BUILDING HEIGHT	MAX. 55'	80'-3 1/8"
3.	LOT COVERAGE	MAX. 40% 5290.8 S.F. MAX.	8357 S.F. /13227 =63.18%
4.	POOL	INDOOR POOL 800 S.F.	INDOOR POOL 318 SF
5.	GUEST ROOM SIZE	275 S.F.	275 TO 477 S.F.
6.	GUEST ROOM ACCESS	INTERIOR CORRIDOR	INTERIOR CORRIDOR
7.	CHECKIN/OUT -PARKING	2 SPACES	3 SPACES
8.	FITNESS	YES	YES
9.	SMALL SUNDRIES SHOP	YES	YES
10.	KITCHEN IN GUEST ROOM	PROHIBITED	PROHIBITED
11.	COMMON LEISURE AREA	1000 S.F.	2296 S.F.
12.	REQUIRED AMENITIES	MINIMUM 2: A) RESTAURANT B) BUS. CENTER C) LOUNGE D) SUNDRIES SHOP	INTERIOR C) LOUNGE D) SUNDRIES SHOP

LEISURE SPACES
- LOUNGE — 722 S. F.
- BREAKFAST/LOUNGE — 1574 S. F.

TOTAL = 2,296 S. F.

IBC 2015
BUILDING CONSTRUCTION: TYPE I-B
NON-COMBUSTIBLE BUILDING, FULLY-SPRINKLERED

KEY MAP:



CASE NUMBER : 170328-1
NVC-TOWNCENTER & PRAIRIE CLOVER DR.

6th SUBMITTAL	05/24/21
5th SUBMITTAL	04/20/21
3RD SUBMITTAL	03/20/19
1ST SUBMITTAL	02/22/19

ISSUE	DESCRIPTION	DATE

PROFESSIONAL SEALS

PROPOSED SITE PLAN

DRAWN BY	CHECKED BY	PRP
PROJECT NUMBER	PROJECT ABBREVIATION	FIS-G-TX
15-025		
DATE	CURRENT DOCUMENTATION STAGE	SCHEMATIC DESIGN
08-12-2017		
DRAWING NUMBER		

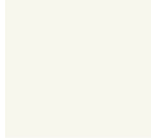
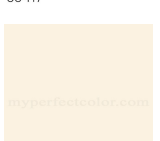
SP-3

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FACADE DESCRIPTION WITHOUT GLASS	AREA provided	% REQUIRED	% PROVIDED
GRAY STUCCO	1,806 S.F.	-	22.5 %
WHITE SMOOTH STUCCO	4,772 S.F.	-	59.3 %
ARRISCRAFT STONE	651 S.F.	-	8.2 %
ALUCOBOND	831 S.F.	-	10 %
TOTAL	8,060 S.F.	-	100 %

MATERILA LIST MATRIX

A		PATRIOT RED COLOR BY ALUCOBOND OR EQ.
B		STAILESS STEEL COLOUMN COVER.
C		OAKRIDGE -RENAISSANCE STONES BY ARRISCRAFT
D		WHITE SMOOTH BAND DRYVIT STUCCO. COLOR - SIMPLY WHITE - OC-117 BY BENJAMIN MOORE OR EQ.
E		WHITE SMOOTH DRYVIT STUCCO. COLOR - WHITE CLOUD -2159-70 BY BENJAMIN MOORE OR EQ.
F		SAKURA COLOR UNDER SPECTRA BY ALUCOBOND OR EQ.
G		GRAY DRYVIT STUCCO. COLOR - SHALE 861 BY BENJAMIN MOORE OR EQ.

Architectural drawing showing the North and South Elevations of a building facade, including material specifications and a Material List Matrix.

North Elevation (1): Shows the building facade with dimensions and material callouts. Key features include:

- Roof: 69' - 1 1/4"
- 06-SIXTH FLOOR: 57' - 11 3/8"
- 05-FIFTH FLOOR: 46' - 9 1/2"
- 04-FOURTH FLOOR: 35' - 7 5/8"
- 03-THIRD FLOOR: 24' - 4 3/4"
- 02-SECOND FLOOR: 13' - 1 7/8"
- 01-GROUND FLOOR: 0"

South Elevation (2): Shows the building facade with dimensions and material callouts. Key features include:

- Roof: 69' - 1 1/4"
- 06-SIXTH FLOOR: 57' - 11 3/8"
- 05-FIFTH FLOOR: 46' - 9 1/2"
- 04-FOURTH FLOOR: 35' - 7 5/8"
- 03-THIRD FLOOR: 24' - 4 3/4"
- 02-SECOND FLOOR: 13' - 1 7/8"
- 01-GROUND FLOOR: 0"

Material List Matrix:

FAÇADE DESCRIPTION WITHOUT GLASS	AREA provided	% REQUIRED	% PROVIDED
GRAY SMOOTH STUCCO	1,421 S.F.	-	31.5 %
WHITE SMOOTH STUCCO	2,881 S.F.	-	63.8 %
ARRISCRAFT STONE	214 S.F.	-	4.7 %
ALUCOBOND	-	-	-
TOTAL	4,659 S.F.	-	100 %

Material Legend:

- A: PATRIOT RED COLOR BY ALUCOBOND OR EQ.
- B: STAINLESS STEEL COLOUMN COVER.
- C: OAKRIDGE - RENAISSANCE STONES BY ARRISCRAFT
- D: WHITE SMOOTH BAND DRYVIT STUCCO. COLOR - SIMPLY WHITE - OC-117 BY BENJAMIN MOORE OR EQ.
- E: WHITE SMOOTH DRYVIT STUCCO. COLOR - WHITE CLOUD -2159-70 BY BENJAMIN MOORE OR EQ.
- F: SAKURA COLOR UNDER SPECTRA BY ALUCOBOND OR EQ.
- G: GRAY DRYVIT STUCCO. COLOR - SHALE 861 BY BENJAMIN MOORE OR EQ.



GARI AND TEXAS



EAST SIDE FACADE CALCULATION::

FACADE DESCRIPTION WITHOUT GLASS	AREA provided	% REQUIRED	% PROVIDED
GRAY SMOOTH STUCCO	3,209 S.F.	-	37.9 %
WHITE SMOOTH STUCCO	3,411 S.F.	-	40.3 %
ARRISCRAFT STONE	1,048 S.F.	-	12.5 %
ALUCOBOND	789 S.F.	-	9.3 %
TOTAL	8,457 S.F.	-	100 %

{ MASONRY
91%

MATERILA LIST MATRIX

- A

PATRIOT RED COLOR BY ALUCOBOND OR EQ.
- B

STAILESS STEEL COLOUMN COVER.
- C

OAKRIDGE -RENAISSANCE STONES BY ARRISCRAFT
- D

WHITE SMOOTH BAND DRYVIT STUCCO. COLOR - SIMPLY WHITE - OC-117 BY BENJAMIN MOORE OR EQ.
- E

WHITE SMOOTH DRYVIT STUCCO. COLOR - WHITE CLOUD -2159-70 BY BENJAMIN MOORE OR EQ.
- F

SAKURA COLOR UNDER SPECTRA BY ALUCOBOND OR EQ.
- G

GRAY DRYVIT STUCCO. COLOR - SHALE 861 BY BENJAMIN MOORE OR EQ.

**FAIRFIELD INN & SUITES - MARRIOTT
FIREWHEEL TOWN CENTER
TOWN CENTER BOULEVARD
GARLAND, TEXAS - 75040**
FOR

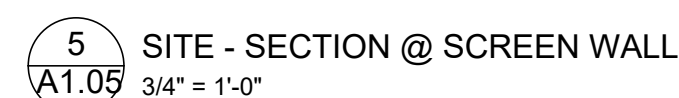
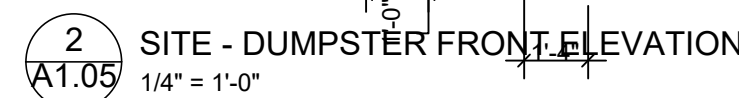
4	6th SUBMITTAL	05/24/17
3	5th SUBMITTAL	04/20/17
2	3RD SUBMITTAL	03/20/17
1	1ST SUBMITTAL	02/22/17

PROFESSIONAL SEALS

DATE	08-12-2017	CURRENT DOCUMENTATION STAGE	SCHEMATIC DESIGN
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EXHIBIT E





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. c.

Meeting Date: 08/03/2021

Item Title: Z 21-11 PM Design (District 1)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 21-11 PM Design

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 21-11 Ordinance

Z 21-11 Exhibit A

Z 21-11 Exhibit B

Z 21-11 Exhibits C-F

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 19-07 FOR COMMUNITY RETAIL USES AND 2) A DETAIL PLAN FOR A RESTAURANT, DRIVE-THROUGH USE ON A 1.152-ACRE TRACT OF LAND LOCATED AT 5345 NORTH PRESIDENT GEORGE BUSH TURNPIKE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 28th day of June, 2021, the Plan Commission did consider and make recommendations on a certain request for approval of 1) an amendment to Planned Development (PD) District 19-07 for Community Retail Uses and 2) a Detail Plan for a Restaurant, Drive-Through Use by **PM Design**; and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1

The Garland Development Code is hereby amended by approving 1) An amendment to Planned Development (PD) District 19-07 for Community Retail Uses and 2) a Detail Plan for a Restaurant, Drive-Through Use on a 1.152-acre tract of land located at 5345 North President George Bush Turnpike and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

Section 3

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 7

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

FILE NO. Z 21-11

PASSED AND APPROVED this _____ day of _____,
2021.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

ZONING FILE NUMBER Z 21-11

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 21-11

BEING a 1.152-acre tract of land situated in Lot 1, Block 1, 190 @ N. GARLAND ADDITION, an addition to the City of Garland, Dallas County, Texas, according to the Final Plat thereof recorded in/under Instrument No. 202000153328, of the Official Public Records of Dallas County, Texas.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-11

5345 North President George Bush Turnpike

- I. Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan for a Restaurant, Drive-Through.
- II. Statement of Effect:** This Planned Development 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 19-07 and the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**

Detail Plan: Development shall be in general conformance with the Detail Plan labeled Exhibit C through Exhibit E. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.

V. Specific Conditions:

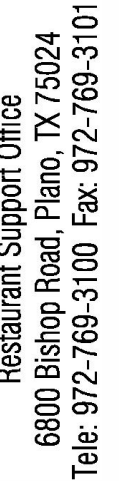
- A. Permitted Uses: Land uses are permitted as in Planned Development (PD) District 19-07 for Community Retail Uses.
- B. Site Plan: The site layout, building placement, parking shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.
- D. Maintenance requirements:
- (1) Landscaping must be continuously maintained in a healthy, growing condition and in compliance

with this ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all landscaping as promptly as needed to comply with the requirements of this subsection. All exposed ground surfaces shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.

(2) Any dead or dying plant or vegetation, whether or not a component of required landscaping, must be promptly replaced with another approved plant or vegetation variety that complies with the approved landscape plan and in no event later than sixty days after notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approvals, consents and the certificate of occupancy for the retail fuel pumps and convenience store. See Section 4 of the granting ordinance.

(3) Screening and paving must be installed and continuously maintained in compliance with this ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approval, consents and the certificate of occupancy for the travel center.

E. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.



Professional of Record: NAME



RYAN W. DAVIS, P.E.,
REGISTRATION NO. 131157
THIS DOCUMENT IS NOT TO
BE USED FOR CONSTRUCTION
OR BIDDING PURPOSES.

Prototype Issue Date: 7.14.2020

Design Bulletin Updates:

Date Issued:	Bulletin Number:
--------------	------------------

date received:	benefit received:

REVISIONS:

[illegible]

Sheet Title:

e: 06.02.2021

Project Number: 2020-078

own By: PWD

Account Number:

C-0.1



TEL PED	□	EXISTING TELEPHONE PEDESTAL
C.O.O		EXISTING CLEANOUT
WV	⊗	EXISTING WATER VALVE
WM	⊕	EXISTING WATER METER
MH	⊗	EXISTING SAN, SEWER MANHOLE
PP	⊗	EXISTING POWER POLE
FH	⊗	EXISTING FIRE HYDRANT
---	---	EXISTING OVERHEAD ELECTRIC LINE
---	---	EXISTING WATER LINE
---	---	EXISTING SAN, SEWER LINE
PROPERTY LINE		
WV	⊗	PROPOSED WATER VALVE
WM	⊕	PROPOSED WATER METER
FH	⊗	PROPOSED FIRE HYDRANT
PROPOSED LIGHT POLE		
---	---	PROPOSED WATER LINE
---	---	PROPOSED SAN, SEWER LINE
PARKING SPACE COUNT		

SITE ANALYSIS TABLE	
ZONING	PD 19-07 (COMMUNITY RETAIL)
USE	RESTAURANT W/ DRIVE-THRU
LOT AREA	1.15 ACRES/50,098 SF
BUILDING AREA	2,986 SF
FLOOR AREA RATIO	0.06
BUILDING HEIGHT (3 RD MAX ALLOWED)	21'-4"
MINIMUM ALLOWED PARKING	30 SPACES
PROVIDED PARKING	32 SPACES
PROVIDED PARKING AREA	5,363 SF
REQUIRED INTERIOR LANDSCAPING (5%)	268 SF
PROVIDED INTERIOR LANDSCAPING	718 SF
REQUIRED TOTAL LANDSCAPING (10%)	5,010 SF
PROVIDED TOTAL LANDSCAPING	19,195 SF
TOTAL IMPERVIOUS AREA (% SITE)	30,942 (62%)
1. PARKING REQUIRED FOR DRIVE-THRU RESTAURANT IS 1 SPACE PER 100 SQUARE FEET OF FLOOR AREA. 2. REQUIRED INTERIOR LANDSCAPING IS 5% OF PARKING AREA. 3. TOTAL LANDSCAPING REQUIREMENT IS 10% OF THE LOT AREA. REQUIRED TOTAL LANDSCAPING DOES NOT INCLUDE AREA COUNTED TOWARDS INTERIOR LANDSCAPING REQUIREMENTS.	

PROPOSED RAISING CANE'S
190 @ N. GARLAND ADDITION
LOT 1 BLOCK 1
CASE NO. 210309-2
ADDRESS: 5370 N. GARLAND AVE.

NOTES:

1. THIS PLAN SHEET IS FOR PLANNING PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION. REFER TO CIVIL CONSTRUCTION SET FOR MORE DETAIL.
2. ALL CURB RADI ARE 10' OR 3' UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
4. REFERENCE LANDSCAPE PLANS FOR PROPOSED BUFFERS, SCREENING, AND PLANTINGS.

ZONED SF-7

PRESIDENT GEORGE BUSH TURNPIKE
(STATE HIGHWAY 190)
(VARIABLE WIDTH R.O.W.)

EXISTING CURB INLET
TOP BOX ELEV.=543.51
FLOWLINE IN ELEV.=538.31
FLOWLINE OUT ELEV.=538.11

BM-2
TOP NUT FIRE HYDRANT
ELEV.=545.47'

PROPOSED DRAINAGE INLETS AND ASSOCIATED LINES TO BE LOCATED AFTER DESIGN IS COMPLETE. PROPOSED SYSTEM WILL TIE THE INTO EXISTING AND HONOR THE EXISTING DRAINAGE AREAS AS MUCH AS POSSIBLE.

EXISTING WATER METER & SEWER SCHEDULE			
TYPE	SIZE	NO.	SEWER
DOMESTIC	EX. 2"	1	4"
IRRIGATION	EX. 1"	1	_____

LOT 3, BLOCK 1

© N. GARLAND 2016
ZONED PD 03-14
"COMMERCIAL RETAIL"

LOT 2, BLOCK 1

© N. GARLAND 2016

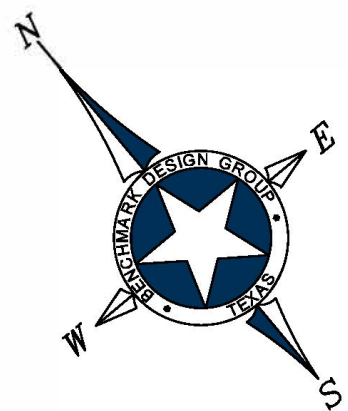
ZONED PD 06-06
"COMMERCIAL RETAIL"

BM-1
SET 'X' ON CONC.
CURB ELEV.=547.97'

APPLICANT:
PM DESIGN
1101 CENTRAL EXPRESSWAY S.
SUITE 100
ALLEN, TEXAS 75013
TEL. NO. 469-619-1164
ATTN: EVERETT FIELDS

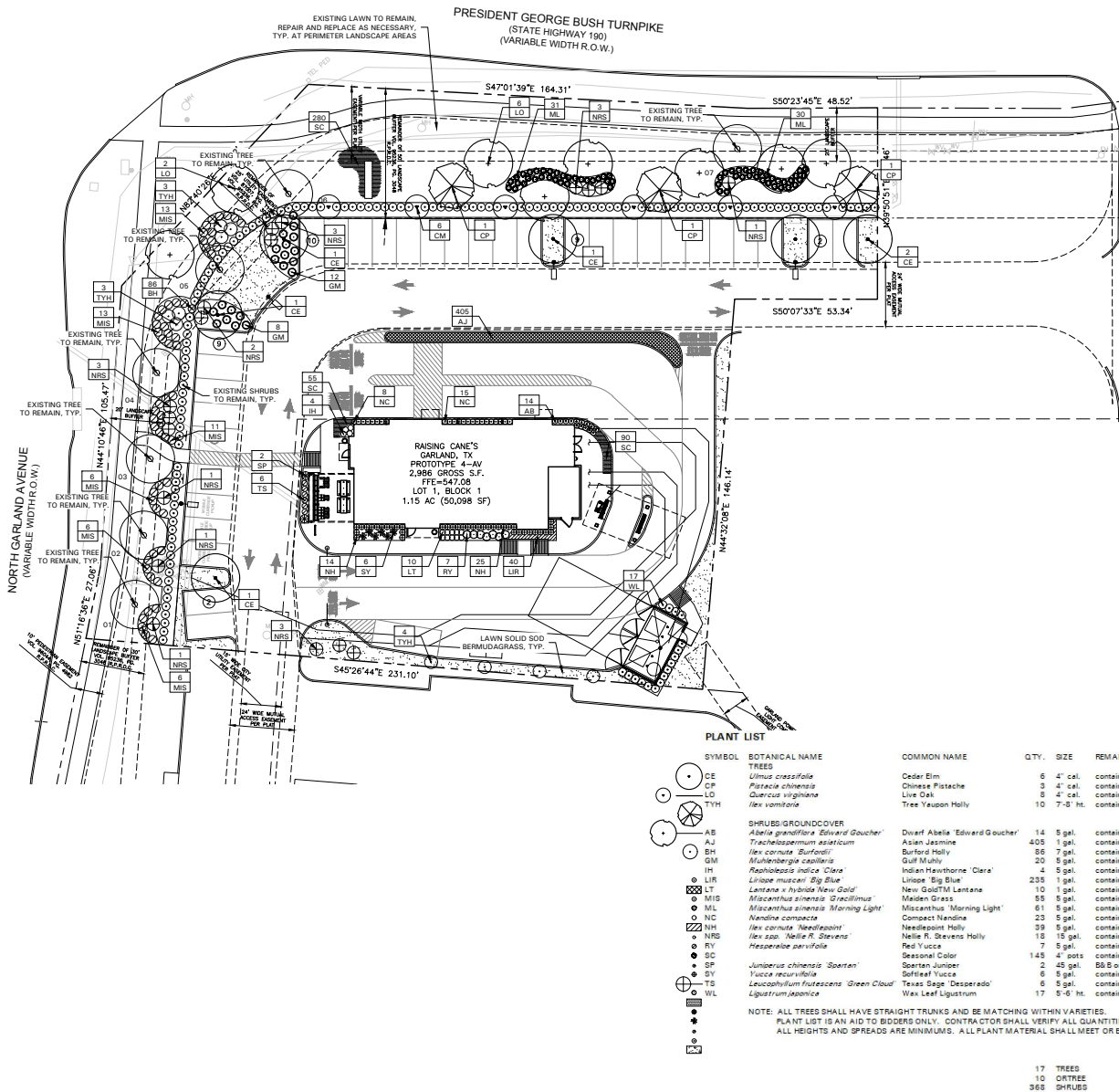
OWNER:
RAISING CANE'S RESTAURANT, LLC
6800 BISHOP ROAD
PLANO, TEXAS 75024
TEL. NO. 972-769-3100
ATTN: LUARON MCCORMACK

PLAN PREPARER:
BENCHMARK DESIGN GROUP
2026-B REPUBLIC DR.
TYLER, TEXAS 75701
TEL. NO. 903-534-5353
ATTN: RYAN DAVIS



GRAPHIC SCALE





LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE SOLID SOD TALL FESCUE, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SOD IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

MAINTENANCE NOTES

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

GENERAL LAWN NOTES

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPILLS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLENISHMENT FROM LOCAL SUPPLY IF NECESSARY.

SOLID SOD NOTES

- PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.

LANDSCAPE TABULATIONS
THE CITY OF GARLAND, TEXAS

TOTAL LANDSCAPE AREA

1. 10% of site to be landscaped.

Total Site: 50,098 s.f.
Required: 5,009 s.f. (10%) Provided: 16,473 s.f. (33%)

LANDSCAPE BUFFERS

- 20' landscape buffer and one (1) tree and seven (7) shrubs per 30 l.f. adjacent to AA thoroughfare or larger.
- 15' landscape buffer and one (1) tree per 30 l.f. adjacent to all other street types.
- 75% max. turf in landscape provided.

HWY 190: 264 l.f.

Required: 20' landscape buffer (8) trees, 3" cal. (63) shrubs
Provided: 20' landscape buffer (10) trees, 3" cal. (2) existing trees (160) shrubs

North Garland Avenue: 183 l.f.

Required: 15' landscape buffer (6) trees, 3" cal. (43) shrubs
Provided: 15' landscape buffer (1) tree, 3" cal. (6) existing trees (74) shrubs

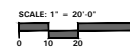
PARKING AREA LANDSCAPING

- 5% of parking area covered in living landscape.
- One (1) large canopy tree within 65 feet of all parking spaces.
- One (1) large canopy tree per 10 spaces.
- Screen parking with a continuous row of shrubs.

Parking spaces: 22

Required: 268 s.f. (5%) (3) trees, 3" cal.
Provided: 1411 s.f. (17%) (6) trees, 3" cal.

DETAIL PLAN

PROPOSED RAISING CANE'S
190 @ N. GARLAND ADDITION
LOT 1 BLOCK 1
CASE NO. 210309-2
ADDRESS: 5370 N. GARLAND AVE.

- 4245 North Central Expressway
- Suite 301
- Dallas, Texas 75205
- 214.896.7182



Site:
5370 N. GARLAND AVE.
GARLAND, TX 75044
Restaurant #RC713
P4-AV SCHEME B

Professional of Record: NAME



06.16.21

Prototype: P4-AV 2020 - 2.0 RELEASE

Prototype Issue Date: 7/14/2020

Design Bulletin Updates: --

Date Issued: Bulletin Number: --

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SECTION 32 9300 - LANDSCAPE

PART 1 - GENERAL

1. REFERENCED DOCUMENTS

- A. Refer to Landscape Plans, notes, details, bidding requirements, special provisions, and schedules for additional requirements.

1.2. DESCRIPTION OF WORK

- A. Work include: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

1. Planting trees, shrubs and grasses)
2. Bed preparation and fertilization
3. Notification of sources
4. Water and maintenance until final acceptance
5. Guarantee

1.3. REFERENCE STANDARDS

- A. American Standard for Nursery Stock published by American Association of Nurserymen; April 14, 2014 Edition; by American National Standards Institute, Inc. (200.1) - plant material
B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names
C. Missouri Association of Nurserymen, Grades and Standards
D. Hortis Third, 1976 - Cornell University

1.4. NOTIFICATION OF SOURCES AND SUBMITTALS

- A. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel, crushed stone, steel edging and tree stakes. Samples shall be approved by Owner's Authorized Representative before use on the project.

1.5. JOB CONDITIONS

- A. General Contractor to complete the following punch list: Prior to Landscape Contractor installing any portion of landscape installation, General Contractor shall leave existing bed areas three (3") inches below final finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid soil shall be left one (1") inch below the final finish grade of sidewalks, drives and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.
B. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6. MAINTENANCE AND GUARANTEE

- A. Maintenance:
1. The Landscape Contractor shall be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show healthy growth and satisfactory foliage conditions.
2. Maintenance shall include watering of trees and plants, cultivation, weeding, spraying, edging, pruning of trees, mowing of grass, clearing up and all other work necessary of maintenance.
3. A written notice regarding final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by the Owner's Authorized Representative will be completed prior to written acceptance.
B. Guarantee:

1. Trees, shrubs and groundcover shall be guaranteed for a twelve (12) month period after final acceptance. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which are planted so that shape, size, or symmetry have been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.
a. Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted in the originally specified soil. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired at no additional cost to the Owner. Plants damaged in transit or at job site shall be replaced.

- b. At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.
c. When plant replacements are made, plants, soil, mix, fertilizer and mulch are to be utilized as originally specified and re-inspected for full compliance with the contract requirements. All replacements are to be included under "Work" of this section.
2. The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.
3. The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.
4. Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a complete, undamaged condition and there is a stand of grass in all lawn areas. At that time the Owner will assume maintenance on the accepted work.
C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting. In the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to the Contractor, may provide materials and men to make such repairs at the expense to the Landscape Contractor.

1.7. QUALITY ASSURANCE

- A. General: Comply with applicable federal, state, county and local regulations governing landscape materials and work.
B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.
C. Selection of Plant Material:
1. Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will ensure the purchased materials will meet and if or exceed project specifications.
2. Substitutions: Do not make plant material substitutions. If the specified landscape material is not obtainable, submit proof of non-availability to Landscape Architect, together with proposal for use of equivalent material. At the time bids are submitted, the Contractor is assumed to have located the materials necessary to complete the job as specified.
3. Landscape Architect will provide a key identifying each tree subject to location on site. Written verification will be required to document material selection, source and delivery schedules to site.
4. Measurements: Measure trees with branches and trunks or ones in their normal position. Do not prune to obtain required sizes. Take caliper measurements six inches above ground for trees up to and including 4" caliper size, and twelve inches above ground for larger sizes. Measure main body of all plant material of height and spread dimensions.

do not measure from branch or root tip-to-tip.

5. Owner's Authorized Representative shall inspect all plant material with requirements for genus, species, culture / variety size and quality. Plants shall be inspected for and latent defects.
6. Owner's Authorized Representative until arrival to the site and during installation for plant size and condition of root balls and root systems, limbs, branching habit, insects, injuries and latent defects.
7. Owner's Authorized Representative may reject unsatisfactory or defective material at any time during the process work. Remove rejected materials immediately from the site and replace with acceptable material at no additional cost to the Owner. Plants damaged in transit or at job site shall be replaced.

1.8. PRODUCT DELIVERY, STORAGE AND HANDLING

A. Preparation:

1. Balled and Burlapped (B&B) Plants: Dig and prepare plants in a manner that will not damage roots, branches, shape and future development.
2. Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

B. Delivery:

1. Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and white stored on site.
2. Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.
3. Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.
4. Protect plants during delivery to prevent damage to root balls or desiccation of leaves and plants moist at all times. Cover all materials during transport.
5. Notify Owner's Authorized Representative of delivery schedule 72 hours in advance job site.
6. Remove rejected plant material immediately from job site.
7. To avoid damage or stress, do not lift, move, adjust by roots, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1. PLANTS

- A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from top of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Owner's Authorized Representative and his decision as to their acceptability shall be final.
B. Quantity: The drawings and specifications are complementary. Anything called for on one sheet or the other is as binding as the other and called for on both. The plant schedule is an aid to identify only. Confirm all quantities on plan.
C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full and free of disease. Plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken branches, objectionable disfigurements, insect eggs and larvae, and are to be of specimen quality.
D. Approval: All plants which are found unsuitable in growth, or are in any unhealthy, badly shaped or undersized condition will be rejected by the Owner's Authorized Representative either before or after planting and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plant as specified at no additional cost to the Owner.

specified at no additional cost to the Owner.

- E. Trees shall be healthy, full-branched, well-shaped, and shall meet the minimum trunk and diameter requirements of the plant schedule. Balls shall be firm, neat, slightly tapered and well wrapped in burlap. Any tree loose in the ball or with a broken root ball at time of planting will be rejected. Balls shall be ten (10") inches in diameter for each one (1") inch of trunk diameter, measured six (6") inches above ball. (Nomenclature conforms to the customary nursery usage. For clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.)
F. Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect prior to final acceptance, shall be executed by the Landscape Contractor at no additional cost to the Owner.

2.2. SOIL PREPARATION MATERIALS

A. Sandy Loam:

1. Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dalagras or Nutgrass shall be rejected.
2. Physical properties as follows:
a. Clay - between 7-27 percent
b. Sil - between 15-25 percent
c. Sand - less than 52 percent
3. Organic matter shall be 3%-10% of total dry weight.
4. If requested, Landscape Contractor shall provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.

- B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of coarse and fine textured material.

C. Sharp Sand:

Sharp sand must be free of seeds, soil particles and weeds.

D. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown.

- E. Organic Fertilizer: Fertilid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.
F. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SOL or UFL) with a minimum 8% sulfur and 4% iron, plant micronutrients.

- G. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.
2.3. MISCELLANEOUS MATERIALS

- A. Steel Edging: All steel edging shall be 3/16" thick x 4" deep x 16' long with 6 stakes per section, painted black at the factory as manufactured by The J.D. Russell Company and under its trade name DURACEDGE Heavy Duty Steel.
B. Staking Material for Shade Trees: refer to details.
C. Gravel: Washed native pea gravel, graded 1 inch to 1-1/2 inch.
D. Filter Fabric: "Mirafi Miracape" by Mirafi Construction Products or approved equal.
E. River Rock: "Colorado" or native river rock, 2" - 4" dia.
F. Decomposed Granite: Base material shall consist of a natural material mix of granite aggregate not to exceed 1/8" diameter in size and shall be composed of various stages of decomposed granite.

PART 3 - EXECUTION

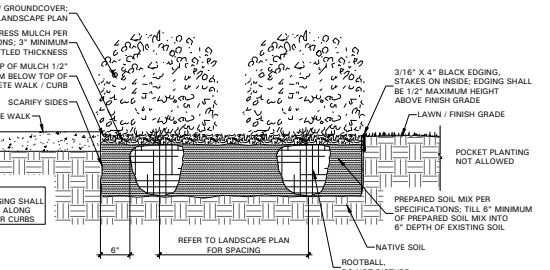
- H. BACKFILL: USE EXISTING NATIVE SOIL (no amendments) WATER THOROUGHLY TO ELIMINATE AIR POCKETS.

- I. MULCH: DOUBLE SHREDED HARDWOOD MULCH 3" INCH SETTLED THICKNESS WITH 2" HT. WATERING RING; ENSURE THAT ROOT FLARE IS EXPOSED. BELOW GROUND STAKE SHOULD NOT BE VISIBLE.

- J. TREE STAKES: TREE STAKE SOLUTIONS "SAFETY STAKE" BELOW GROUND MODEL AVAILABLE FROM: Tree Stake Solutions ATTN: Jeff Tuley (800) 676-6143 jeff@treestakesolutions.com www.treestakesolutions.com

- OR APPROVED EQUAL. TREES SHALL BE STAKED BELOW GROUND WHERE NECESSARY; ABOVE GROUND STAKING IS EXPRESSLY PROHIBITED.

- K. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN A COPY OF THE MANUFACTURER'S SPECIFICATIONS PRIOR TO INSTALLATION OF TREE STAKES. CONTRACTOR SHALL ADHERE TO MANUFACTURER'S INSTALLATION GUIDELINES, SPECIFICATIONS, AND OTHER REQUIREMENTS FOR TREE STAKE INSTALLATION.



02 SHRUB / GROUNDCOVER DETAIL
NOT TO SCALE

3.1 BED PREPARATION & FERTILIZATION

- A. Landscape Contractor to inspect all existing conditions and report any deficiencies to the Owner.
B. All planting areas shall be conditioned as follows:

1. Prepare new planting beds by scraping away existing grass and weeds as necessary. Till existing soil to a depth of six (6") inches prior to placing compost and fertilizer. Apply fertilizer as per Manufacturer's recommendations. Add six (6") inches of compost and till into a depth of six (6") inches of the topsoil. Apply organic fertilizer such as Sustane or Green Sense at the rate of twenty (20) pounds per one thousand (1,000) square feet.
2. All planting areas shall receive a three (3") inch layer of specified mulch.
3. Backfill for tree pits shall be as follows: Use existing top soil on site (use imported topsoil as needed) free from large clumps, rocks, debris, caliche, subsoils, etc., placed in nine (9") inch layers and watered in thoroughly.
C. Grass Areas:
1. Blocks of sod should be laid joint to joint (staggered joints) after fertilizing the ground first. Roll grass areas to achieve a smooth, even surface. The joints between the blocks of sod should be filled with topsoil where they are evidently gaped open, then watered thoroughly.

3.2. INSTALLATION

- A. Maintenance of plant materials shall begin immediately after each plant is delivered to the site and shall continue until all construction has been satisfactorily accomplished.
B. Plant materials shall be delivered to the site only after the beds are prepared and areas are ready for planting. All shipments of nursery materials shall be thoroughly protected from the drying winds during transit. All plants which cannot be planted at once, after delivery to the site, shall be well protected against the possibility of drying by wind and Balls of earth of B & B plants shall be kept covered with soil or other acceptable material. All plants remain the property of the Contractor until final acceptance.
C. Position the trees and shrubs in their intended location as per plan.
D. Notify the Owner's Authorized Representative for inspection and approval of all positioning of plant materials.
E. Excavate pits with vertical sides and horizontal bottom. Tree pits shall be large enough to permit handling and planting without injury to balls of earth or roots and shall be of such depth that when planted and settled, the crown of the plant shall bear the same relationship to the finish grade as it did to soil surface in original place of growth.
F. Shrub and tree pits shall be no less than twenty-four (24") inches wider than the lateral dimension of the earth ball and six (6") inches deeper than it's vertical dimension. Remove and haul from site all rocks and stones over three-quarter (3/4") inch in diameter. Plants should be thoroughly moist before removing containers.
G. Dig a wide, rough sided hole exactly the same depth as the height of the ball, especially at the surface of the ground. The sides of the hole should be rough and jagged, never slick or glazed.
H. Percolation Test: Fill the hole with water. If the water level does not percolate within 24 hours, the tree needs to move to another location or have drainage added. Install a PVC stand pipe per tree planting detail as approved by the Landscape Architect if the percolation test fails.
I. Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/2 of the

ball, as well as all nylon, plastic string and wire. Container trees will usually be root banded, if so follow standard nursery practice of "root coaming".

- J. Do not wrap trees.
K. Do not over prune.

- L. Munch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least three (3") inches of specified mulch.

- M. All plant beds and trees to be mulched with a minimum settled thickness of three (3") inches over the entire bed or pit.

- N. Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3") feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.

- O. Trees and large shrubs shall be staked as site conditions require. Position stakes to secure trees against seasonal prevailing winds.

- P. Pruning and Mulching: Pruning shall be directed by the Landscape Architect and shall be pruned in accordance with standard horticultural practices following Fine Pruning. Class I pruning standards provided by the National Arborist Association.

1. Dead wood, suckers, broken and badly bruised branches shall be removed. General tipping of the branches is not permitted. Do not cut terminal branches.

2. Pruning shall be done with clean, sharp tools.

3. Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material for trees shall be the diameter of the plant pit.

O. Steel Curbing Installation:

1. Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.
2. All steel curbing shall be free of kinks and abrupt bends.
3. Top of curbing shall be 1/2" maximum height above final finished grade.
4. Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.
5. Do not install steel edging along sidewalks or curbs.
6. Cut steel edging at 45 degree angle where edging meets sidewalks or curbs.

3.3 CLEANUP AND ACCEPTANCE

- A. Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized so that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clear by sweeping or hosing them at end of each work day.

END OF SECTION



Site:
5370 N. GARLAND AVE.
GARLAND, TX 75044
Restaurant #RC713
P4-AV SCHEME B
Professional of Record: NAME



06.16.21

Prohibiton: P4-AV 2020 - 2.0 RELEASE

Prototype Issue Date: 7.14.2020

Design Bulletin Updates: --

Date Issued: Bulletin Number:

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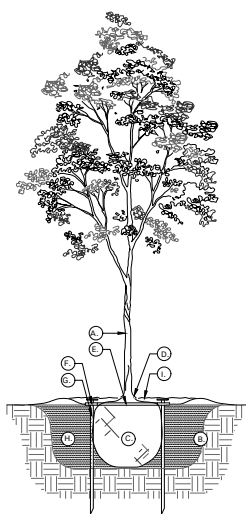
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01 TREE PLANTING DETAIL
NOT TO SCALE

TREE PLANTING DETAIL LEGEND AND NOTES

- A. TREE: TREES SHALL CONFORM WITH LATEST AMERICAN STANDARD FOR NURSERY STOCK, www.anla.org
B. TREE PIT: WIDTH TO BE AT LEAST TWO (2) TIMES THE DIAMETER OF THE ROOT BALL. CENTER TREE IN HOLE & REST ROOT BALL ON UNDISTURBED NATIVE SOIL.
C. ROOT BALL: REMOVE TOP 1/4 BURLAP AND ANY OTHER FOREIGN OBJECT; CONTAINER GROWN STOCK TO BE INSPECTED FOR GIRDLING ROOTS.
D. ROOT FLARE: ENSURE THAT ROOT FLARE IS EXPOSED. FREE FROM MULCH, AND AT LEAST TWO INCHES ABOVE GRADE. TREES SHALL BE REJECTED WHEN GIRDLING ROOTS ARE PRESENT & ROOT FLARE IS NOT APPARENT.
E. ROOTBALL ANCHOR RING: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. PLACE ROOTBALL ANCHOR RING ON BASE OF ROOTBALL. TRUNK SHOULD BE IN THE CENTER OF THE RING.
F. ROOT ANCHOR BY TREE STAKE SOLUTIONS.
G. NAIL STAKE: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. INSTALL NAIL STAKES WITH HAMMER OR Mallet FIRMLY INTO UNDISTURBED GROUND. DRIVE NAIL STAKES FLUSH WITH "P" BRACKET ADJACENT TO ROOTBALL (DO NOT DISTURB ROOTBALL).

DETAIL PLAN
PROPOSED RAISING CANE'S
190 & N. GARLAND ADDITION
LOT 1 BLOCK 1
CASE NO. 210309-2
ADDRESS: 5370 N. GARLAND AVE.

• 4245 North Central Exp
• Suite 301
• Dallas, Texas 75205
• 214.886.7182



Sheet Title:
LANDSCAPE SPECIFICATIONS

Date: 05.02.2021

Project Number: RAC21004.0

Drawn By: TM

Sheet Number:

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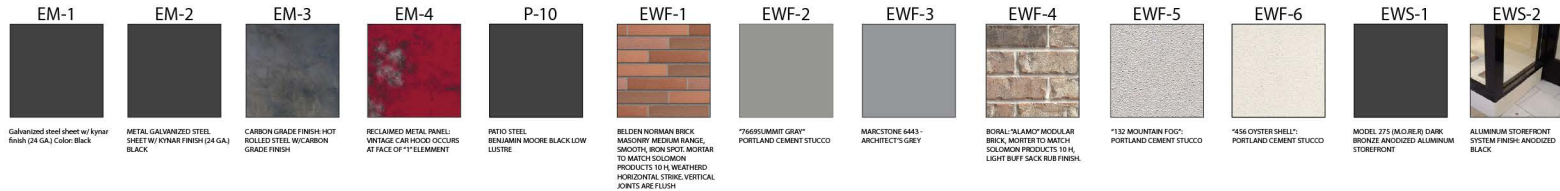


1 | NORTHWEST ELEVATION (FRONT ENTRY)
SCALE: 1/4" = 1'-0"



2 | NORTHEAST ELEVATION (DRIVE-THRU)
SCALE: 1/4" = 1'-0"

MATERIAL FINISHES



	FACADE LENGTH	VERTICAL ARTICULATION		HEIGHT ARTICULATION	
		REQ.	PROVIDED	REQ.	PROVIDED
EAST ELEVATION (DRIVE-THRU) PRESIDENT GEORGE BUSH TURNPIKE	82'-5"	16'-5"	20'-0"	4.8	4'-9"
		(82'-5" X 20%)		(82'-5" / 16.8 = 4.8)	
NORTH ELEVATION (FRONT) NORTH GARLAND AVE.	37'-2 3/4"	7'-5"	12'-4 1/2"	2.1	4'-9"
		(37'-2 3/4" X 20%)		(37'-2 3/4" / 17.8 = 2.1)	
	FACADE LENGTH	HORIZONTAL ARTICULATION		DEPTH ARTICULATION	
		REQ.	PROVIDED	REQ.	PROVIDED
EAST ELEVATION (DRIVE-THRU) PRESIDENT GEORGE BUSH TURNPIKE	82'-5"	24'-9"	20'-0"	4	5'-6"
		(82'-5" X 30%)			
NORTH ELEVATION (FRONT) NORTH GARLAND AVE.	37'-2 3/4"	11'-2"	12'-4 1/2"	4	5'-6"
		(37'-2 3/4" X 30%)			

DETAIL PLAN
PROPOSED RAISING CANE'S
190 @ N. GARLAND ADDITION
LOT 1 BLOCK 1
CASE NO. 210309-2
ADDRESS: 5370 N. GARLAND AVE.

SECTION 4.83 NONRESIDENTIAL & MULTI-FAMILY BUILDING MATERIALS & DESIGN REQUIRED ARCHITECTURAL ELEMENTS:

1. AWNINGS OR CANOPIES
a. ALL ELEVATIONS DISPLAY A AWNING OR CANOPY ABOVE EXISTING ENTRY & WINDOW.
2. DIVIDED LIGHT WINDOWS
a. ON ELEVATIONS NORTH & WEST THE DIVIDED LIGHT WINDOW IS SHOWN UNDER THE CANOPY WINDOW NEXT TO ENTRY.
3. TRANSOM
a. TRANSOM SHOWN ON FRONT & SIDE ELEVATION ENTRY.
4. DISPLAY WINDOWS
a. LOCATED ON EAST ELEVATION ENTRY.
5. BENCHES FOR OUTDOOR SEATING
a. PATIO TABLES AND CHAIRS LOCATED AT FRONT ELEVATION. REFERENCE SITE SKETCH.
6. VARIED ROOF HEIGHTS
a. DIFFERENT ROOF HEIGHTS SHOWN ON ALL ELEVATIONS.



Store:
5370 N. GARLAND AVE.
GARLAND, TX 75044
Restaurant #RC713
P4-AV SCHEME B

Professional of Record: NAME
PM DESIGN
Architectural Solutions Group
1101 Centennial Expressway South Suite 100
Allen, TX 75013
CONTACT: EVERETT FIELDS
(409) 619-1164
EFIELD@PMDGNC.COM

Prototype: P4-AV 2020 - 2.0 RELEASE
Prototype Issue Date:
Design Bulletin Updates:
Date Issued: Bulletin Number:

PRELIMINARY

REVISIONS:	
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Sheet Title:
EXTERIOR ELEVATIONS
Date: 06.02.2021
Project Number: PAC21004 0
Drawn By: JC
Sheet Number:



1 | SOUTHEAST ELEVATION (REAR)
SCALE: 1/4" = 1'-0"



2 | SOUTHWEST ELEVATION (SIDE ENTRY)
SCALE: 1/4" = 1'-0"

MATERIAL FINISHES



	FACADE LENGTH	VERTICAL ARTICULATION		HEIGHT ARTICULATION	
		REQ.	PROVIDED	REQ.	PROVIDED
EAST ELEVATION (DRIVE-THRU) PRESIDENT GEORGE BUSH TURNPIKE	82'-5"	18'-0"	20'-0"	4.8 (82'-5"50" + 1.6) (1.6 X 3 + 4.8)	4'-9"
NORTH ELEVATION (FRONT) NORTH GARLAND AVE.	37'-2 3/4"	7'-0"	12'-4 1/2"	2.1 (37'-2 3/4"500" + 7) (7 X 3 + 2.1)	4'-0"
	FACADE LENGTH	HORIZONTAL ARTICULATION		DEPTH ARTICULATION	
		REQ.	PROVIDED	REQ.	PROVIDED
EAST ELEVATION (DRIVE-THRU) PRESIDENT GEORGE BUSH TURNPIKE	82'-5"	24'-0"	20'-0"	4	5'-6"
NORTH ELEVATION (FRONT) NORTH GARLAND AVE.	37'-2 3/4"	11'-0"	12'-4 1/2"	4	5'-6"
SECTION 4.83 NONRESIDENTIAL & MULTIFAMILY BUILDING MATERIALS & DESIGN REQUIRED ARCHITECTURAL ELEMENTS:					
1. AWNINGS OR CANOPIES a. ALL ELEVATIONS DISPLAY A AWNING OR CANOPY ABOVE EXISTING ENTRY & WINDOW.					
2. DIVIDED LIGHT WINDOWS a. ON ELEVATIONS NORTH & WEST THE DIVIDED LIGHT WINDOW IS SHOWN UNDER THE CANOPY WINDOW NEXT TO ENTRY.					
3. TRANSOMS a. TRANSOM SHOWN ON FRONT & SIDE ELEVATION ENTRY.					
4. DISPLAY WINDOWS a. LOCATED ON EAST ELEVATION ENTRY.					
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6. VARIED ROOF HEIGHTS a. DIFFERENT ROOF HEIGHTS SHOWN ON ALL ELEVATIONS.					

DETAIL PLAN
PROPOSED RAISING CANE'S
190 E. N. GARLAND ADDITION
LOT 1 BLOCK 1
CASE NO. 210308-2
ADDRESS: 5370 N. GARLAND AVE.



Restaurant Support Office
6800 Judd Road, Suite 100
Dallas, TX 75230
Tel: 972.766.2100 Fax: 972.766.2101

Site:
PG&T & GARLAND AVE.
GARLAND, TX 75044
Restaurant #RC713
P4-AV SCHEME B

Professional of Record: NAME
PM DESIGN
Architectural Solutions Group
1101 Central Expressway South
Suite 100
Allen, TX 75013
CONTACT: EVERETT FIELDS
(409) 419-1144
EFIELDS@PMDGNC.COM

Prototype P4-AV 2020 - 2.0 RELEASE
Prototype Issue Date: --
Design Revision Location: --
Date Issued: Bulletin Number: --

PRELIMINARY

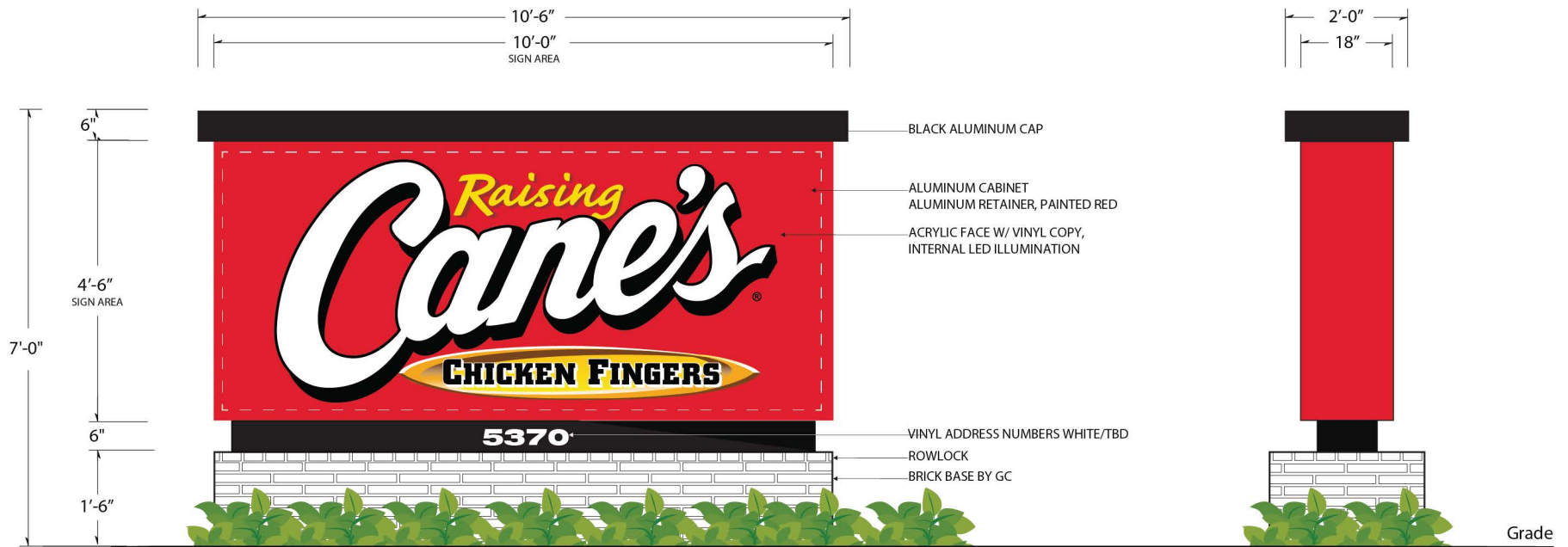
REVISIONS:	
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Sheet Title:
EXTERIOR ELEVATIONS
Date: 06.02.2021
Project Number: RAC21004.0
Drawn By: JC
Sheet Number:

A4.20



EXHIBIT F



AGI RESPONSIBLE FOR FOUNDATION & CONCRETE PAD

45.00

Square Footage

Scale: 3/8"=1'



Location: Garland, TX

Site ID: RC0713

Date: 01/06/2021

AGI Rep: S. Holmes

AGI PM: Anthony Molina

Drawn by: M. Folden

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**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. d.

Meeting Date: 08/03/2021

Item Title: Amendments to Sections 32 and 33 of the Code of Ordinances - Parking Enforcement Near Construction

Summary of Request/Problem

This item was presented to Council at the July 19, 2021, Work Session. The Public Safety Committee recommended an amendment to parking ordinances to make certain parking restrictions inapplicable in the area of City construction projects.

Recommendation/Action Requested and Justification

Council is requested to consider an amendment to Section 32 and 33 of the Code of Ordinances providing that certain parking ordinances are inapplicable if violation of the ordinance is necessitated by City construction projects.

Attachments

Amendment to Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 32.56, "PARKING ON UNIMPROVED SURFACE AND EXCESSIVE DRIVEWAYS," CHAPTER 32, ARTICLE II; SECTION 33.55, "MISCELLANEOUS PARKING VIOLATIONS - CIVIL OFFENSE," CHAPTER 33, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That Section 32.56 "Parking on unimproved surface and excessive driveways," of Article II, "Property Maintenance and Nuisance Abatement," Chapter 32 of the Code of Ordinances for the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Sec. 32.56 Parking on unimproved surface and excessive driveways

...

(F) **NON-APPLICABILITY** - subsection 32.56 (B) is not applicable if the part of the street adjacent to and adjoining the property lines of the property on which the vehicle is parked is under construction, and the construction necessitates the violation.

..."

Section 2

That Section 33.55 "Miscellaneous Parking Violations - Civil Violations," of Article IV, "Stopping, Standing, and Parking," of Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Sec. 33.55 Miscellaneous parking violations - civil offense

...

(C) **NON-APPLICABILITY** - Section 33.55 is not applicable to a violation of subsections (A)(2) nor a violation of subsections (B)(2) of this section if the portion of the street adjacent to and adjoining the property lines of the property on which the vehicle is parked is under construction, and the construction necessitates the violation.

(D) **NON-APPLICABILITY** - Section 33.55 is not applicable to a violation of subsections (A) (12), or (15); nor a violation of subsections (B) (12), or (15) if construction of the roadway in the immediate area on which the vehicle is parked necessitates the violation.

..."

Section 3

That Chapters 32 and 33 of the Code of Ordinances for the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 4

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 5

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

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

PASSED AND APPROVED this the _____ day of _____,
2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

PUBLISHED DATE:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

4.

Meeting Date: 08/03/2021

Item Title: Medical District Area Plan

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Attached is a resolution and the final report and appendix of the Medical District Area Plan. The Council was briefed on this plan during the July 12, 2021 retreat, and a briefing item has been scheduled for the August 2 Work Session as well. In addition, staff and consultant Ninigret Partners have engaged representatives of the VA Hospital and received feedback from the Plan Commission as well.

Recommendation/Action Requested and Justification

Consider adoption of the attached resolution for the Medical District Area Plan.

Attachments

Resolution - Medical District Area Plan

Medical District Area Plan

Appendix

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS
ADOPTING THE MEDICAL DISTRICT AREA PLAN; AND PROVIDING AN
EFFECTIVE DATE.

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

WHEREAS, the City of Garland, Texas has engaged in the process
of preparing the Medical District Area Plan for the purpose of
identifying potential redevelopment projects and implementation
strategies based on a market assessment and an analysis of
physical and economic conditions within the planning area; and

WHEREAS, the creation of a cohesive medical district within the
Forest/Jupiter/Walnut Catalyst Area, anchored by the new Garland
VA Medical Center, advances goals for redevelopment and
revitalization identified within the Envision Garland 2030
Comprehensive Plan; and

WHEREAS, input opportunities included a series of meetings held
between September 2020 and July 2021 with area stakeholders,
including representatives from the Garland VA Medical Center; a
technical committee of City Staff members; and Plan Commission;

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

Section 1

That it is found in the public interest to adopt the Medical
District Area Plan as proposed, said document being attached
hereto and incorporated herein as Exhibit A.

Section 2

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

PASSED AND APPROVED this the _____ day of _____, 2021.

CITY OF GARLAND, TEXAS

By: _____ Mayor

ATTEST: _____ City Secretary



GARLAND **MEDICAL DISTRICT PLAN**

Final Report

Process and Approach

- **3** site visits
- **11** interviews with stakeholders
- **3** meetings with VA
- Monthly meetings with city team
- **2** planning workshops with Garland staff including Parks, Planning, Engineering, Transportation; Office of Neighborhood Vitality, Economic Development, and Streets
- Economic and housing conditions analysis
- Review of city plans
- Mobility assessment including sidewalks, transit and roadways

Strategies

FINDINGS

- Complex district
 - Range of zoning
 - Various building sizes and quality
 - Until recently varied ownership
- One of the most diverse neighborhoods in city
- Opportunities to improve the look and feel & connectivity
- Significant housing demand

STRATEGIES

- Leverage diversity of neighborhood to drive economic development
- Improve infrastructure & connectivity within the district and to key transportation hubs
- Improve physical environment and create a sense of place
- Promote medical campus / manage competition from housing development

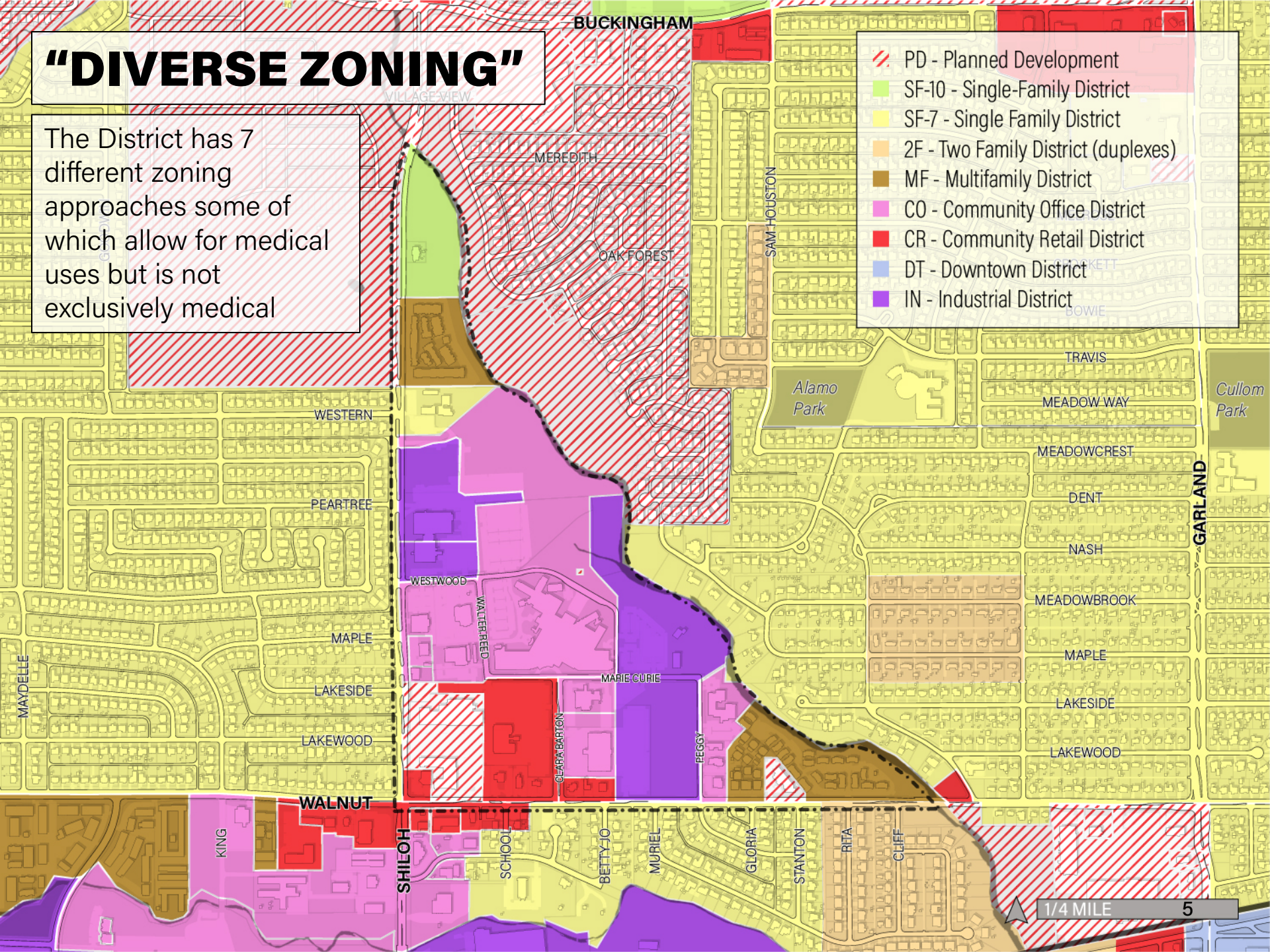


STARTING POINTS

"DIVERSE ZONING"

The District has 7 different zoning approaches some of which allow for medical uses but is not exclusively medical

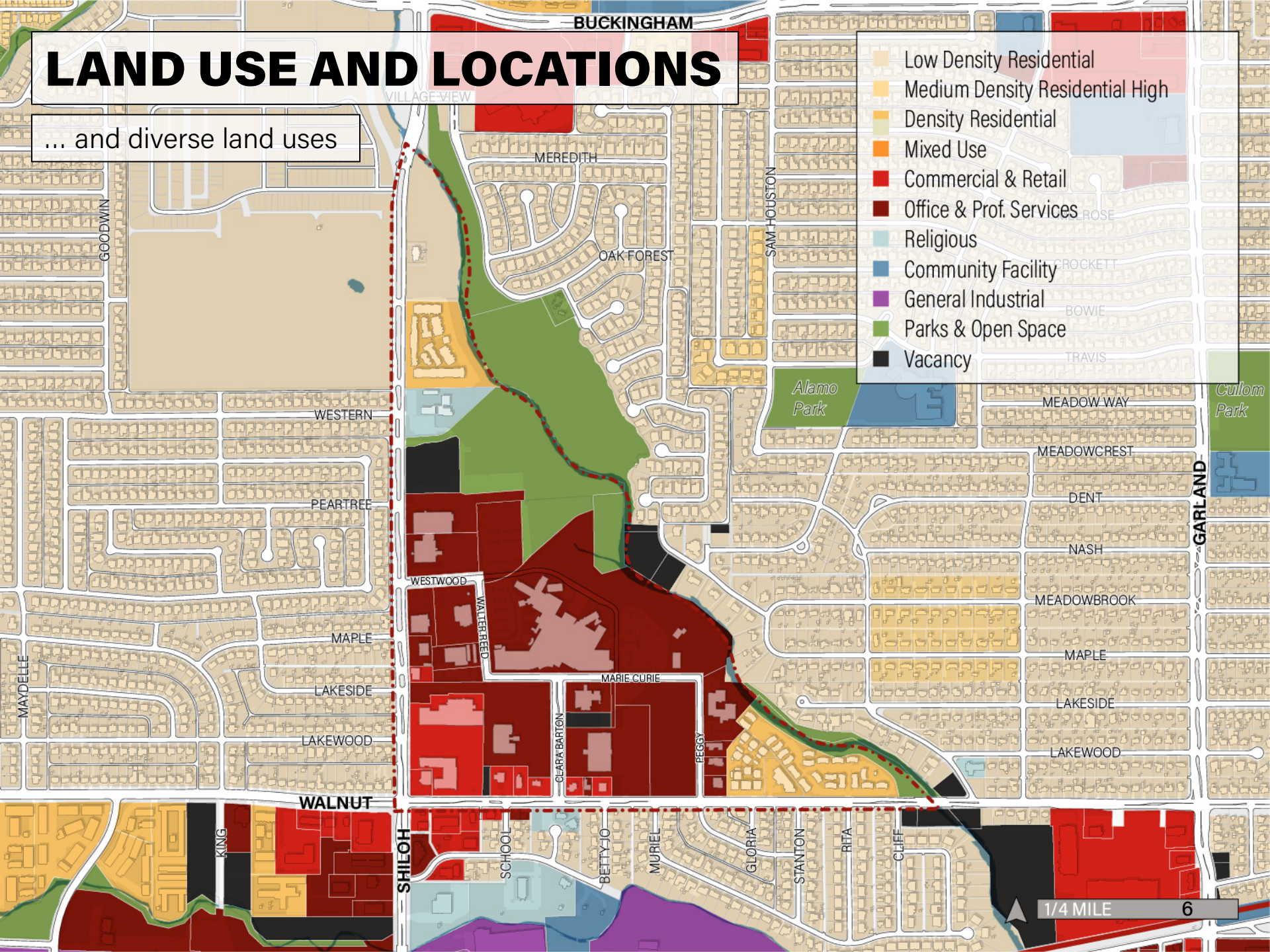
- PD - Planned Development
- SF-10 - Single-Family District
- SF-7 - Single Family District
- 2F - Two Family District (duplexes)
- MF - Multifamily District
- CO - Community Office District
- CR - Community Retail District
- DT - Downtown District
- IN - Industrial District



LAND USE AND LOCATIONS

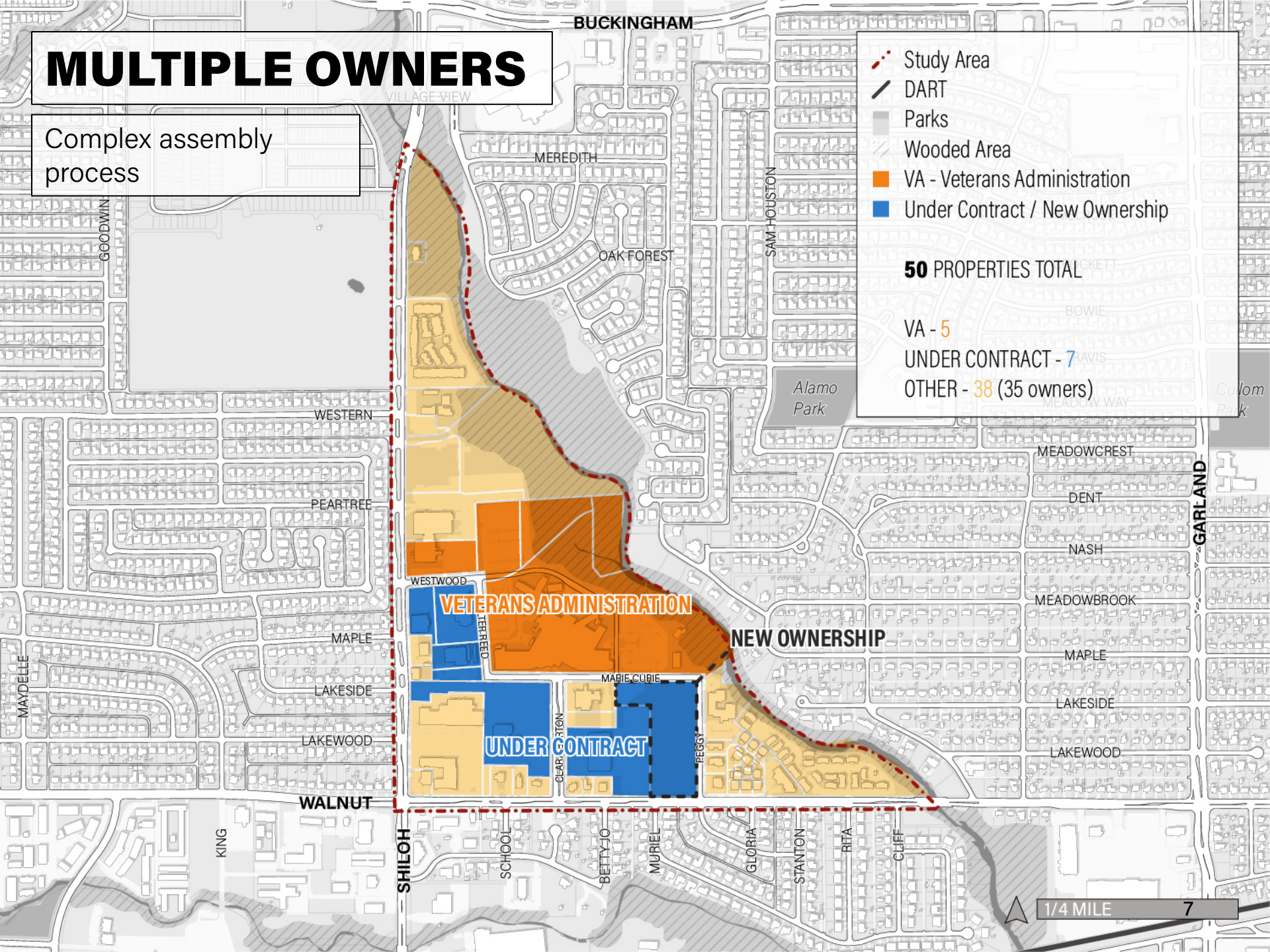
... and diverse land uses

- Low Density Residential
- Medium Density Residential High
- Density Residential
- Mixed Use
- Commercial & Retail
- Office & Prof. Services
- Religious
- Community Facility
- General Industrial
- Parks & Open Space
- Vacancy



MULTIPLE OWNERS

Complex assembly
process

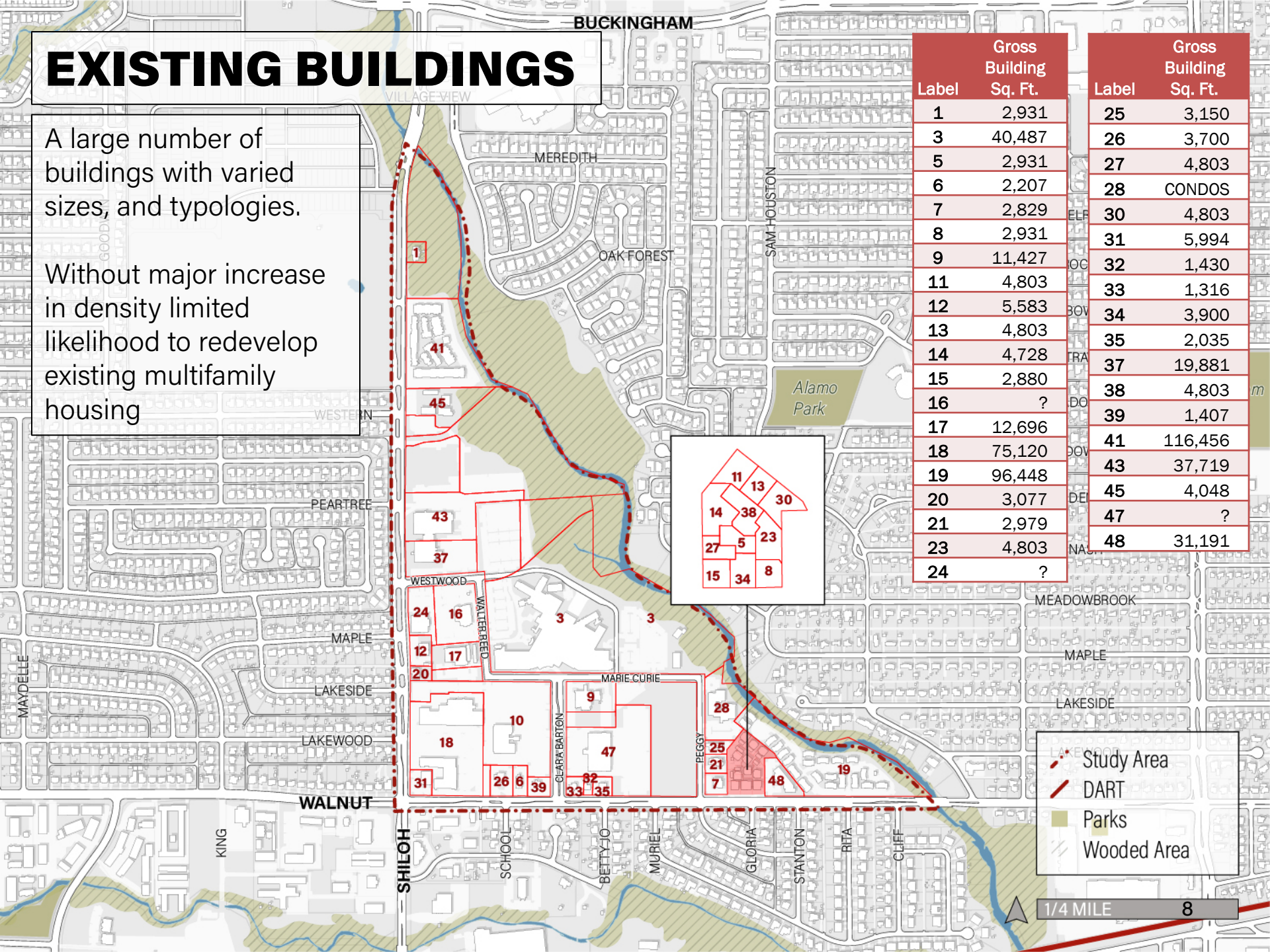


EXISTING BUILDINGS

A large number of buildings with varied sizes, and typologies.

Without major increase in density limited likelihood to redevelop existing multifamily housing

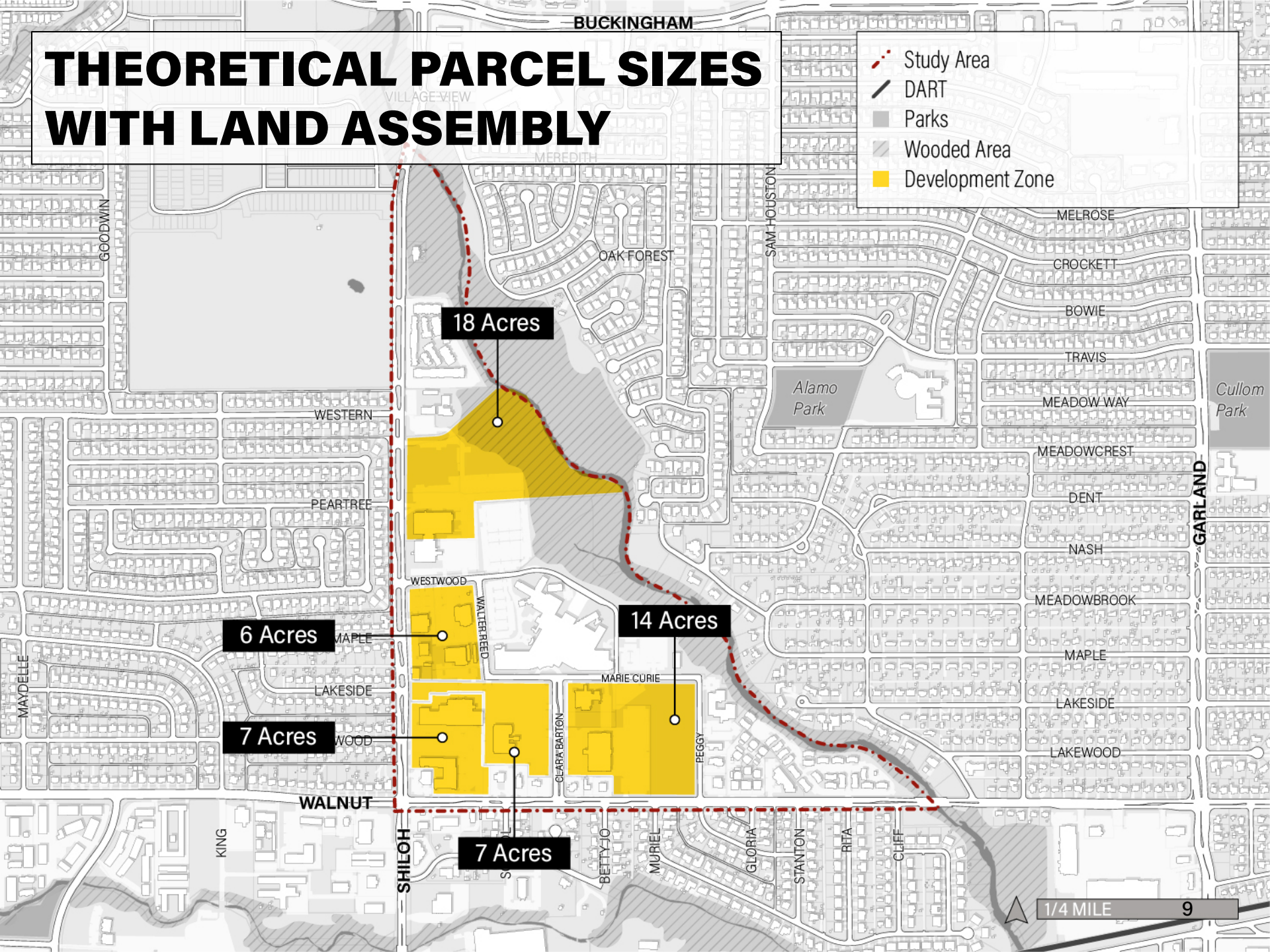
Label	Gross Building Sq. Ft.	Label	Gross Building Sq. Ft.
1	2,931	25	3,150
3	40,487	26	3,700
5	2,931	27	4,803
6	2,207	28	CONDOS
7	2,829	30	4,803
8	2,931	31	5,994
9	11,427	32	1,430
11	4,803	33	1,316
12	5,583	34	3,900
13	4,803	35	2,035
14	4,728	37	19,881
15	2,880	38	4,803
16	?	39	1,407
17	12,696	41	116,456
18	75,120	43	37,719
19	96,448	45	4,048
20	3,077	47	?
21	2,979	48	31,191
23	4,803		
24	?		



Study Area
 DART
 Parks
 Wooded Area

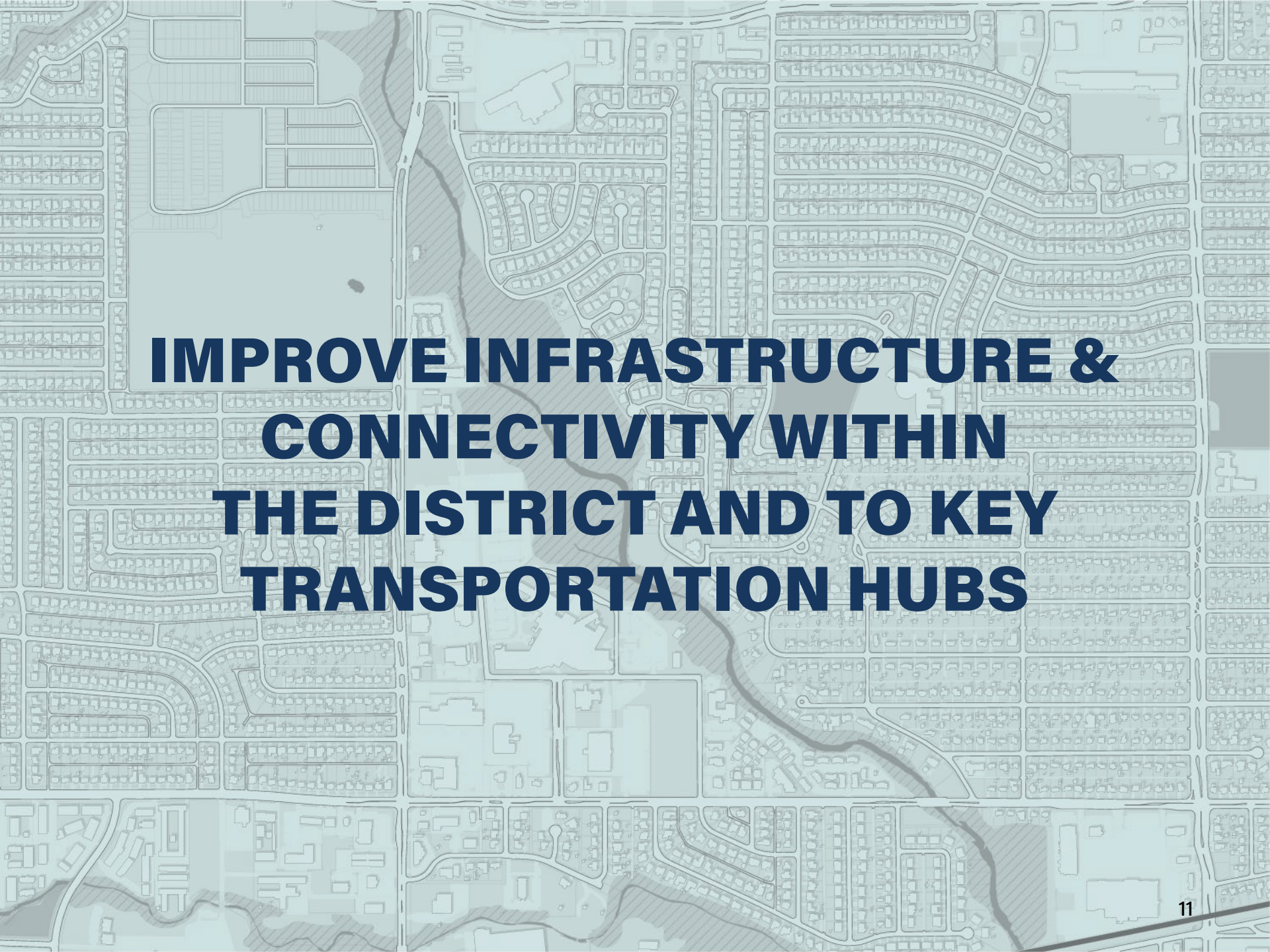
THEORETICAL PARCEL SIZES WITH LAND ASSEMBLY

- Study Area
- DART
- Parks
- Wooded Area
- Development Zone



The background of the page is a blue-tinted aerial photograph of a city. The image shows a dense urban layout with a grid of streets, numerous small buildings, and some larger commercial or institutional structures. A prominent road or highway runs vertically through the center of the image. The overall tone is professional and urban.

THE PLAN

An aerial photograph of a city district, likely in a coastal or riverine area, showing a dense grid of residential streets and buildings. A river or waterway runs through the center of the district, with a bridge crossing it. The text is overlaid on the map.

IMPROVE INFRASTRUCTURE & CONNECTIVITY WITHIN THE DISTRICT AND TO KEY TRANSPORTATION HUBS

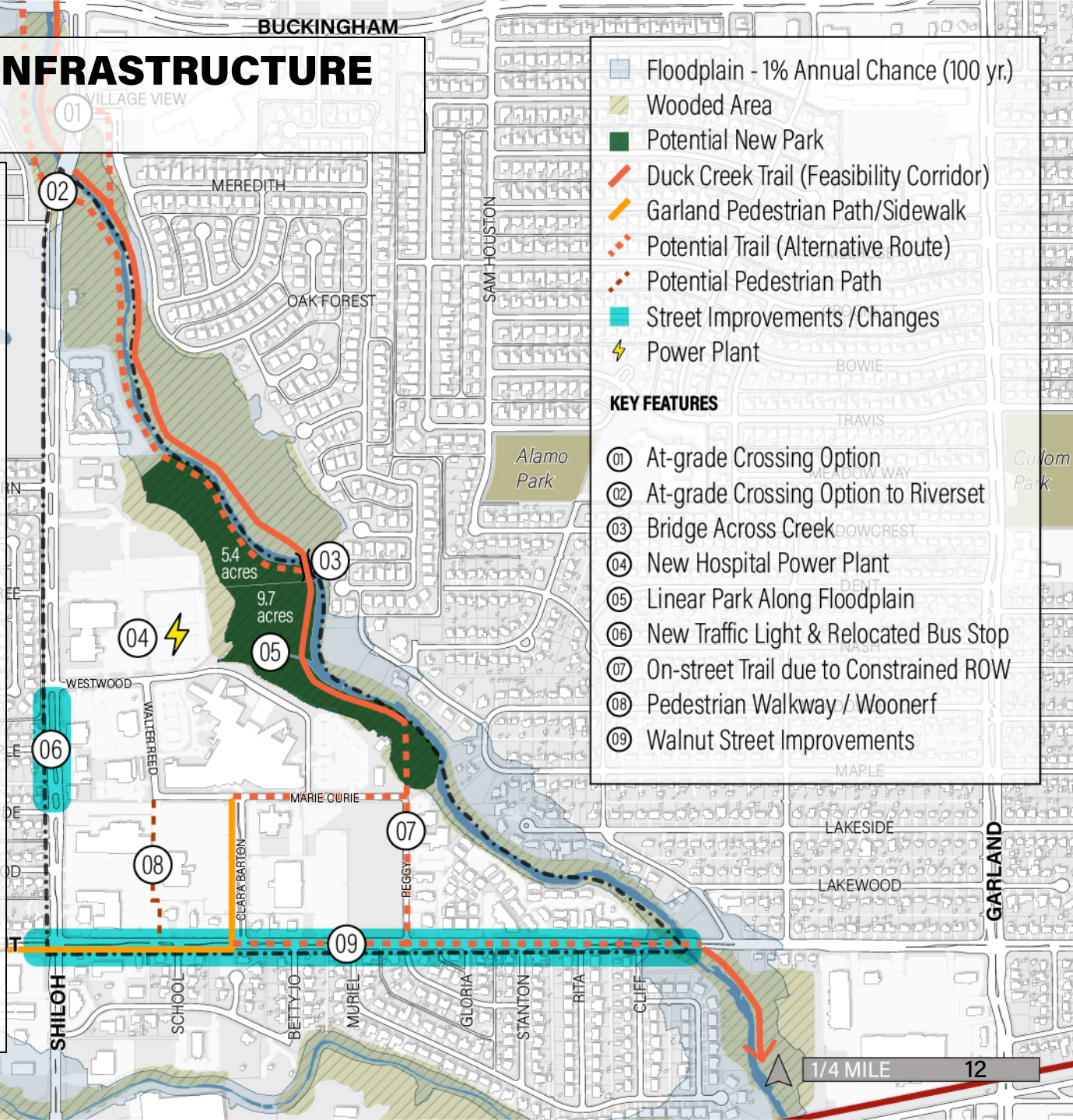
RECOMMENDED INFRASTRUCTURE IMPROVEMENTS

Two potential options for a trail along Duck Creek.

The trail will need to proceed along Peggy because of right of way limitations behind the housing (07 on the legend).

A signal (06) will be required along Shiloh because of the relocation of the main pedestrian entrance to the VA and anticipated growth in clinical volumes at the facility.

At the moment Westwood is the likely location, however, depending on redevelopment of adjacent properties it may make more sense to locate the signal in a different location. It will also mean that bus stops will need to be relocated. Because Shiloh is undergoing a larger review this plan does not address specific options but does promote principles similar to suggested changes to Walnut to improve pedestrian connectivity.

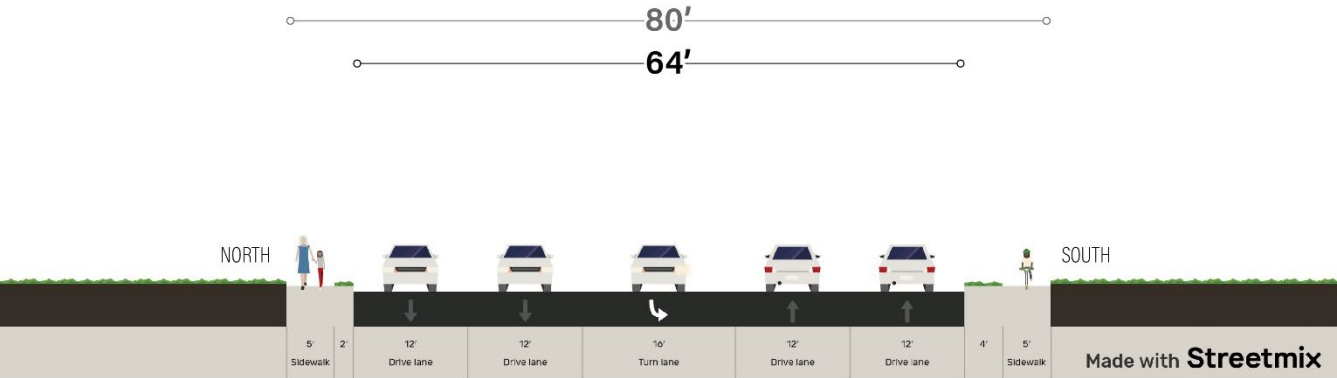


SUGGESTED IMPROVEMENTS TO WALNUT ST.

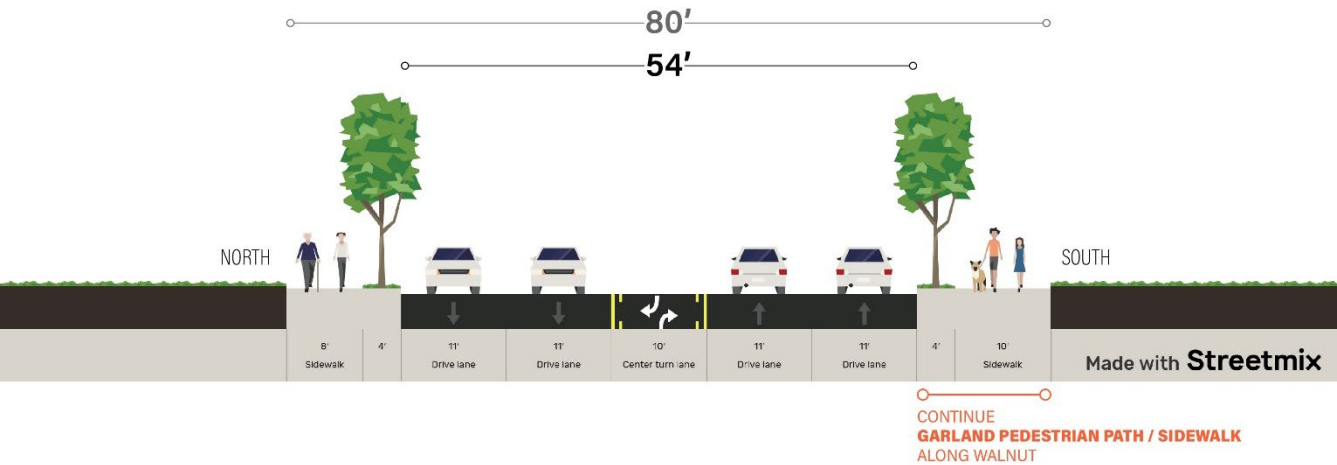
It appears that there is sufficient width across Walnut to accommodate this option without acquiring additional right of way but this will need to be investigated further.

If there is a need to acquire right of way it will be important to verify whether the retail locations are still in compliance with parking requirements and if not adjust accordingly so they do not become non conforming properties.

WALNUT STREET - EXISTING



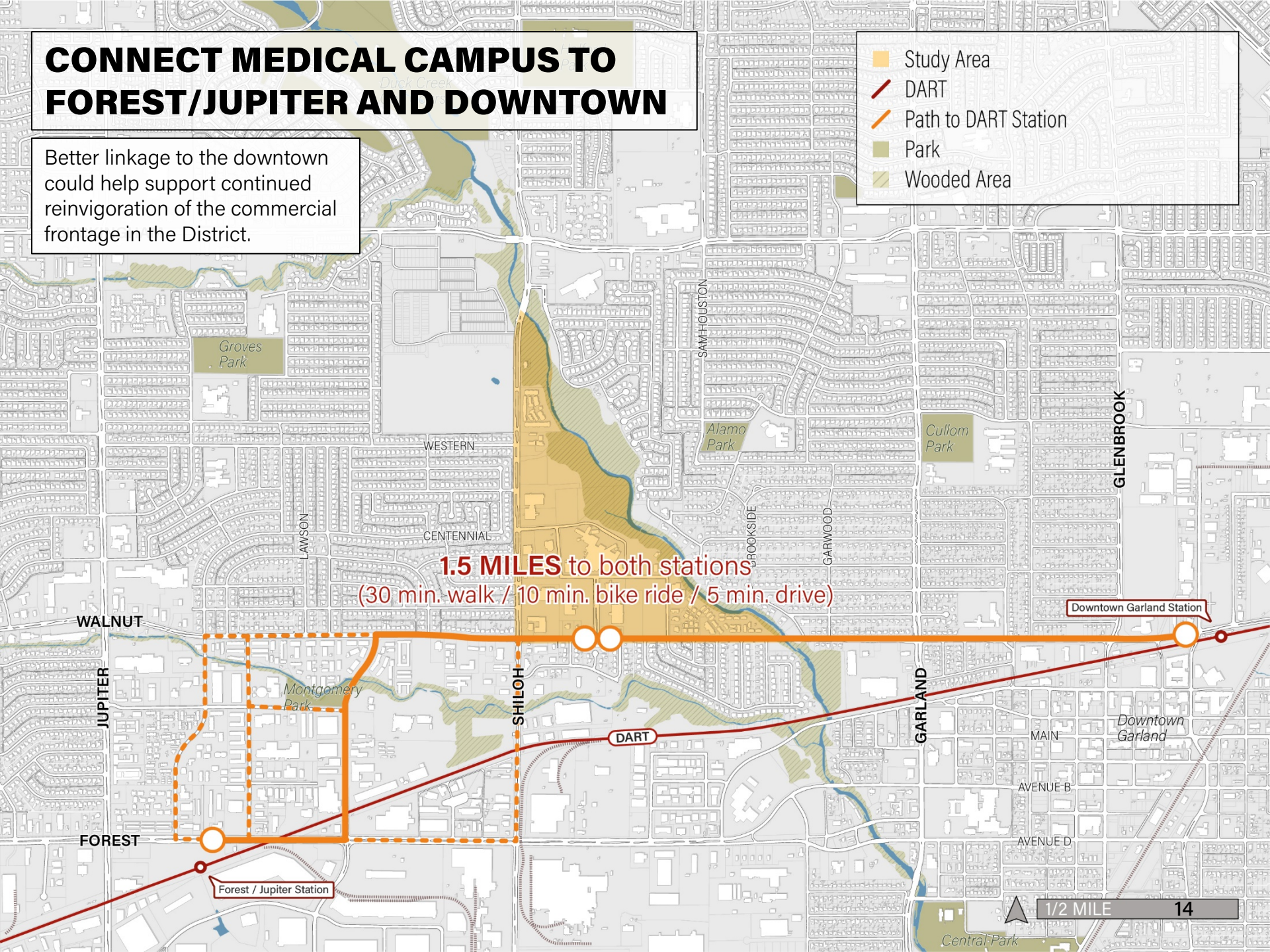
WALNUT STREET - POTENTIAL



CONNECT MEDICAL CAMPUS TO FOREST/JUPITER AND DOWNTOWN

Better linkage to the downtown could help support continued reinvigoration of the commercial frontage in the District.

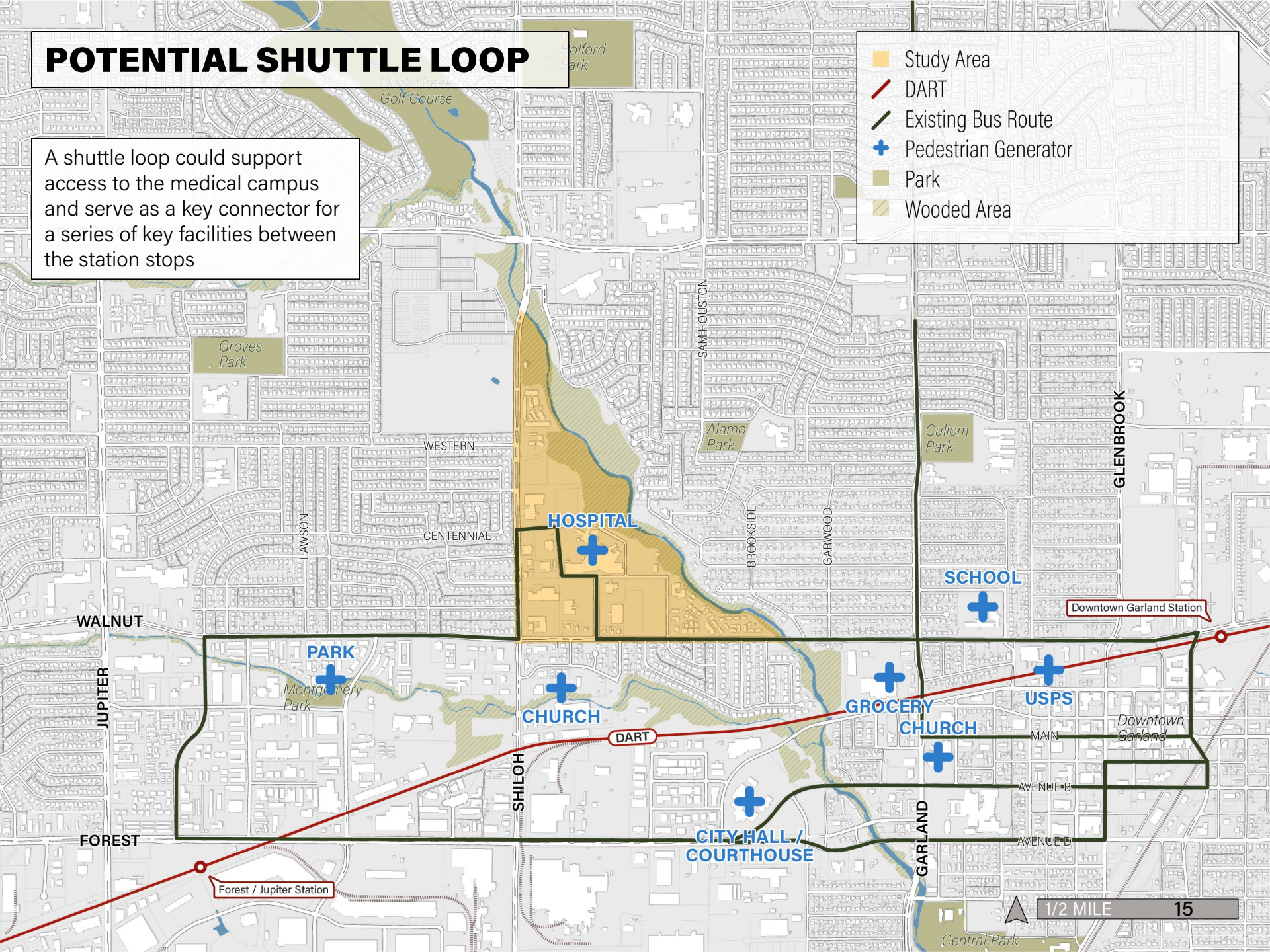
- Study Area
- DART
- Path to DART Station
- Park
- Wooded Area



POTENTIAL SHUTTLE LOOP

A shuttle loop could support access to the medical campus and serve as a key connector for a series of key facilities between the station stops

- Study Area
- DART
- Existing Bus Route
- Pedestrian Generator
- Park
- Wooded Area



An aerial map of a residential area, likely in a suburban or urban setting. The map shows a grid of streets and numerous houses. A creek, labeled 'DUCK CREEK', flows through the center of the area. A trail, labeled 'TRAIL', runs along the creek. The text 'CREATE QUALITY OF PLACE THROUGH TARGETED PHYSICAL IMPROVEMENTS TO THE COMMERCIAL PROPERTIES AND TRAIL DEVELOPMENT ALONG DUCK CREEK' is overlaid on the map in a large, bold, dark blue font.

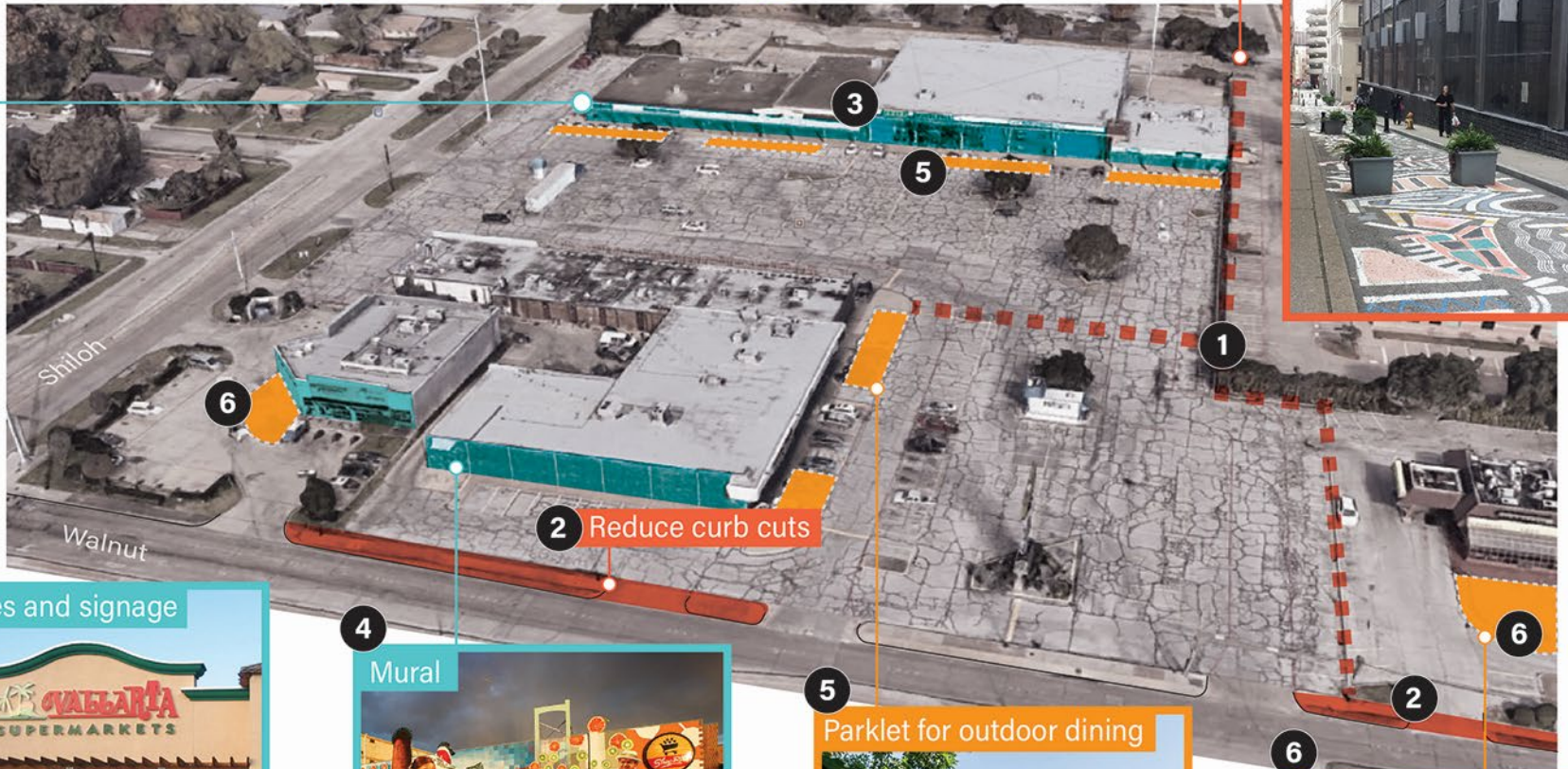
**CREATE QUALITY OF PLACE
THROUGH TARGETED PHYSICAL
IMPROVEMENTS TO THE
COMMERCIAL PROPERTIES AND
TRAIL DEVELOPMENT
ALONG DUCK CREEK**

Improve the “curb appeal” of the commercial centers

- Improving the curb appeal of the commercial center is the recommended approach for the near term
 - Recent substantial tenant addition
 - General uncertainty around retail
 - Demographics of the market area would not support high end retail options
- There is an opportunity to use the market area and its diversity to create a unique experience that can also provide services and amenities to support the Medical District
 - Surrounding neighborhoods are some of the most ethnically diverse in the DFW region but purchasing power is somewhat limited
 - The present tenant mix already suggests this diversity
 - There are precedents throughout the region to create ethnic focused shopping plazas
- Leveraging the commercial center’s proximity to the growing downtown as well as the new Riverset development in addition to the surrounding neighborhoods, cosmetic and programming options should be supported by the city to assist with the vibrancy and attractiveness of the commercial space along Walnut.
- Taking this action in addition to the proposed street improvements could have a positive impact on these locations.

Improve the shopping center by focusing on **pedestrian experience, facades,** **outdoor dining and programming**

1 Remove fence and create painted pedestrian path



3 Facades and signage



4 Mural



5 Parklet for outdoor dining



6 Patio dining

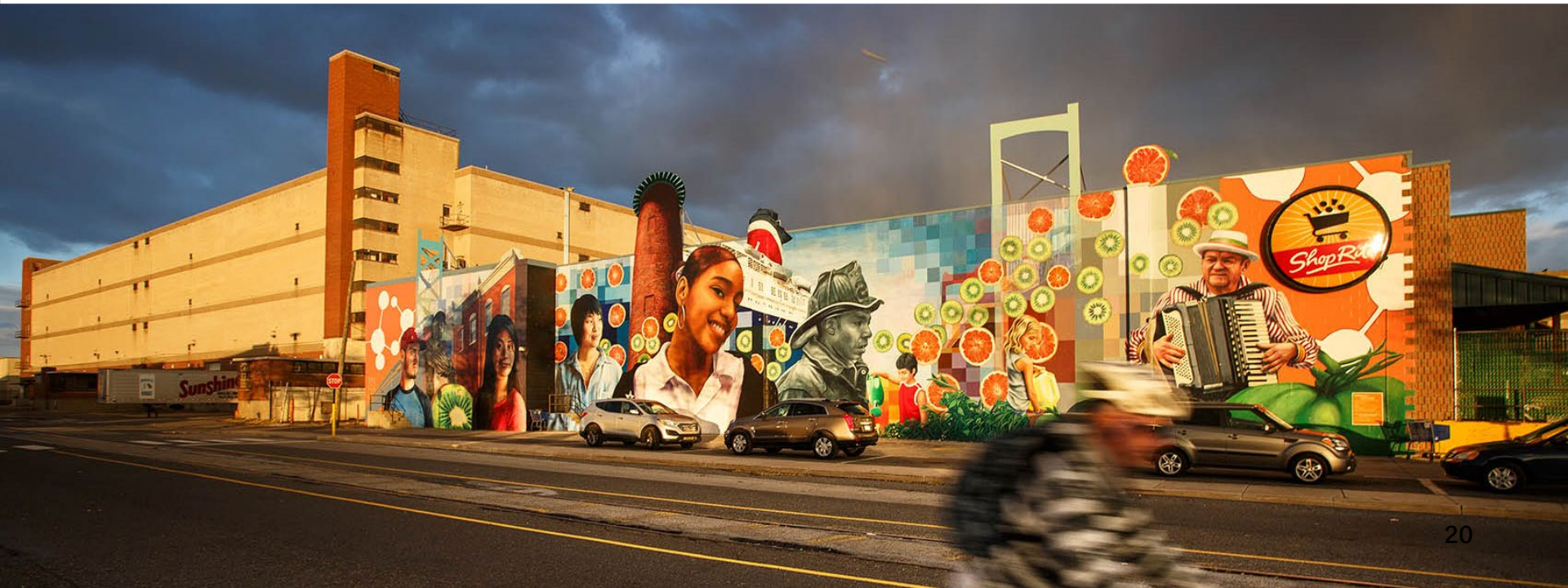


SHARED USE SERVICE & PEDESTRIAN PATHS

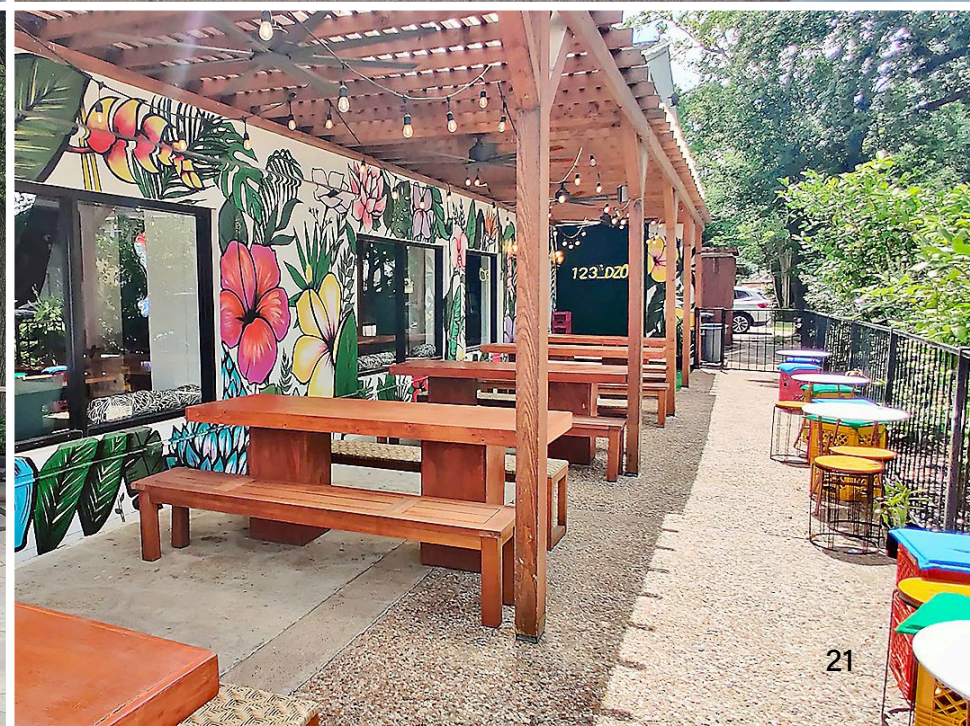
Connecting the Campus to the retail and restaurants can be done by converting the service alley into a shared use facility (also known as a woonerf). Using a combination of paint, lighting, shielding, and moveable barriers, the alley can be transformed to accommodate pedestrians and cyclists and maintain its important role as a service road for the businesses.



FACADES, SIGNAGE, MURALS



PARKLETS, OUTDOOR DINING



DUCK CREEK TRAIL AND HEALING GARDENS

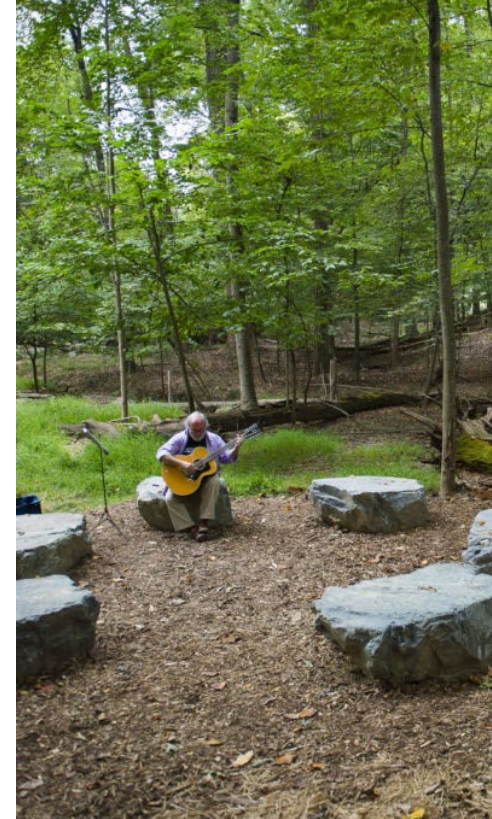
The City's Trails and Bikeway Master Plan recommends the creation of multiuse trail along Duck Creek. The VA discussed with the team the desire for a healing garden concept. The team's research on healing gardens discovered the Green Road Project. Based on this finding the opportunity exists to combine the trail with a healing garden concept. To execute this idea will require entering into access agreements with the VA for portion of their property that is now parking lot and in the flood plain.

Green Road Project Example

The Green Road Project is a natural healing environment for injured service members & their families. Wounded service members receiving medical care at Naval Support Activity Bethesda—home of Walter Reed National Military Medical Center—receive the opportunity for integrative healthcare.

Researchers on the project team are conducting studies to scientifically measure the healing effects of spending time on the Green Road.

<https://tiah.org/what-we-do/build-healthy-communities/green-road-project/>



The background is a grayscale aerial map of a city. It shows a dense grid of streets and building footprints. A river or canal winds through the center of the map. There are various shades of gray representing different land uses, such as residential areas with smaller buildings and commercial areas with larger, more irregular structures. The overall tone is professional and urban.

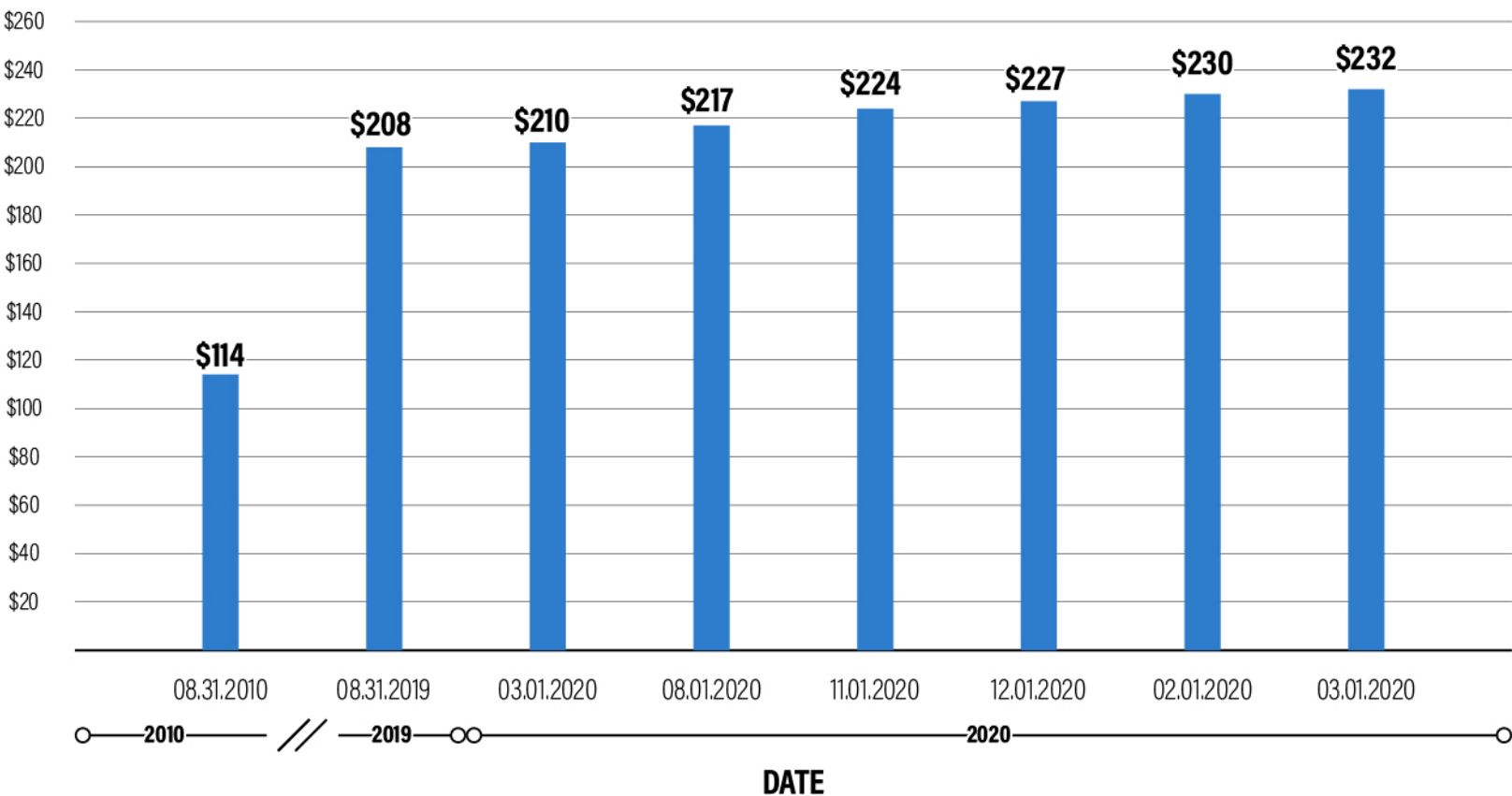
PROMOTE DEVELOPMENT AS A MEDICAL CAMPUS

The housing market in Garland is “hot”

- Housing prices have more than doubled since Aug 2010, and have continued to increase every month
- Prices have risen 12% in approximately 1 year

**FOR SALE HOUSING
MEDIAN HOME PRICE**
(thousands)

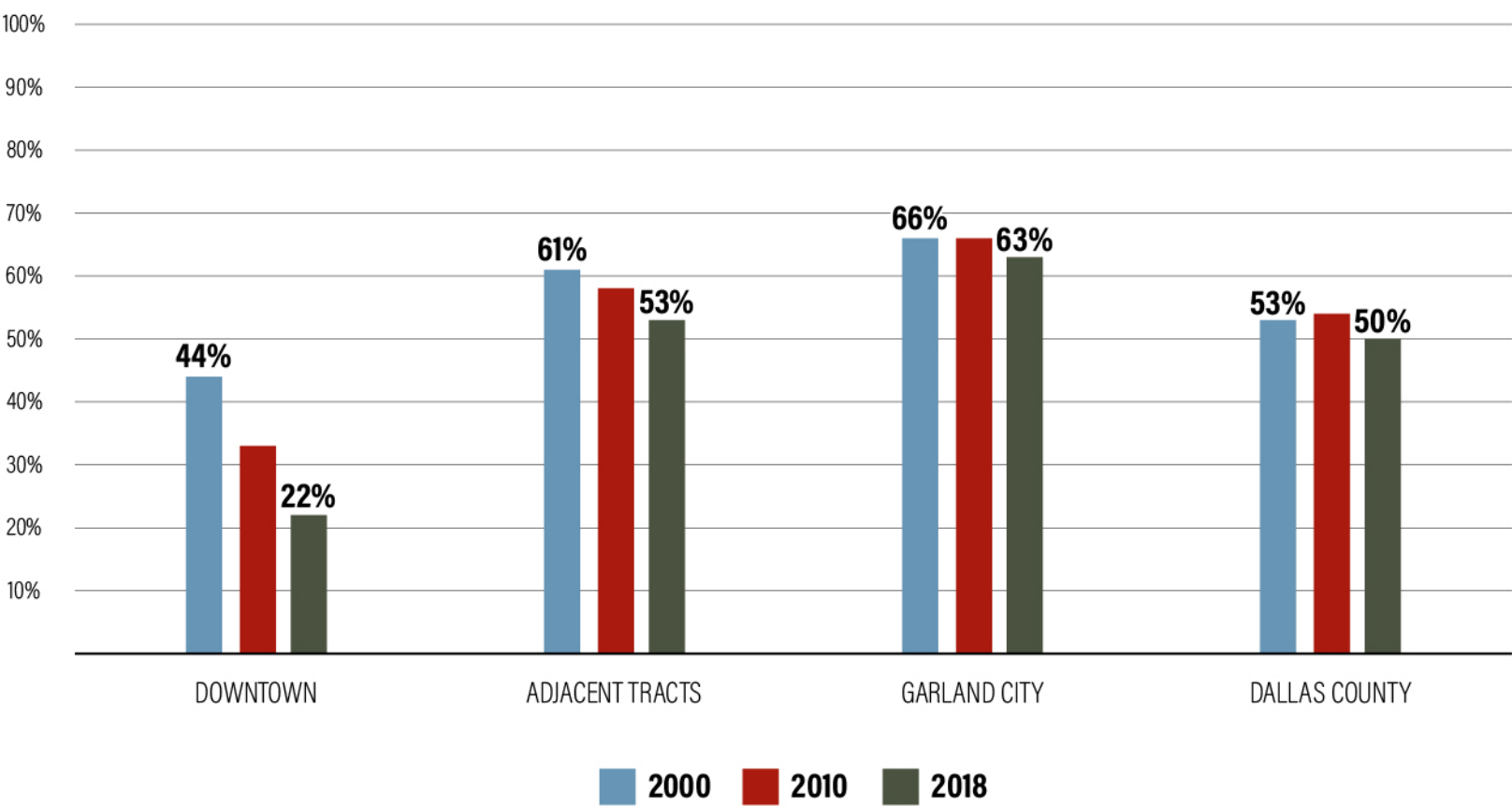
Source: NP analysis of Zillow sales data



Home ownership rates in the nearby neighborhoods are changing faster than the City suggesting opportunities for rental

HOME OWNERSHIP
(percent)

Source: Census and ACS data



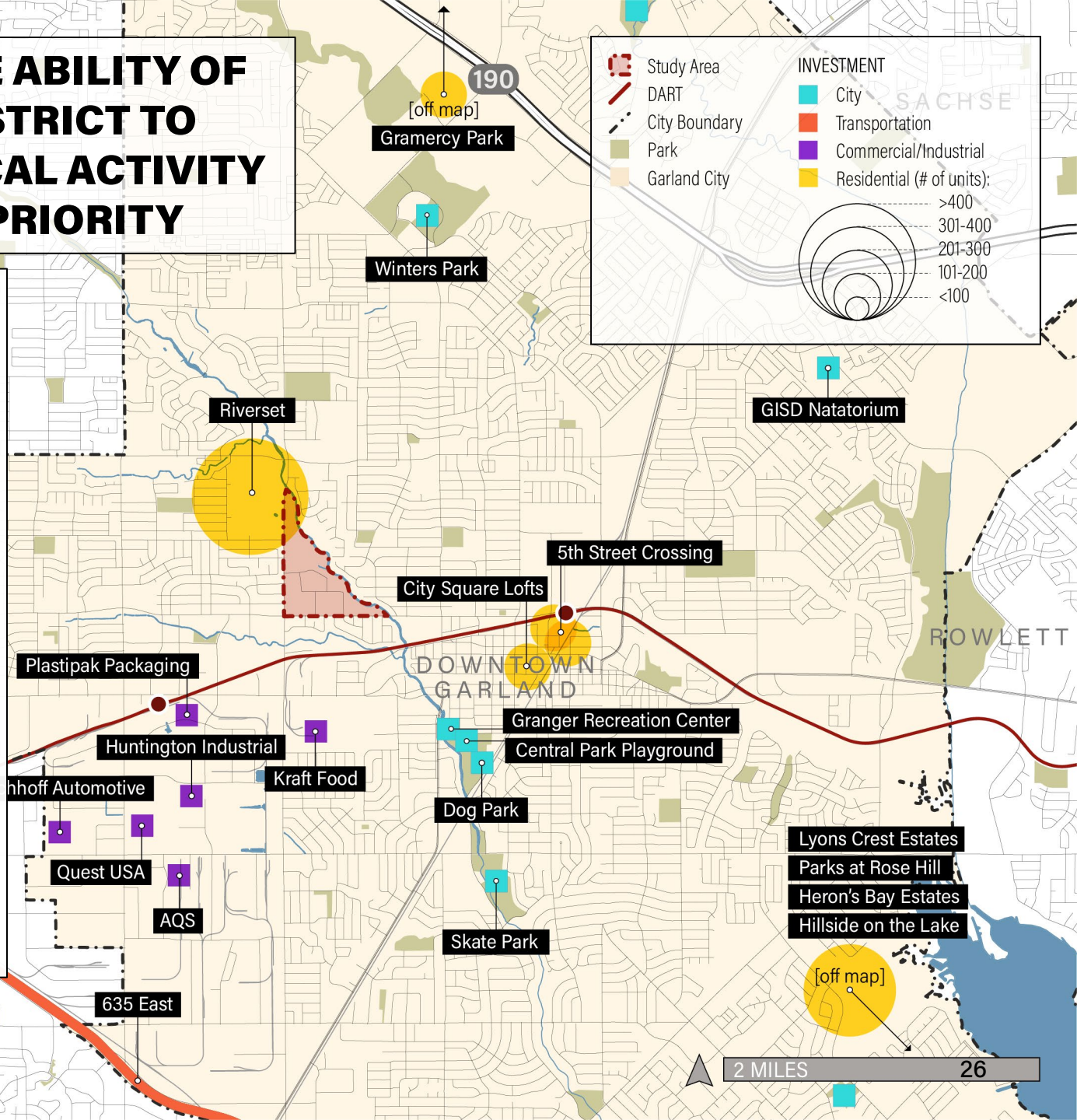
PRESERVING THE ABILITY OF THE MEDICAL DISTRICT TO MAINTAIN CLINICAL ACTIVITY SHOULD BE THE PRIORITY

The hot housing market is reflected in significant levels of investment in Garland as evidenced by the map.

The large parcel sizes and underutilization of some of the buildings could be tempting to push for residential development.

It is also important to recognize importance of providing compatible uses to the VA Center to maintain an open campus.

While some housing may be appropriate on selected sites the bulk of the land area near the hospital should retain its clinical character and also allow educational, training, and supporting uses.





THE PLAN & DEVELOPMENT SCENARIOS

Development Scenarios

The following development scenarios were created based on the following assumptions

- The existing housing stock in the district would remain unchanged based on the assumption that without a major increase in density there would be no rationale for tear down and new construction
- The existing commercial plaza has a significant new tenant with a long-term lease and is therefore not likely to change in the next several years
- Although there is vacancy in some of the medical buildings, they do have active clinical tenants with some key tenants have recently renewed leases.
- The two large greenfield sites offer opportunity for ground up new development that require addressing a few key questions:
 - Housing is likely to be a development opportunity – how much housing can be built without building a parking deck? How much housing can be built that might be more attractive to workers at the hospital and clinics? What would a potential build out of additional medical capacity look like within a medical district concept?
 - Three development scenarios were created to understand potential scale and capacity. The recommended development scenario is presented in this document. The other scenarios can be found in the appendix.

DISTRICT PLAN CONCEPTS

This map provides a comprehensive view of the proposed interventions and actions.

- Street improvements
- Trail and connections
- Place-making
- New zoning approach
- Test fits of greenfield sites to understand development capacity

Three development scenarios were created to help city staff understand potential scale, density, and parking needs for the two major ground up development sites.

PROPOSED DEVELOPMENT

DEVELOPMENT SCENARIO

BUCKINGHAM

VILLAGE VIEW

MEREDITH

OAK FOREST

SAM HOUSTON

Alamo Park

BOWIE

MEADOW WAY

MEADOWCREST

DENT

WASH

WESTWOOD

WALTER RED

MAPLE

LAKESIDE

LAKEWOOD

MARIE CURIE

CLARA BARTON

BETTY JO

MURIEL

GLORIA

STANTON

RITA

GARLAND

WALNUT

KING

SHILOH

SCHOOL

- Floodplain - 1% Annual Chance (100 yr.)
- Wooded Area
- Potential New Park
- Duck Creek Trail (Feasibility Corridor)
- Garland Pedestrian Path/Sidewalk
- Potential Trail (Alternative Route)
- Potential Pedestrian Path
- Street Improvements /Changes
- Power Plant
- Medical District - PD
- Maintain Existing Zoning
- Cosmetic Changes
- Development Scenario

KEY FEATURES

- 01 At-grade Crossing Option
- 02 At-grade Crossing Option to Riverset
- 03 Bridge Across Creek
- 04 New Hospital Power Plant
- 05 Linear Park Along Floodplain
- 06 New Traffic Light & Relocated Bus Stop
- 07 Medical District - PD
- 08 Interim Cosmetic Changes
- 09 Pedestrian Walkway / Woonerf
- 10 Maintain Industrial Zoning
- 11 On-street Trail due to Constrained ROW
- 12 Walnut Street Improvements

1/4 MILE

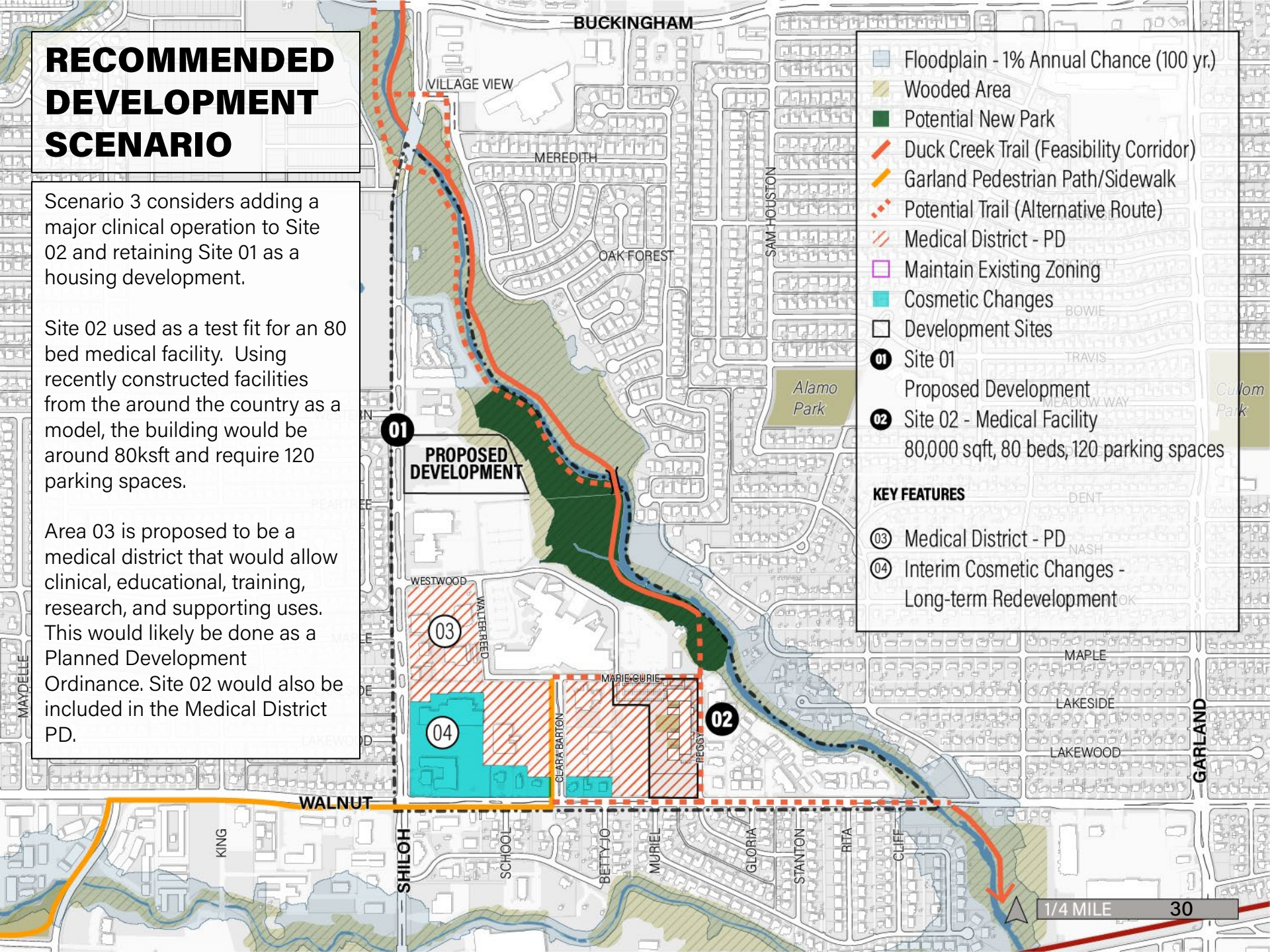
29

RECOMMENDED DEVELOPMENT SCENARIO

Scenario 3 considers adding a major clinical operation to Site 02 and retaining Site 01 as a housing development.

Site 02 used as a test fit for an 80 bed medical facility. Using recently constructed facilities from the around the country as a model, the building would be around 80ksft and require 120 parking spaces.

Area 03 is proposed to be a medical district that would allow clinical, educational, training, research, and supporting uses. This would likely be done as a Planned Development Ordinance. Site 02 would also be included in the Medical District PD.



- Floodplain - 1% Annual Chance (100 yr.)
 - Wooded Area
 - Potential New Park
 - Duck Creek Trail (Feasibility Corridor)
 - Garland Pedestrian Path/Sidewalk
 - Potential Trail (Alternative Route)
 - Medical District - PD
 - Maintain Existing Zoning
 - Cosmetic Changes
 - Development Sites
 - 01 Site 01
 - 02 Site 02 - Medical Facility
 - 80,000 sqft, 80 beds, 120 parking spaces
- KEY FEATURES**
- 03 Medical District - PD
 - 04 Interim Cosmetic Changes - Long-term Redevelopment



IMPLEMENTATION

Implementation

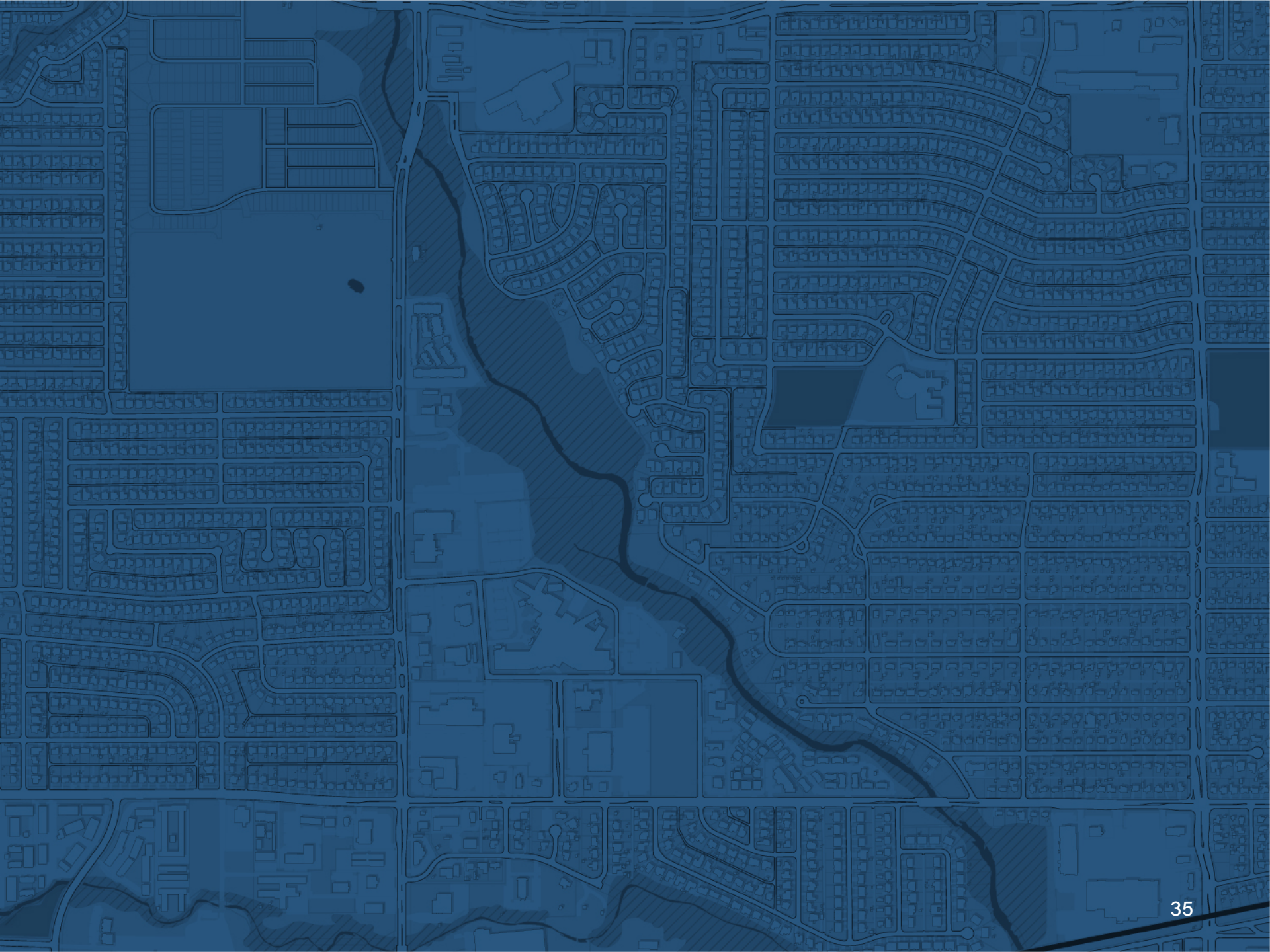
Action	Lead	Key Next Steps	Potential Funding Sources
Organize an internal team to coordinate and manage the transformation. Creating the envisioned district will require a multidisciplinary team	City Manager Office	• Appoint a team leader • Engage with property owners on joint initiatives • VA on Healing Garden • Walnut Village on improvements and partnership opportunities • Medical office owners & Walnut Village on Shared Use Connection	None required
Create draft Medical District Planned Development Ordinance	Planning	• Draft proposed ordinance • Begin outreach process	None required
Create Med District Duck Creek Park, Healing Garden and Trail	Parks and Rec with Planning	• Engage with VA to secure agreement regarding use of their property • Create a conceptual plan • Begin design and engineering	• TIF 3 funds • Prop C (Draining Flooding), Prop D (Parks & Rec), Prop F (Economic Development) bond funds • Potential federal funds through VA, DoD
Develop Brand Identity for Medical District	City Manager Office	• Assign to internal team • Hire design firm to create identity for District	• Appropriations or TIF 3 funds

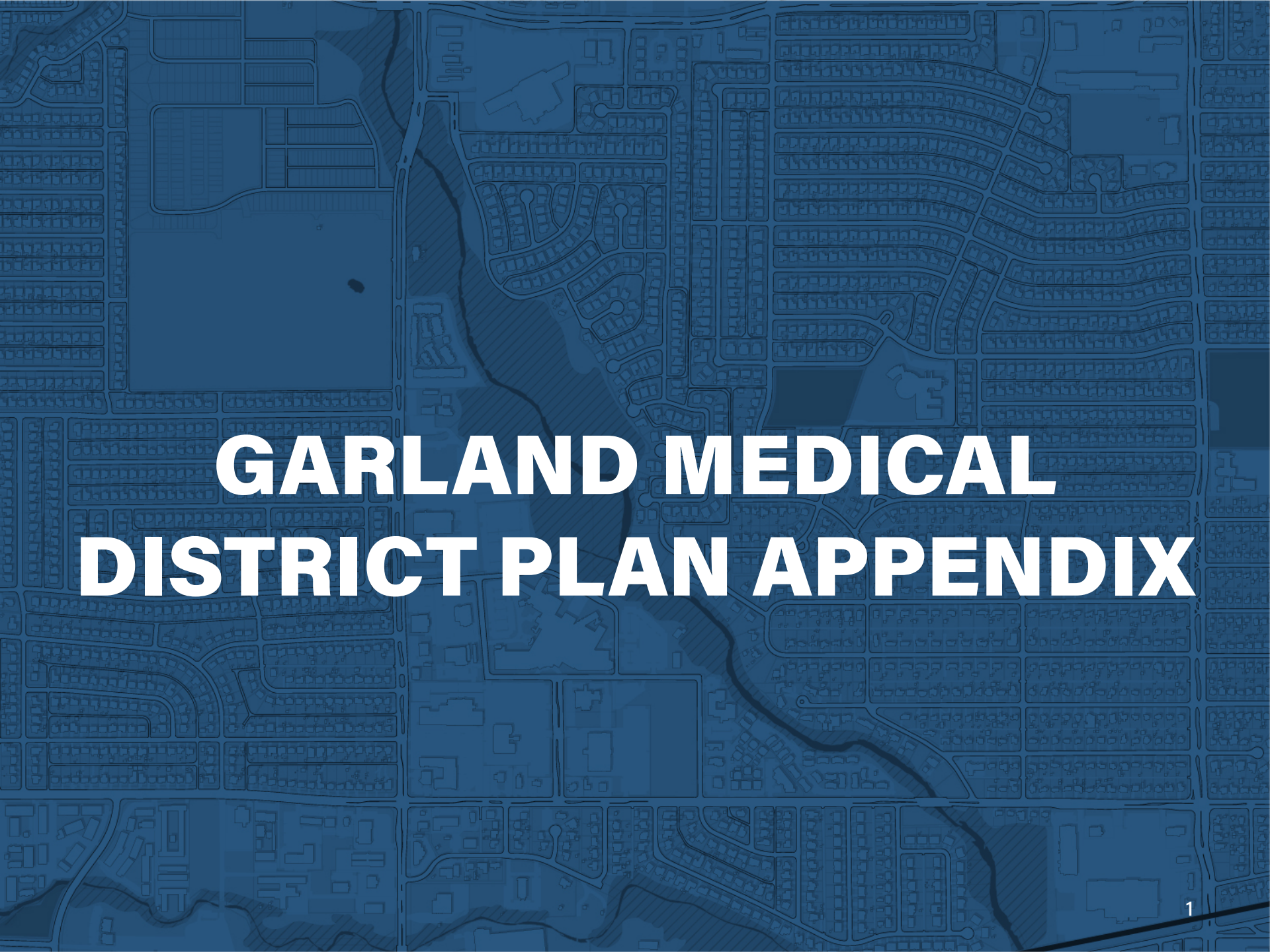
Implementation cont.

Action	Lead	Key Next Steps	Potential Funding Sources
Enhance Walnut St from a Pedestrian and Bike perspective	Transportation	- Do more detailed design of potential sections - Incorporate Duck Creek trail ideas - Conduct further analysis of the available right of way to determine if property acquisition is required & impact on shopping center parking ratios	City bond funds
Improve Curb Appeal of Commercial Centers	Economic Development with Planning & Parks (public art component)	- Engage with property owners regarding potential improvement opportunities and city supports for public art, temporary structures, façade improvements - Reinstitute a “temporary” parklets and landscaping program for private property with appropriate review of regulations relating to parking minimums - Review pop up business requirements to ensure ease of launch and licensing - Consider the pop up and parklet program as a demonstration or pilot program that can be employed in other locations	- City operating funds / grant program - Prop F Neighborhood Vitality Funds for selected improvements such as public art

Implementation cont.

Action	Lead	Key Next Steps	Potential Funding Sources
Improve Shiloh Road	Transportation	• Seek funding to continue planning and engineering north of Forest • Failed pavement repairs are planned for Fall of 2021 but still require a cost-share agreement as of 5/17	• Mix of funding between city, county and federal sources
Investigate Feasibility of Shuttle Loop	Transportation and Planning	• Engage with VA & key property owners regarding potential shuttle • Conduct high level analysis of potential volumes • Link shuttle loop concept to a broader Forest Jupiter Transit Area plan • Work with DART to gradually development loop system based on adjustments to route system	• City bond funds



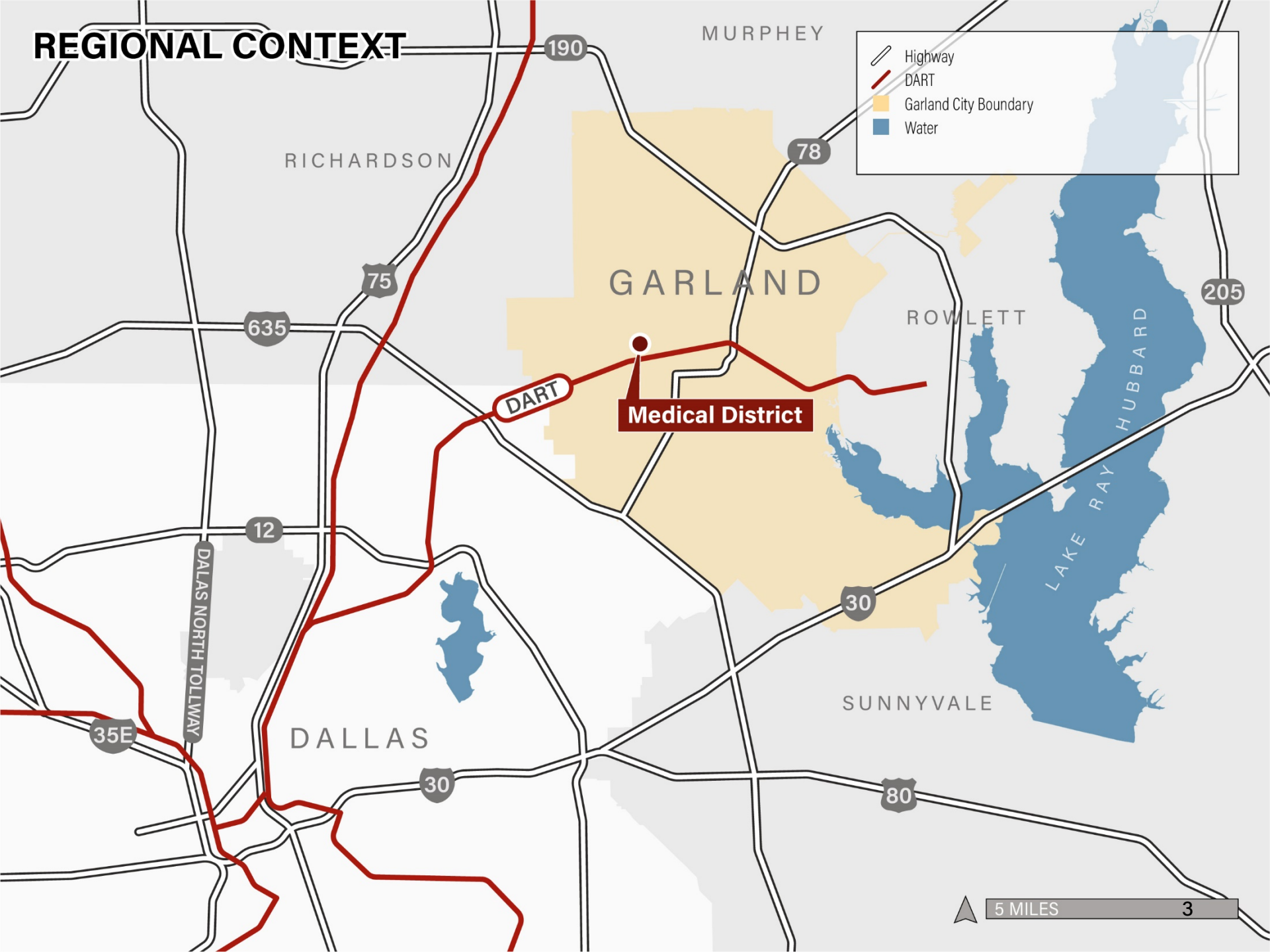


GARLAND MEDICAL DISTRICT PLAN APPENDIX

The background is a grayscale aerial photograph of a city, showing a dense grid of streets and building footprints. The image is slightly blurred, giving it a map-like appearance. Overlaid on the center of this map is the text 'ECONOMIC CONTEXT' in a large, bold, dark blue sans-serif font. The text is centered both horizontally and vertically.

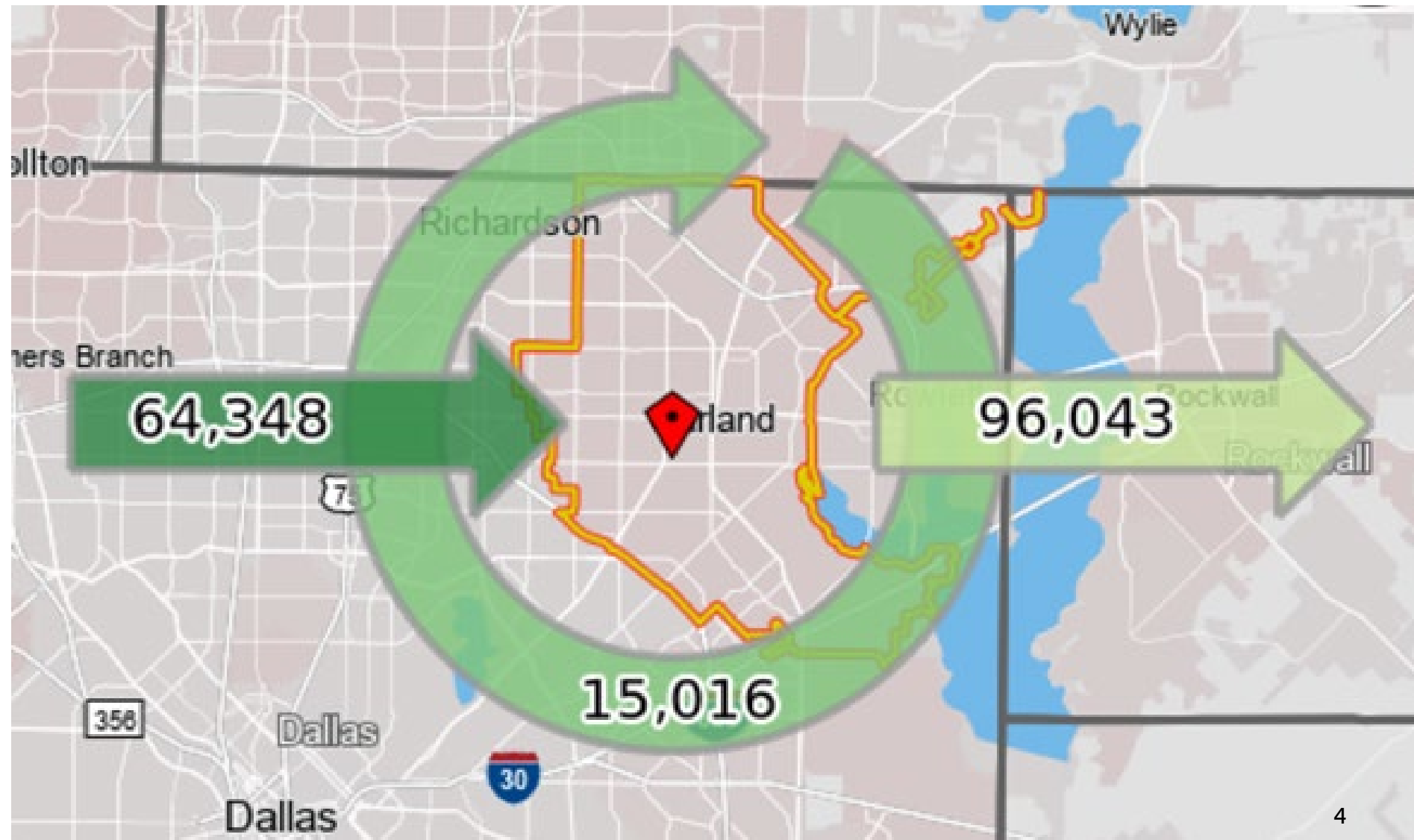
ECONOMIC CONTEXT

REGIONAL CONTEXT

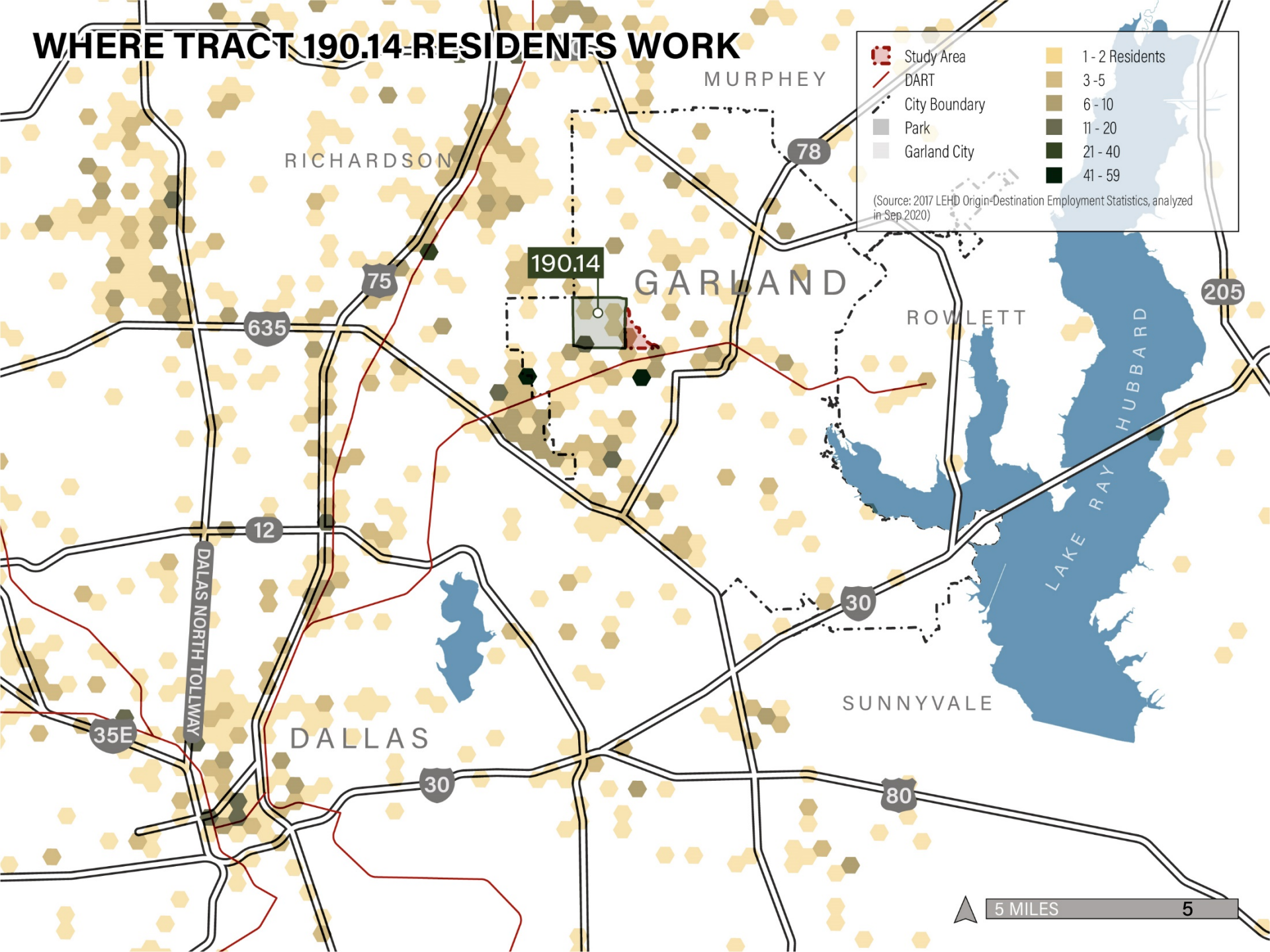


Most Garland residents leave the city for work

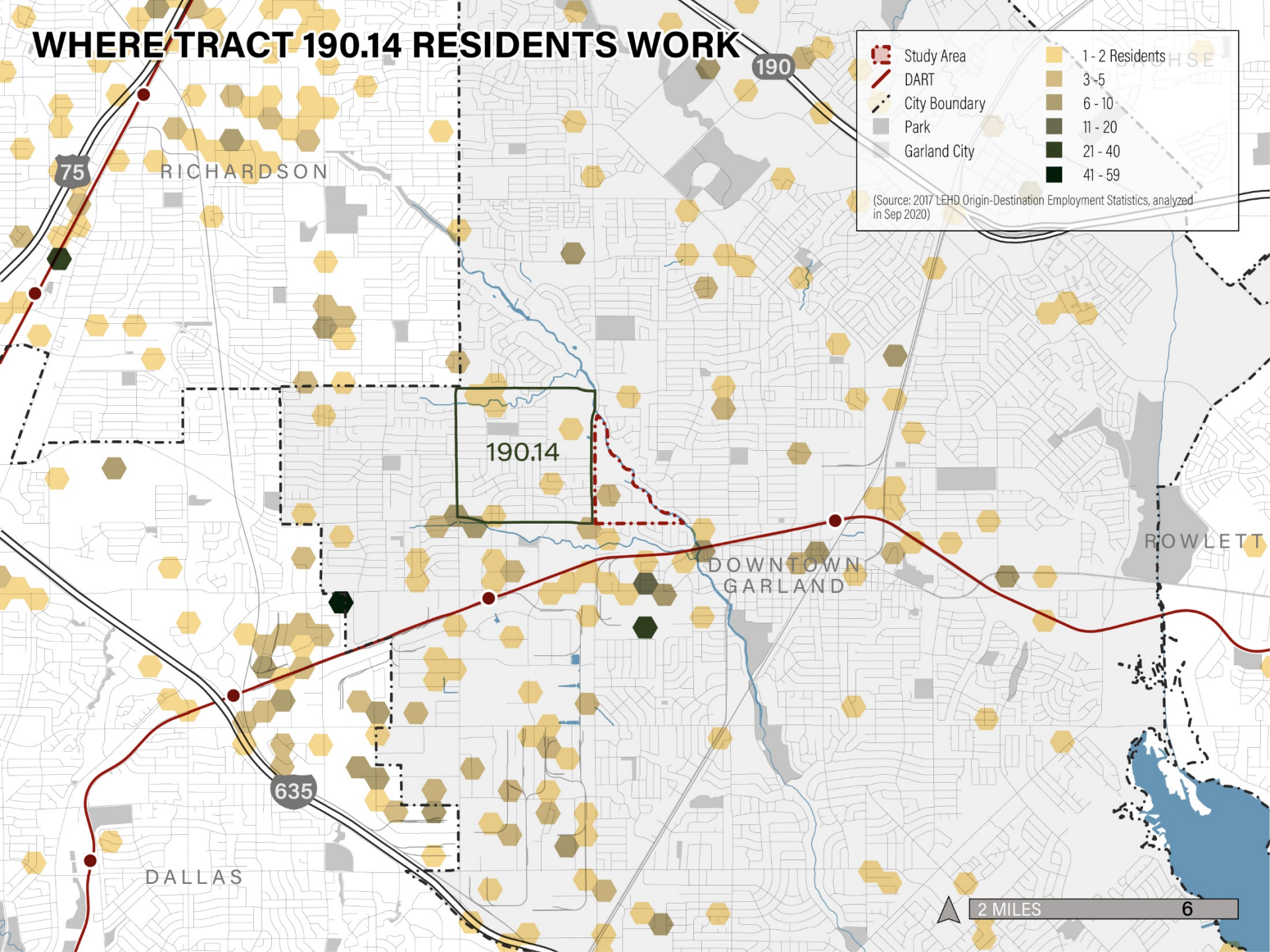
- 2017 latest year available



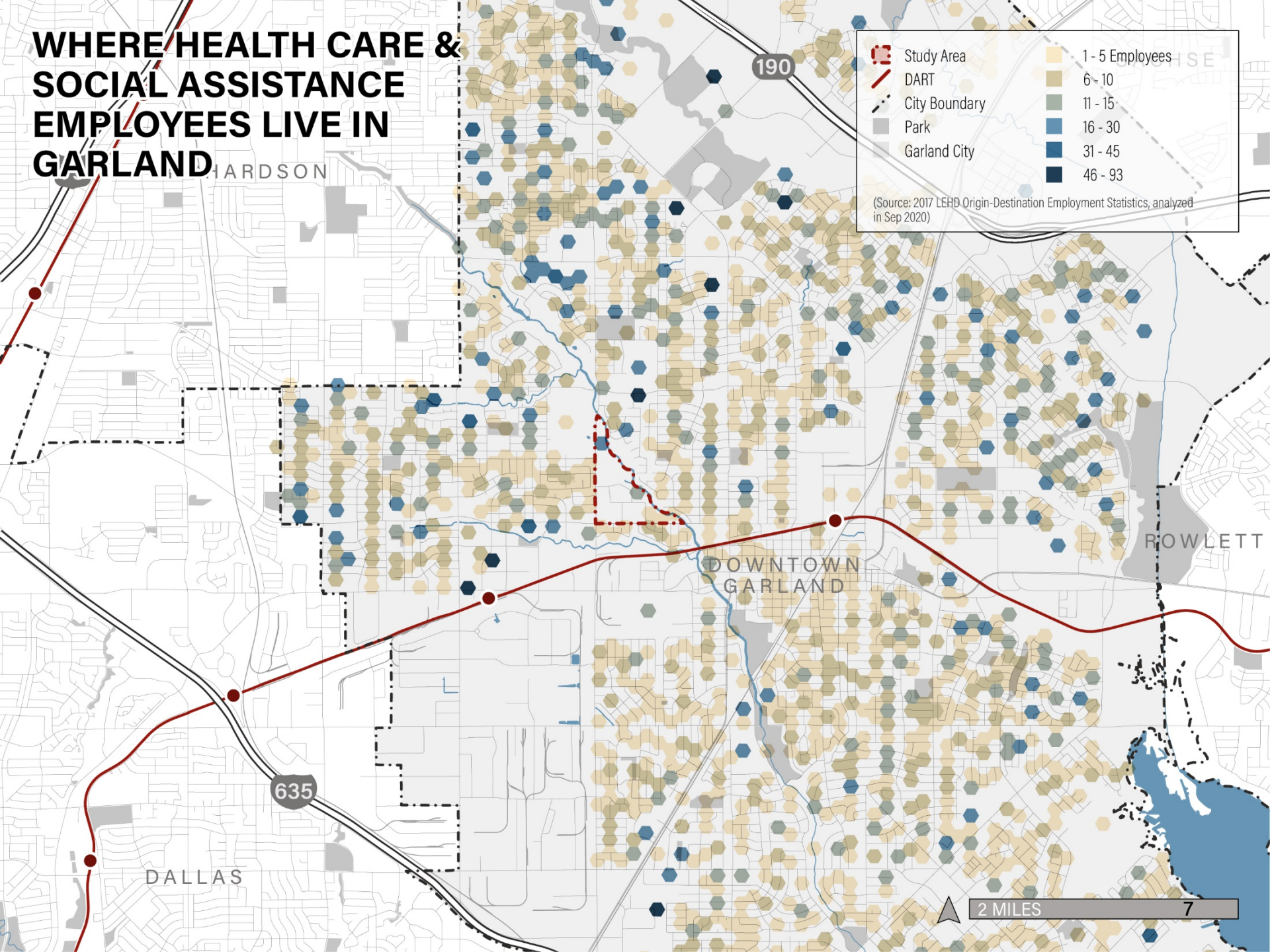
WHERE TRACT 190.14 RESIDENTS WORK



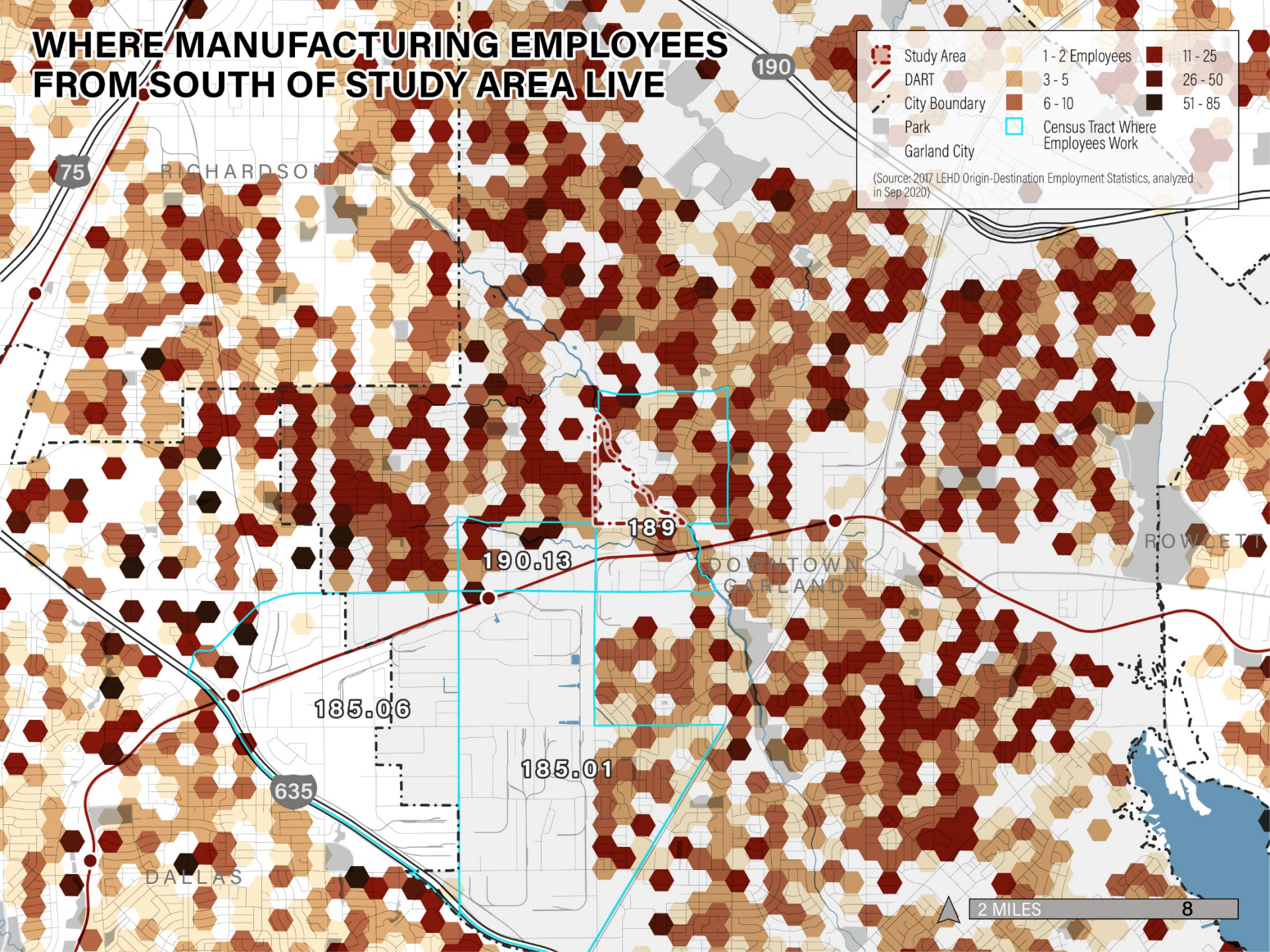
WHERE TRACT 190.14 RESIDENTS WORK



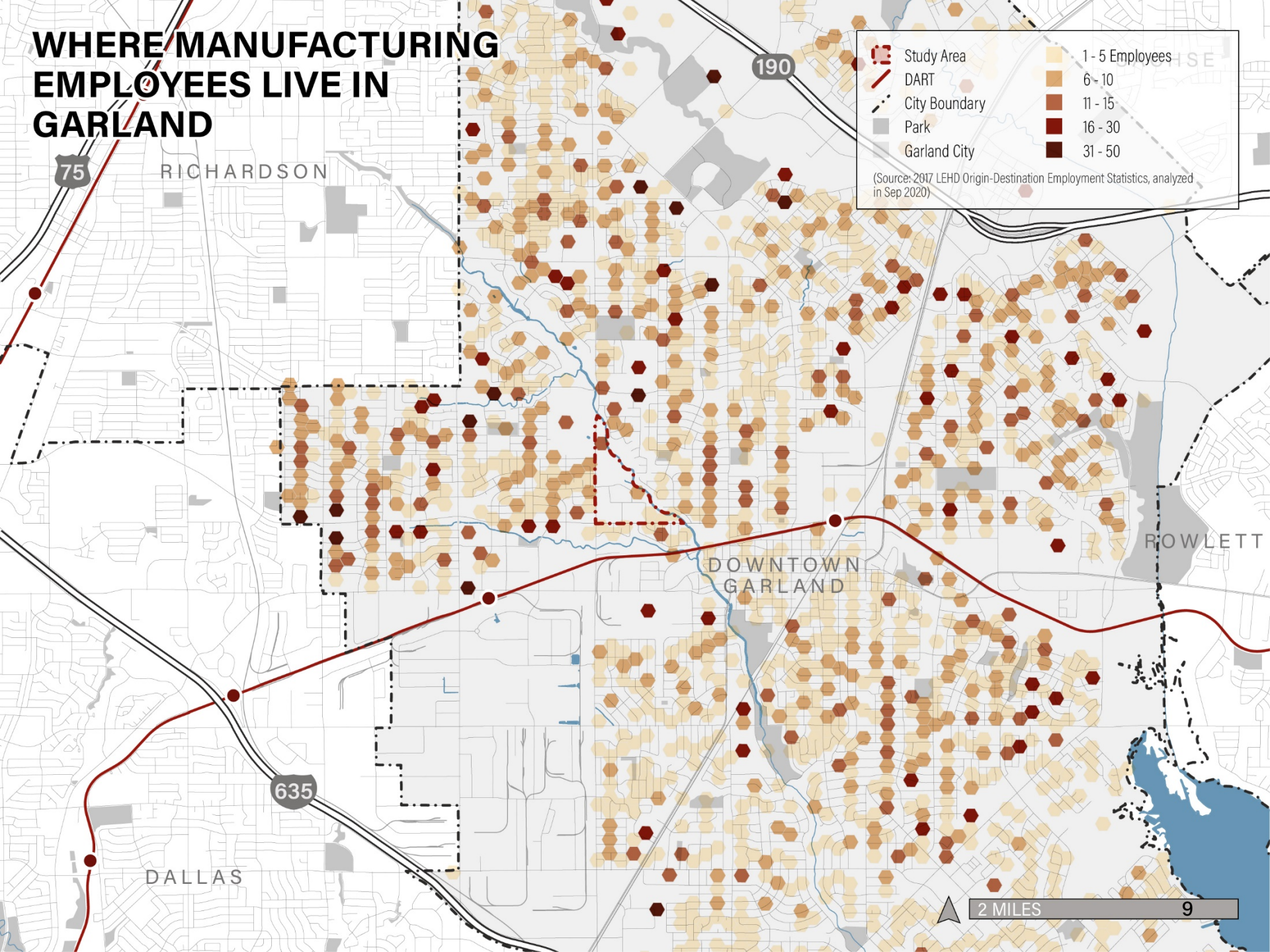
WHERE HEALTH CARE & SOCIAL ASSISTANCE EMPLOYEES LIVE IN GARLAND



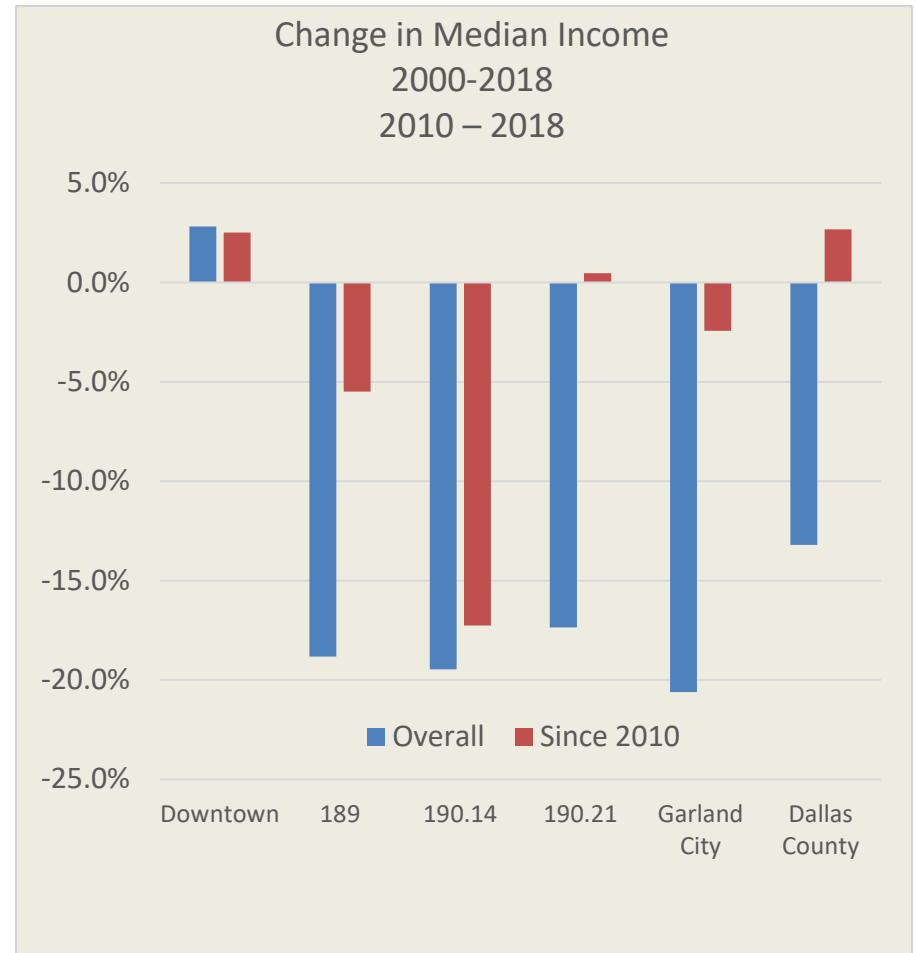
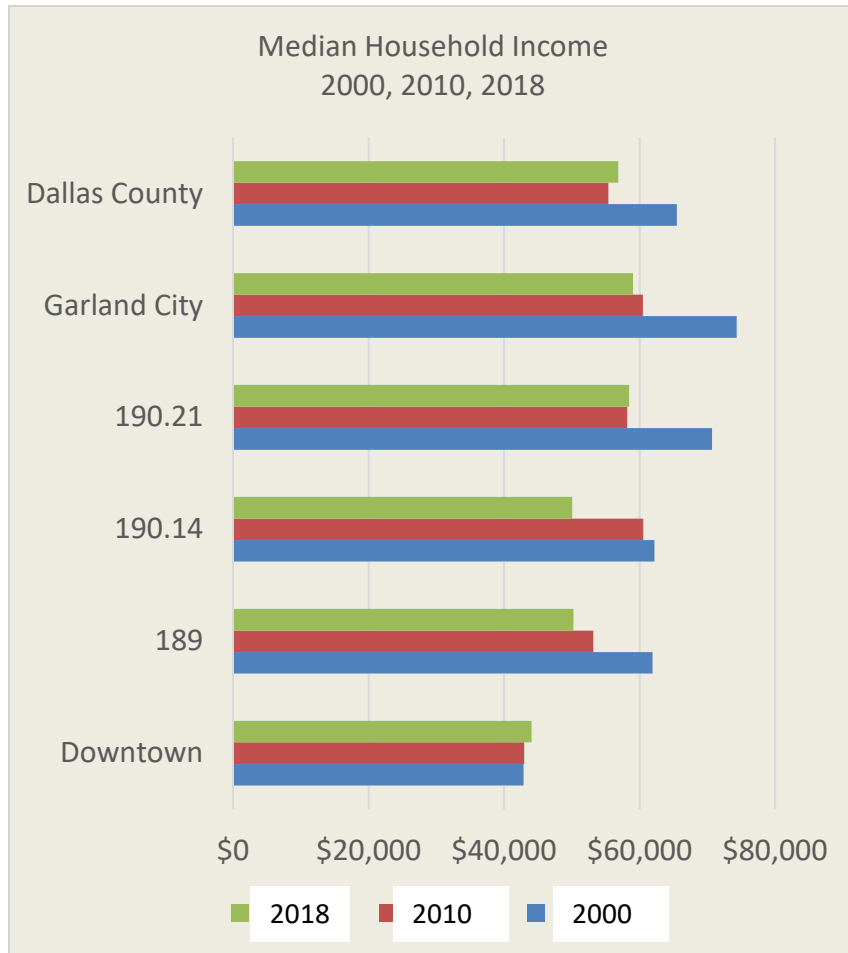
WHERE MANUFACTURING EMPLOYEES FROM SOUTH OF STUDY AREA LIVE



WHERE MANUFACTURING EMPLOYEES LIVE IN GARLAND

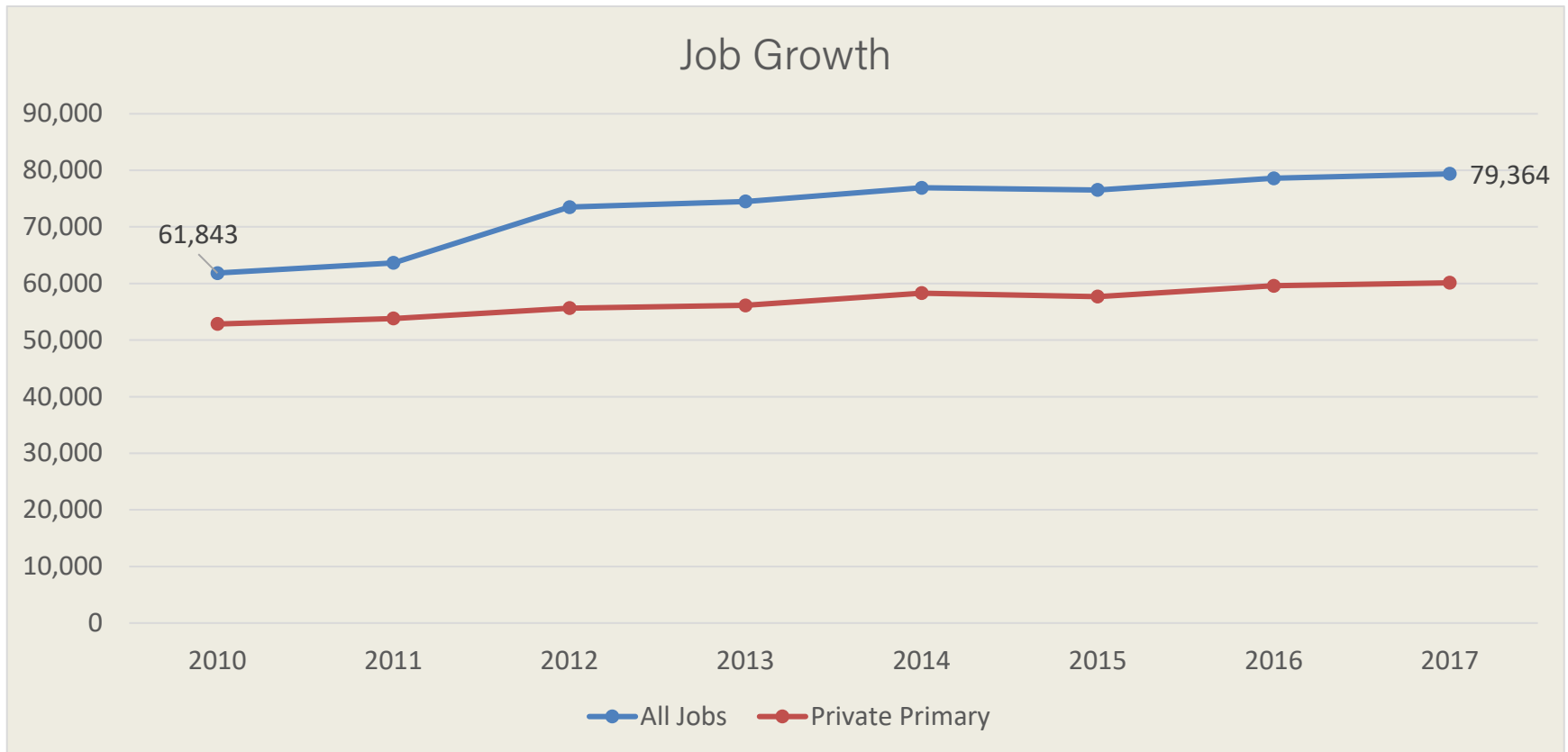


Incomes have declined but at a slower rate than the city overall since 2000

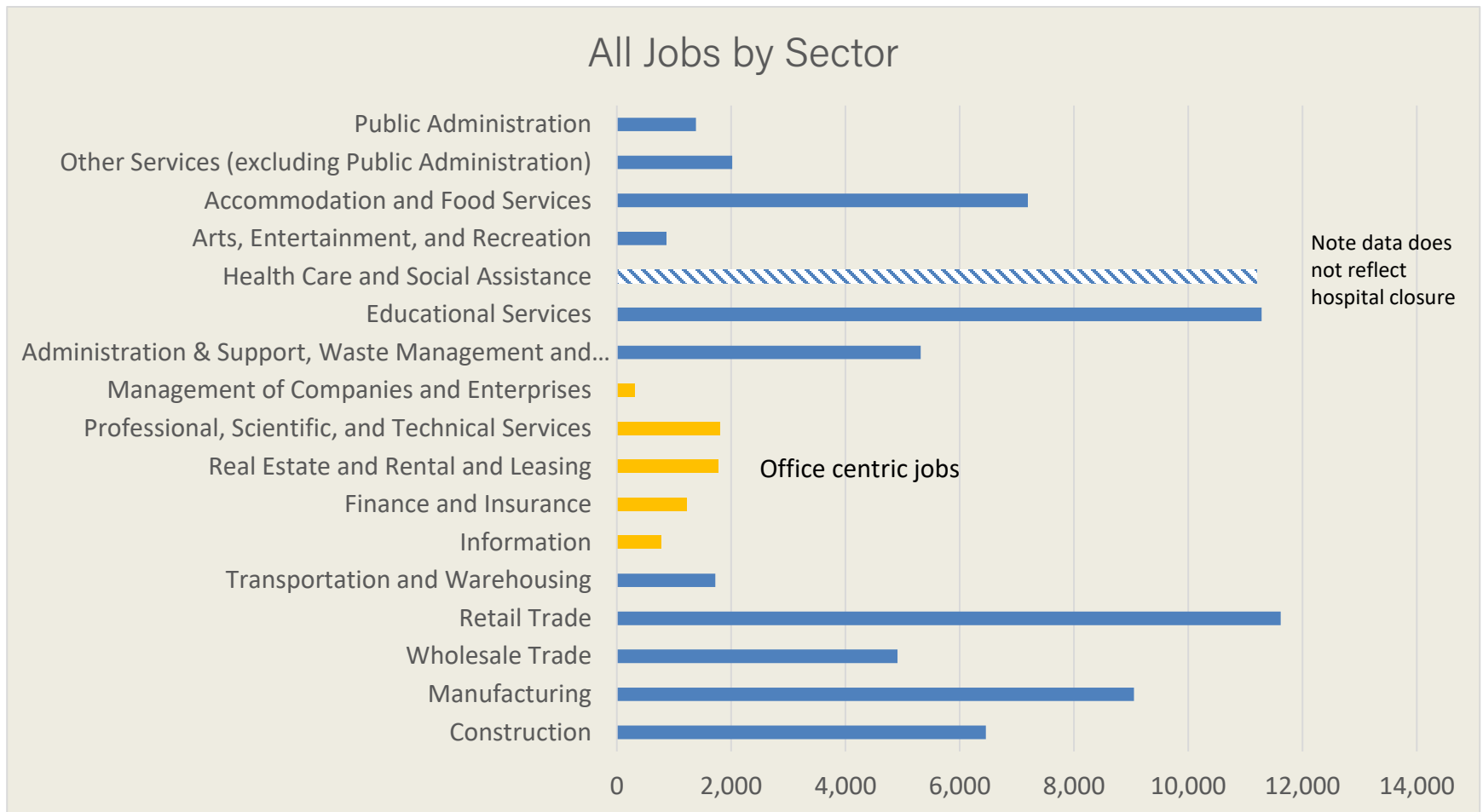


Job growth prior to COVID has been steady adding nearly 18,000 jobs in Garland

Note: Texas does not track employment or businesses by city. This data is based on OntheMap LODES data that lags by 2 years. Because of lag does not reflect hospital closure



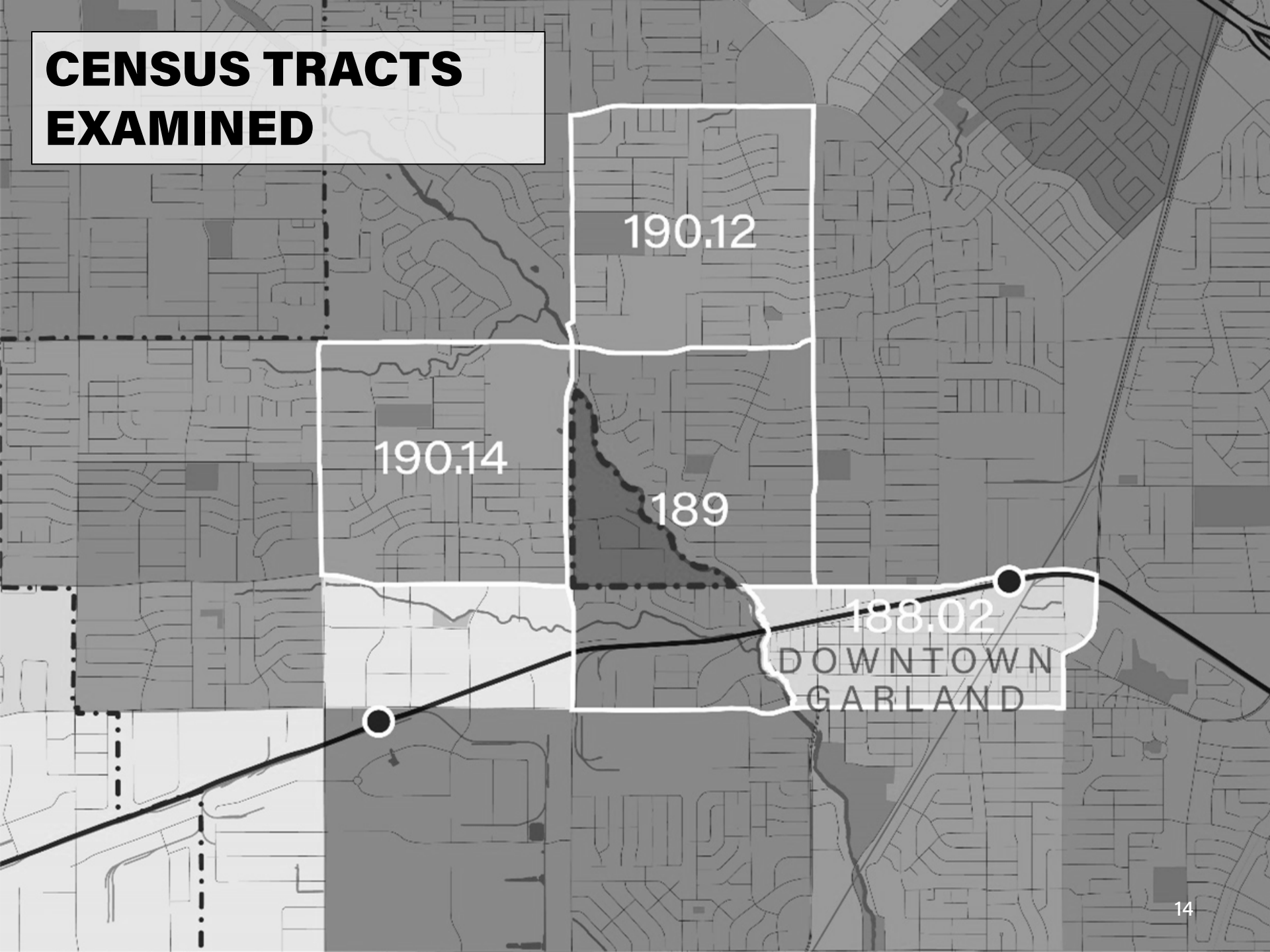
Garland has relatively few office centric jobs about 7% of total employment (excluding government jobs)



A grayscale map of a suburban neighborhood. The map shows a grid of streets and residential lots. A river or stream flows through the center of the map, curving from the top left towards the bottom right. The word "DEMOGRAPHICS" is overlaid in large, bold, dark blue capital letters across the middle of the map.

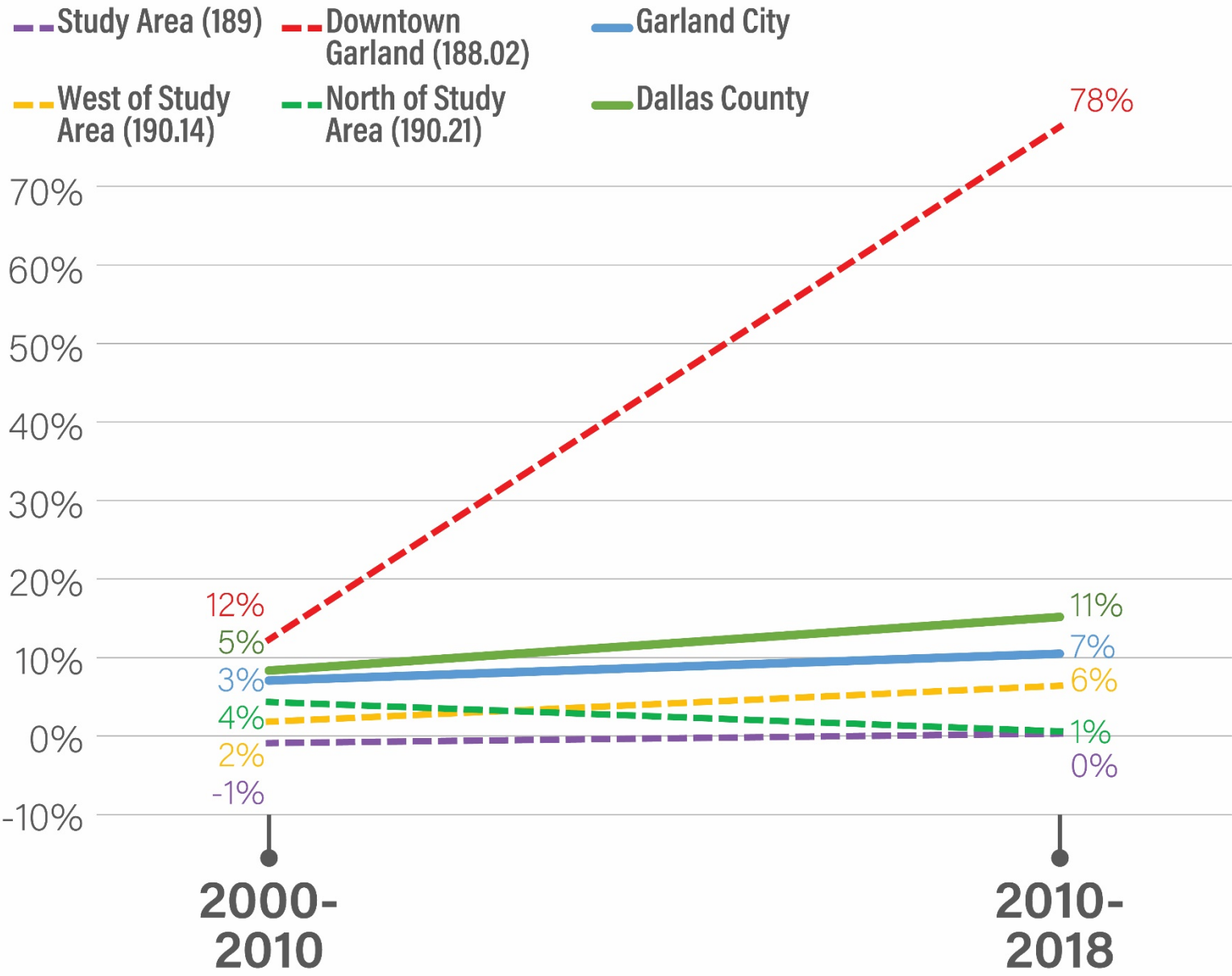
DEMOGRAPHICS

CENSUS TRACTS EXAMINED



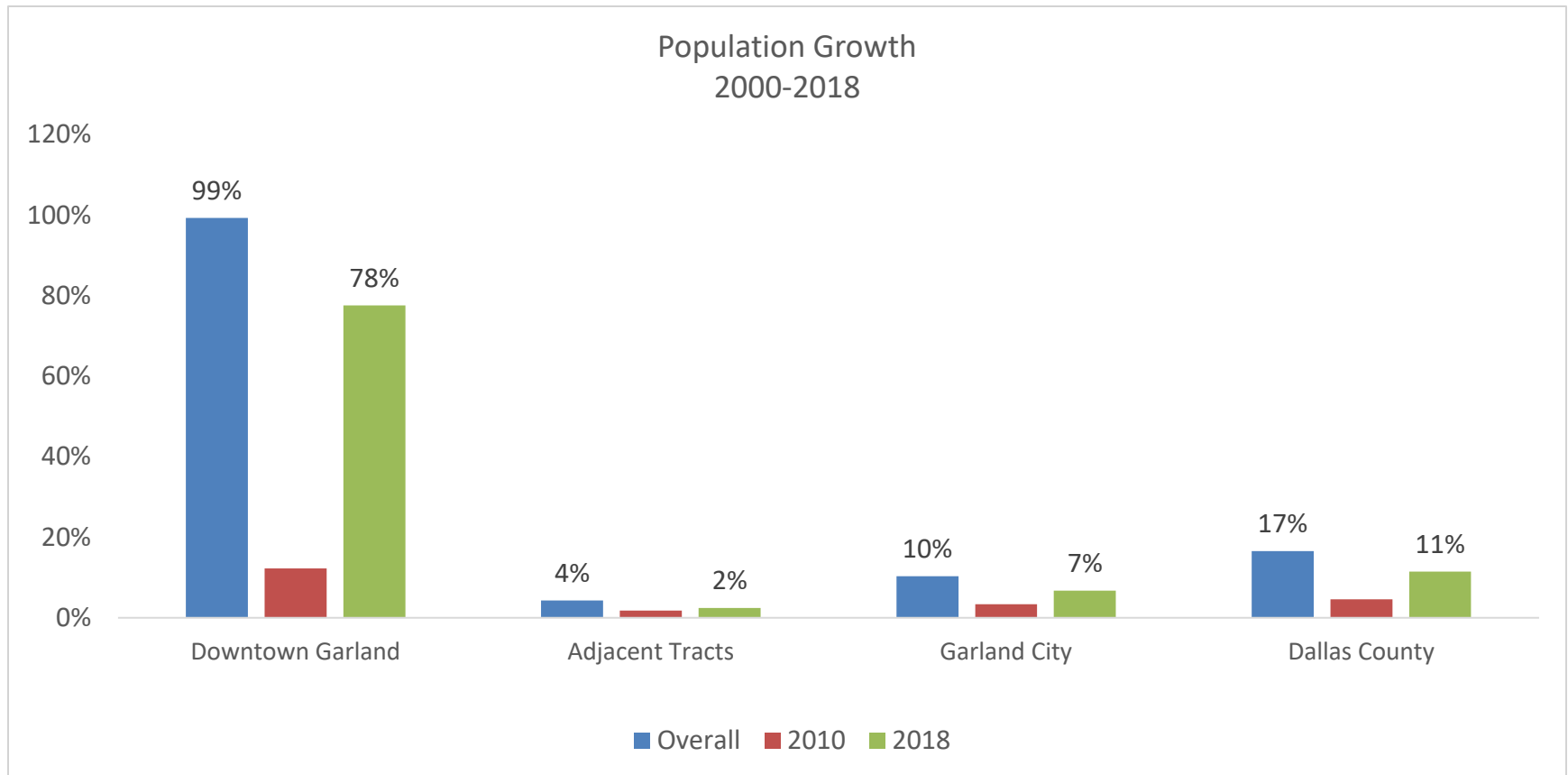
PERCENT CHANGE IN TOTAL POPULATION OVER TIME

Source: American Community Survey, 2018, 2010, 2000



Population levels surrounding the district are steady

- Adjacent neighborhoods have a resident base of approximately 20,000
 - This will increase with the Riverset housing development
- Growth has been at less than half the rate of the city
 - Unsurprising given that most of the housing in the area is single family



... And are increasingly more diverse

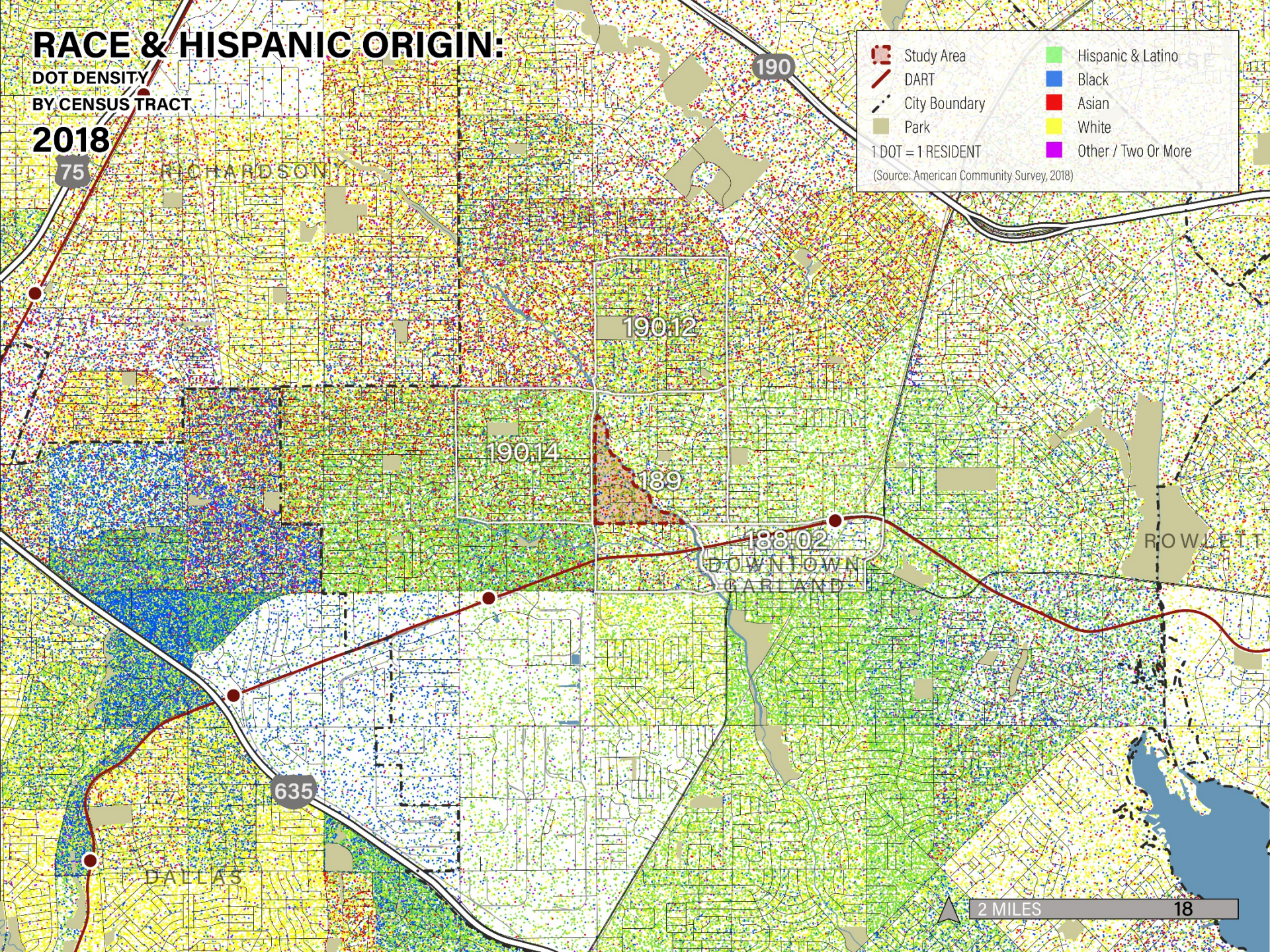
- The adjacent neighborhoods have become more diverse at roughly the same rate as the city and county

	2000				2018			
Race	Downtown	Adjacent Tracts	Garland City	Dallas County	Downtown	Adjacent Tracts	Garland City	Dallas County
White	54%	49%	53%	44%	31%	26%	30%	30%
Hispanic / Latino	31%	25%	26%	30%	49%	49%	43%	40%
Black	12%	10%	12%	20%	14%	10%	14%	22%
Asian	1%	14%	7%	4%	6%	13%	11%	6%
American Indian	1%	0%	0%	0%	0%	0%	0%	0%
Other / Two or more	1%	2%	2%	2%	1%	2%	3%	2%

RACE & HISPANIC ORIGIN:

DOT DENSITY
BY CENSUS TRACT

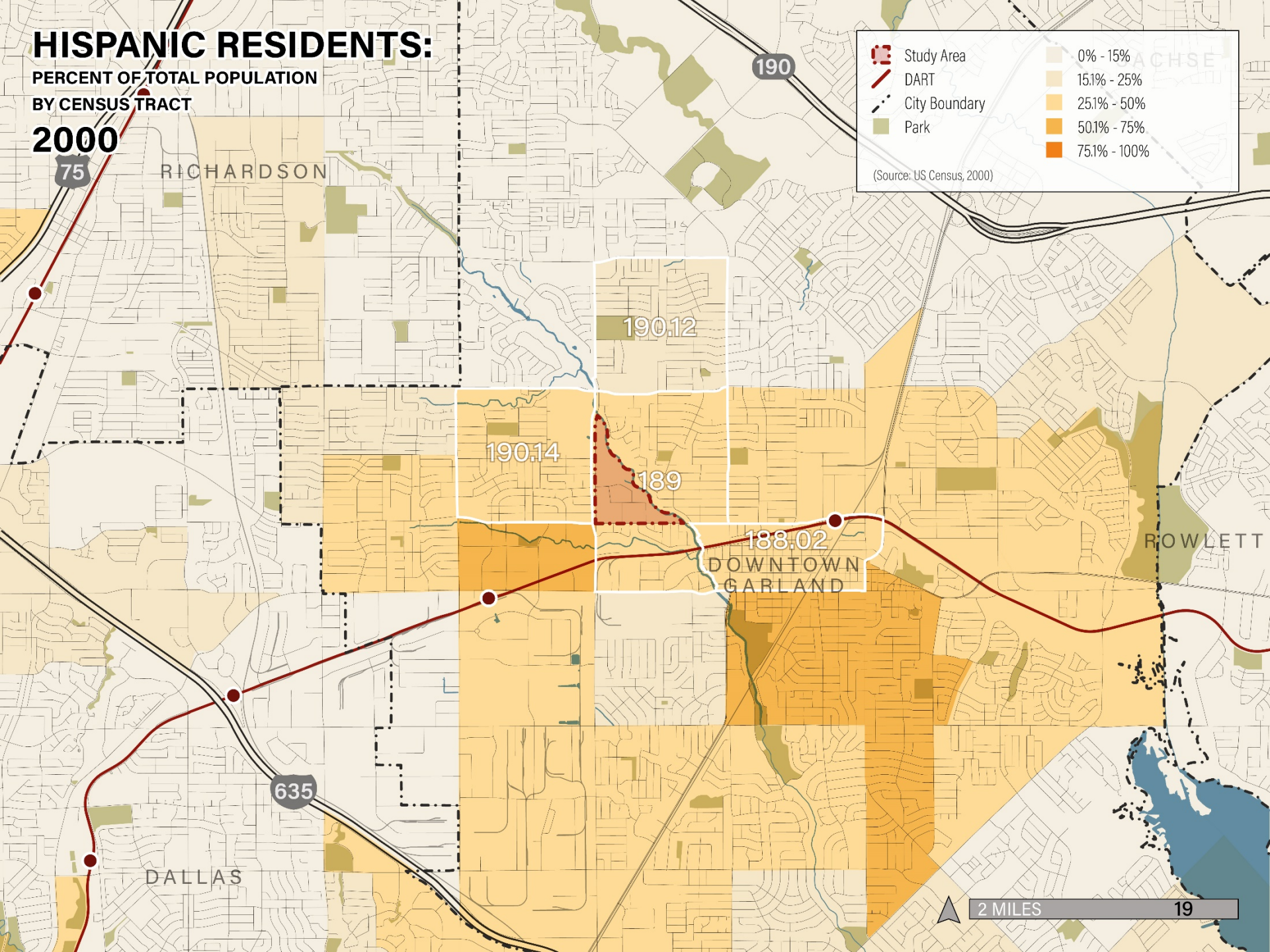
2018



HISPANIC RESIDENTS:

PERCENT OF TOTAL POPULATION
BY CENSUS TRACT

2000

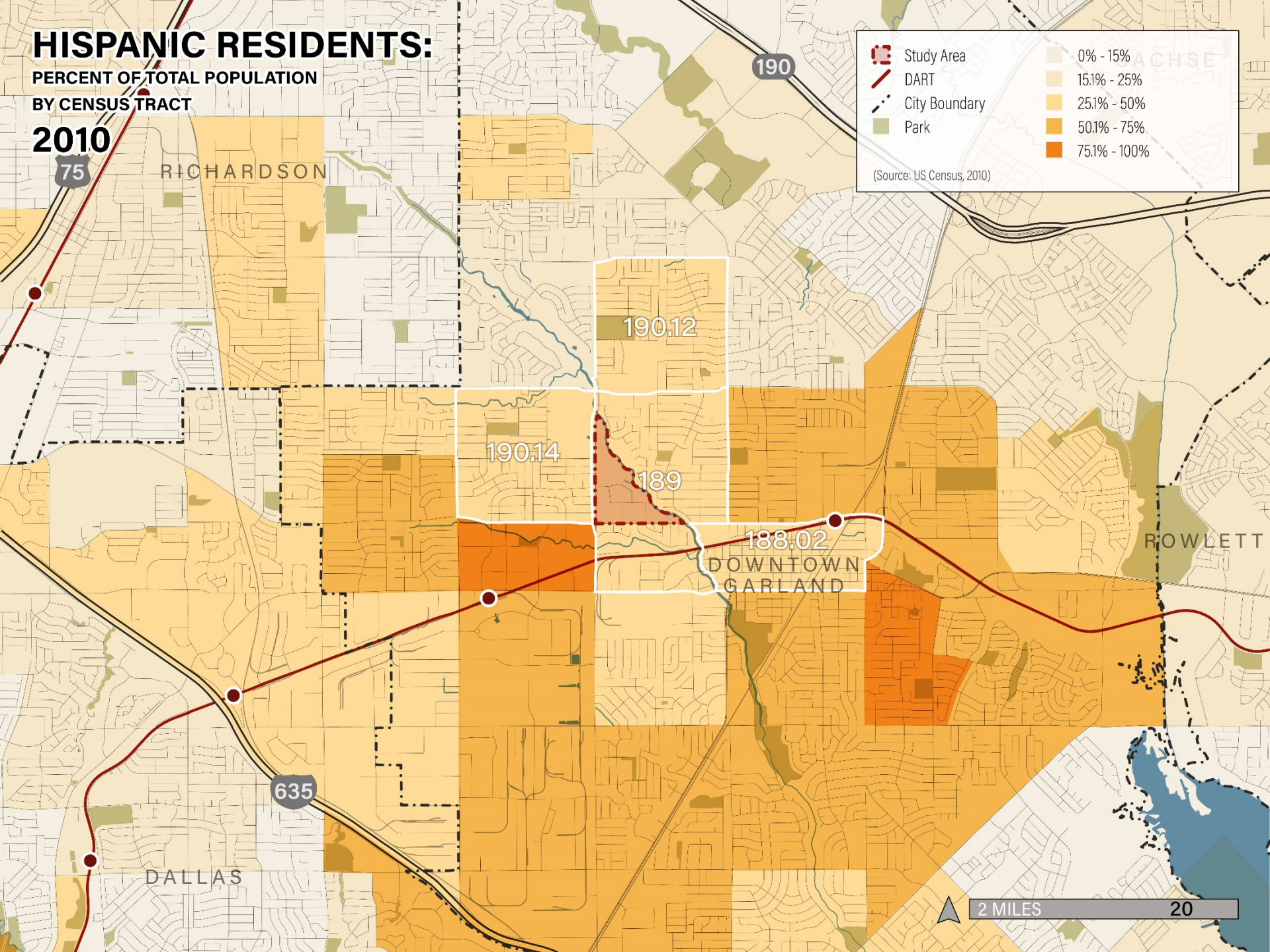


HISPANIC RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2010

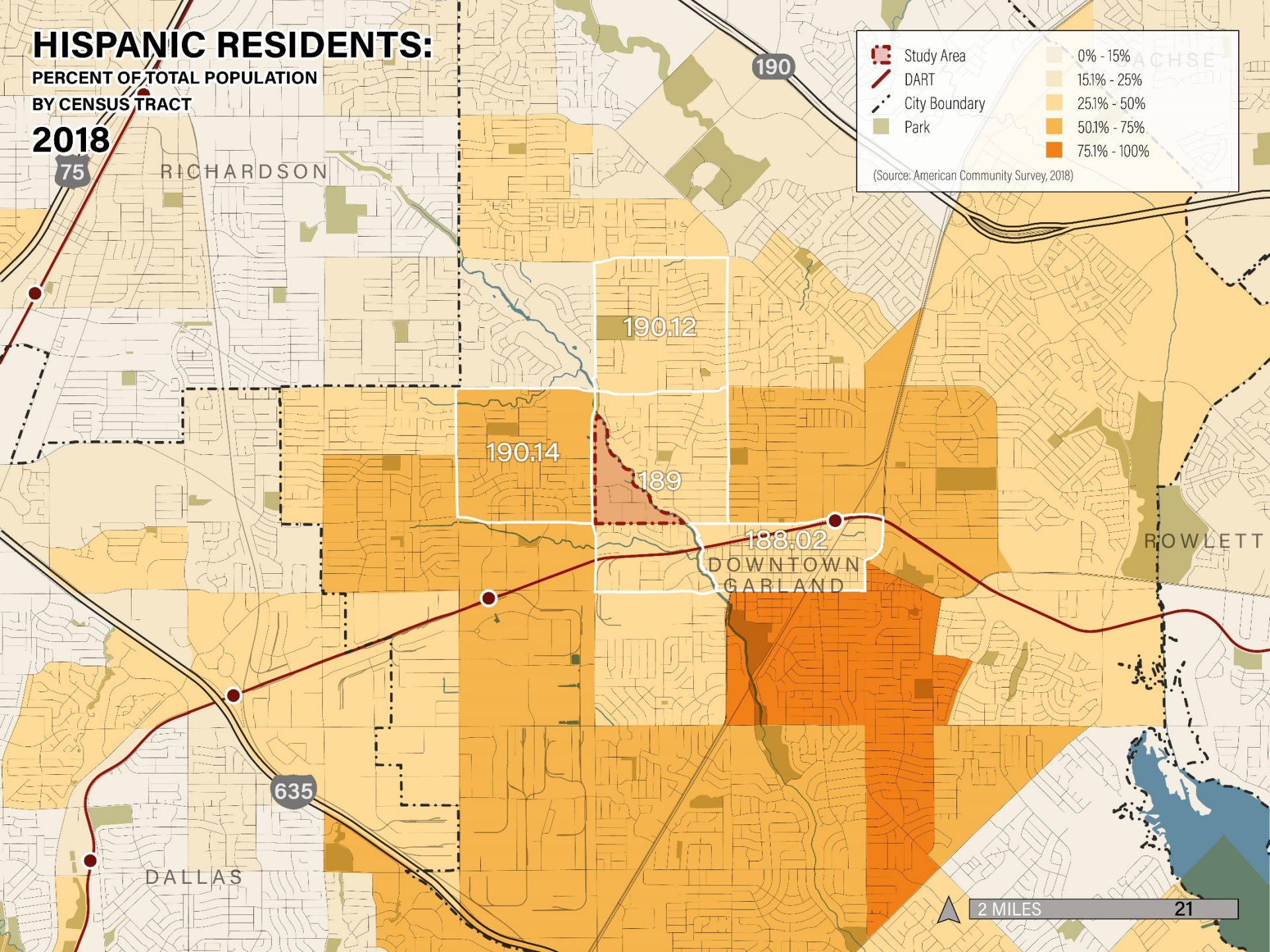


HISPANIC RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2018

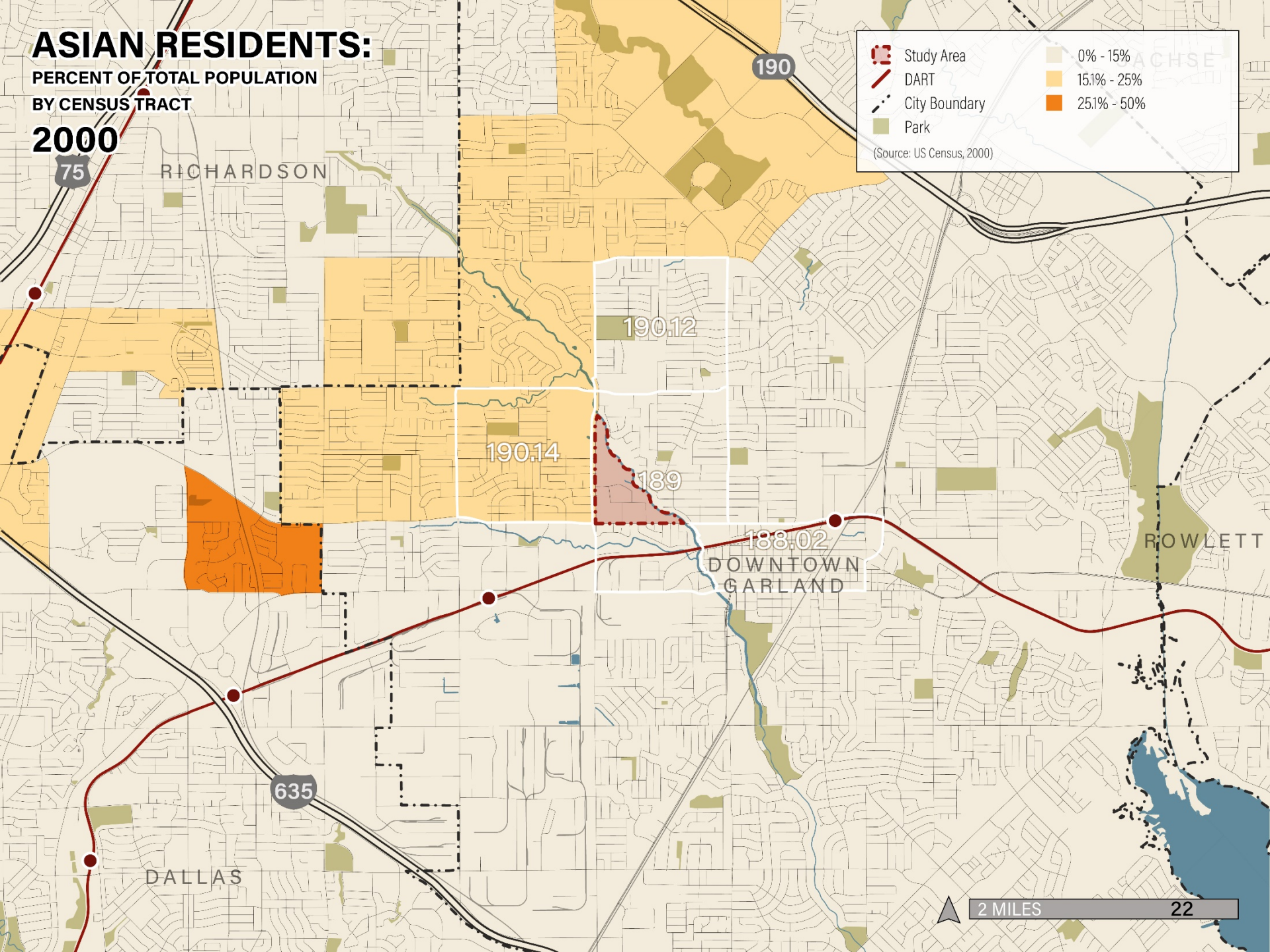


ASIAN RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2000

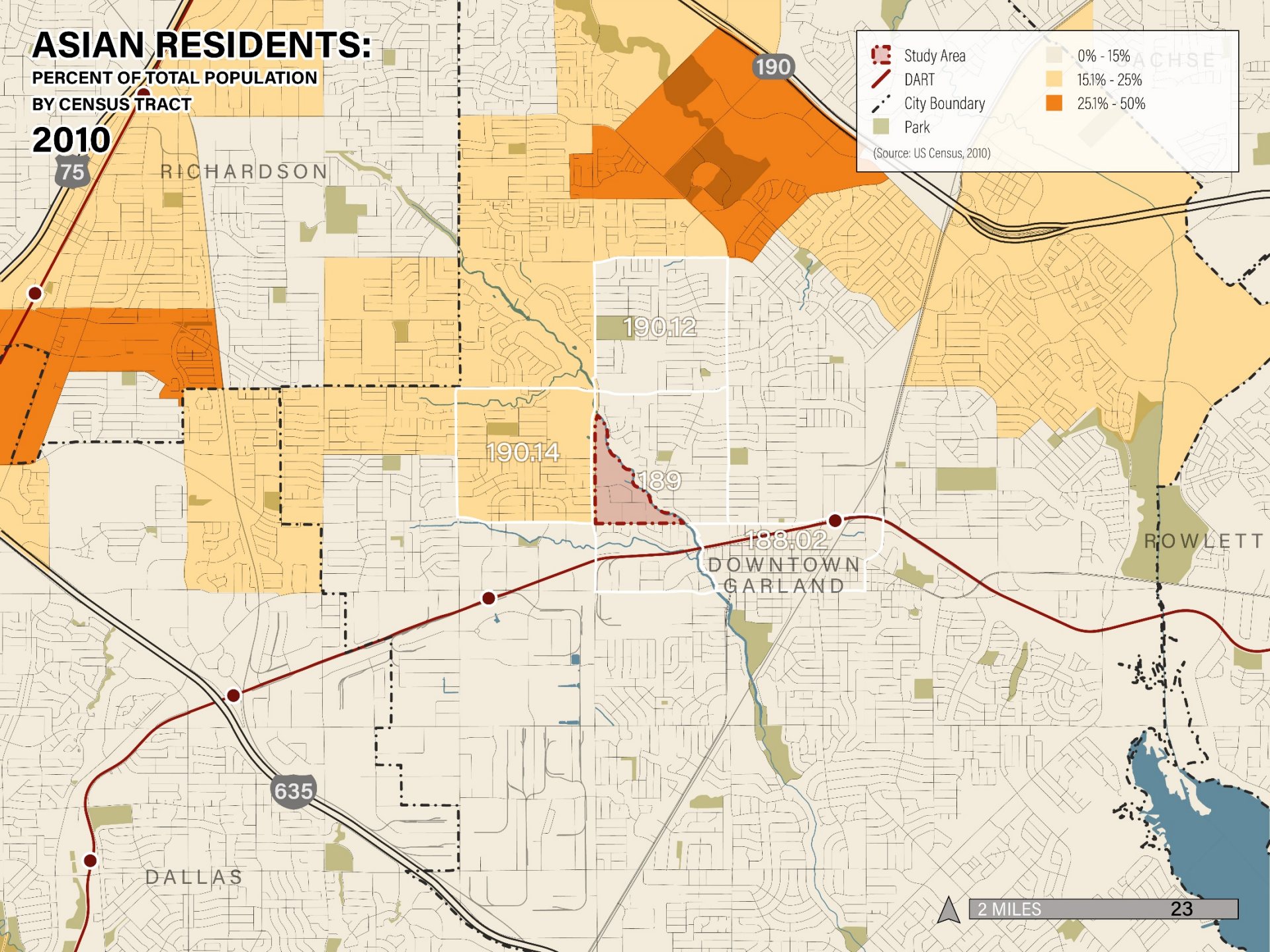


ASIAN RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2010

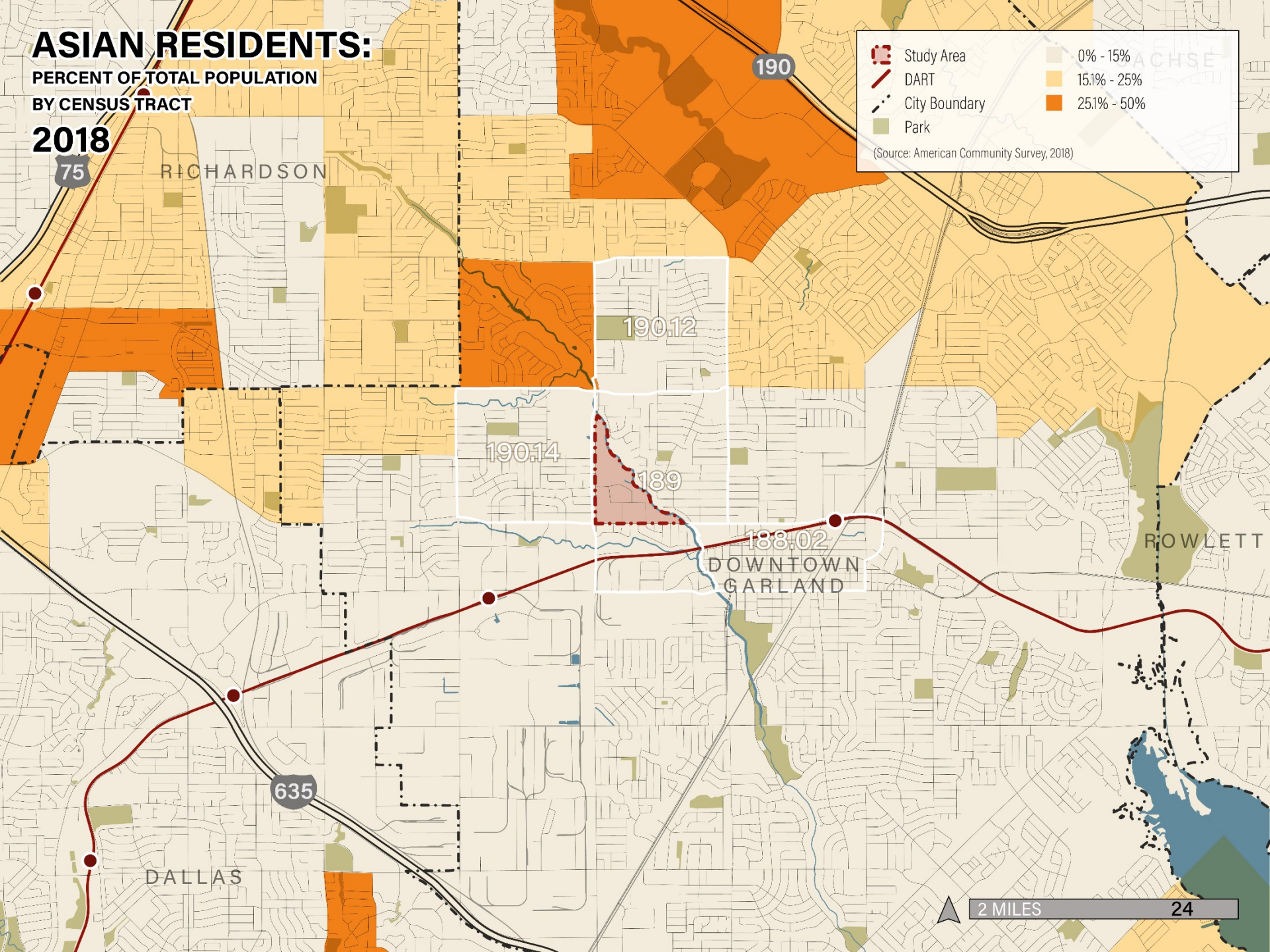


ASIAN RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2018



2 MILES

24

BLACK / AFRICAN-AMERICAN RESIDENTS:

PERCENT OF TOTAL POPULATION
BY CENSUS TRACT

2000

 Study Area

 DART

 City Boundary

 Park

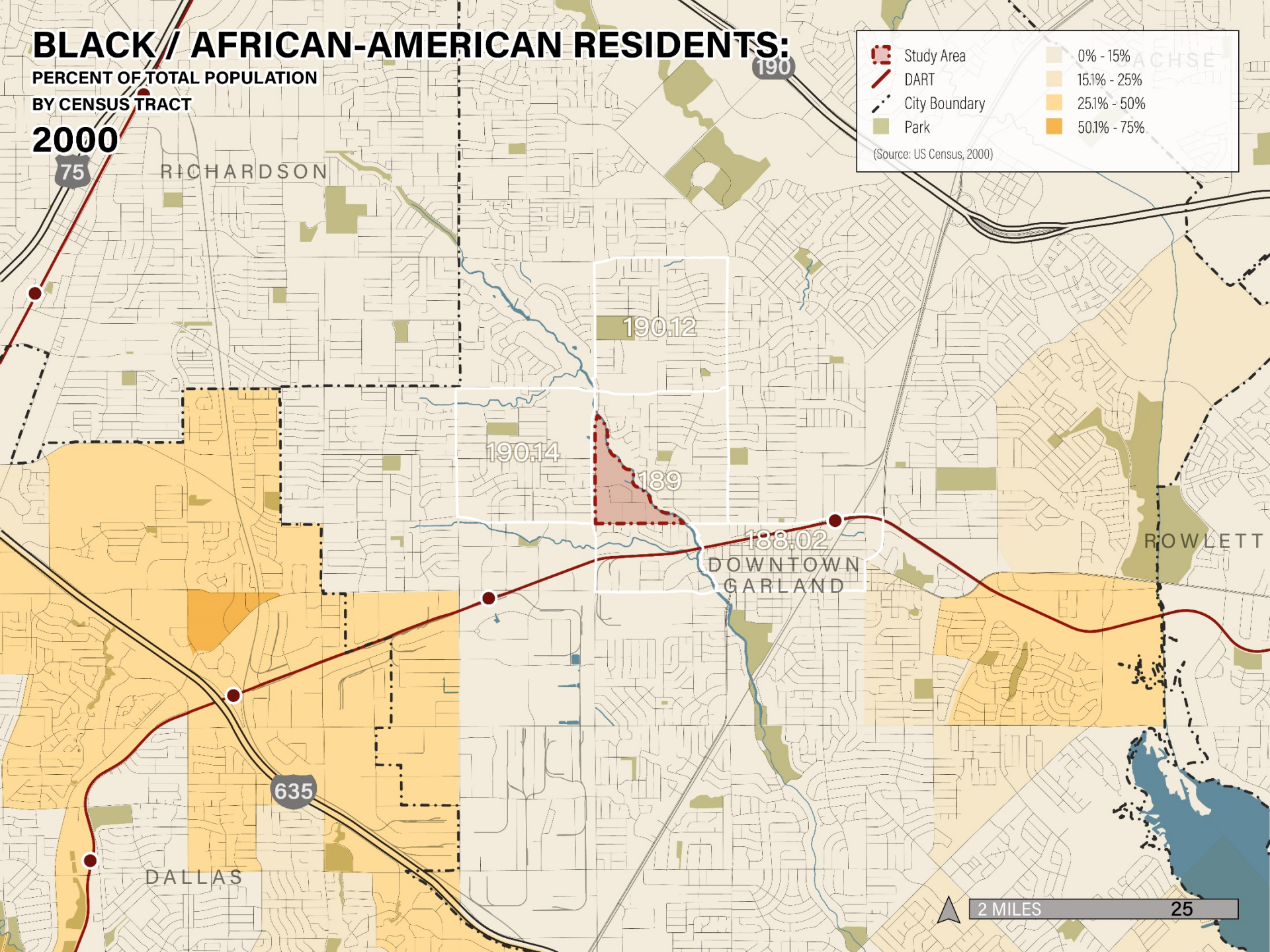
 0% - 15%

 15.1% - 25%

 25.1% - 50%

 50.1% - 75%

(Source: US Census, 2000)



BLACK / AFRICAN-AMERICAN RESIDENTS:

PERCENT OF TOTAL POPULATION
BY CENSUS TRACT

2010

 Study Area

 DART

 City Boundary

 Park

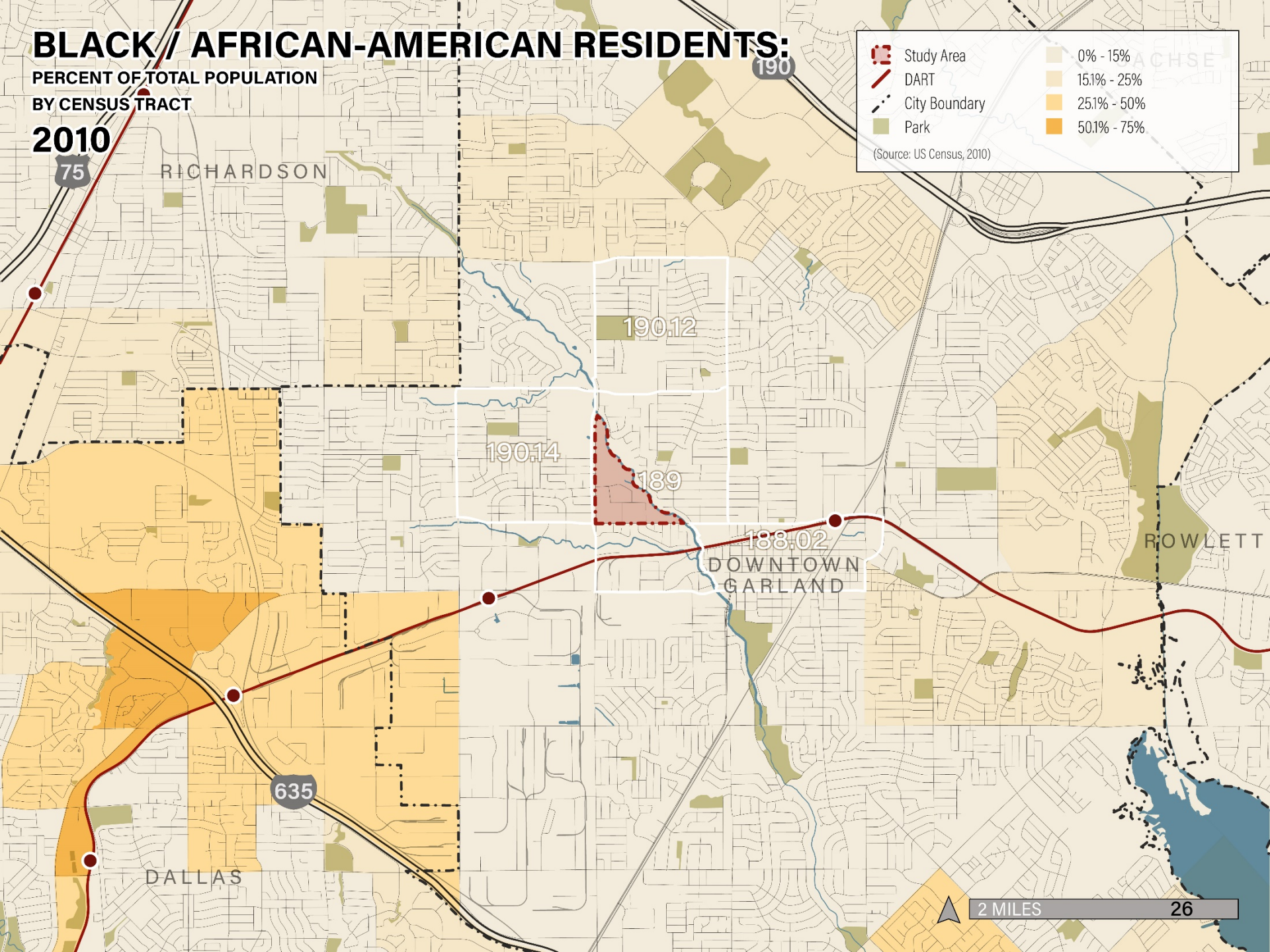
 0% - 15%

 15.1% - 25%

 25.1% - 50%

 50.1% - 75%

(Source: US Census, 2010)



BLACK / AFRICAN-AMERICAN RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2018

 Study Area

 DART

 City Boundary

 Park

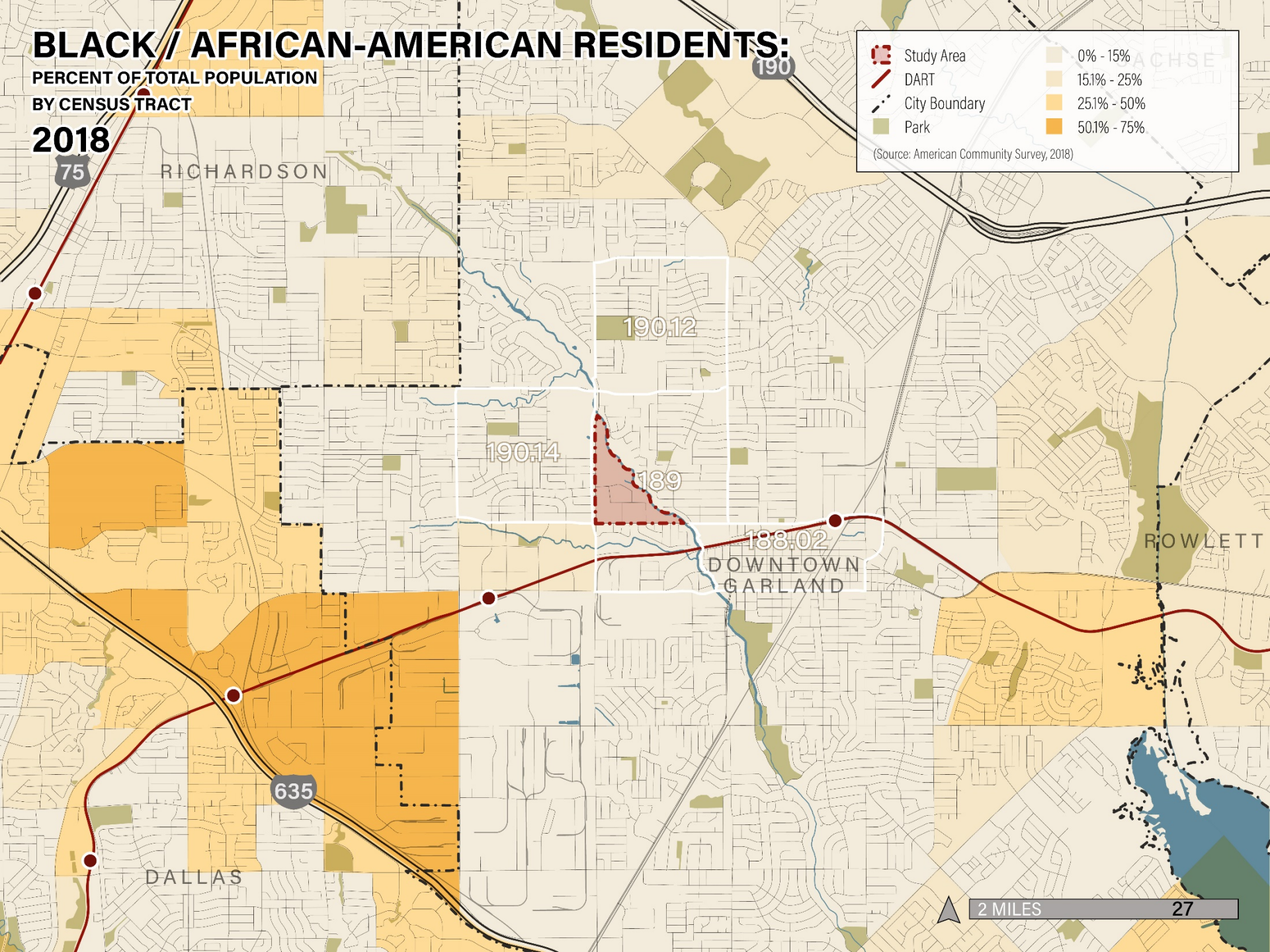
 0% - 15%

 15.1% - 25%

 25.1% - 50%

 50.1% - 75%

(Source: American Community Survey, 2018)

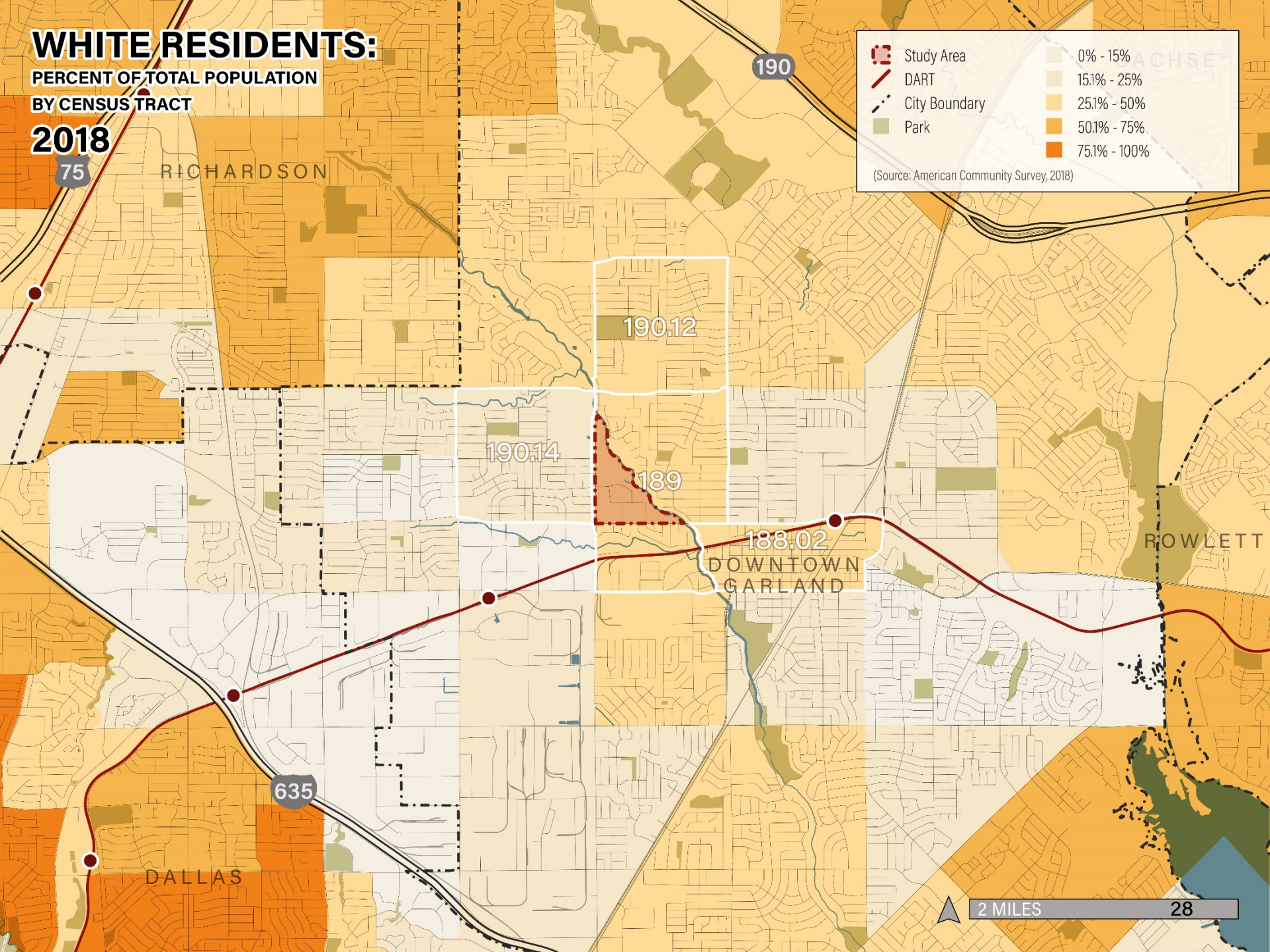


WHITE RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2018



WHITE RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2000

 Study Area

 DART

 City Boundary

 Park

 0% - 15%

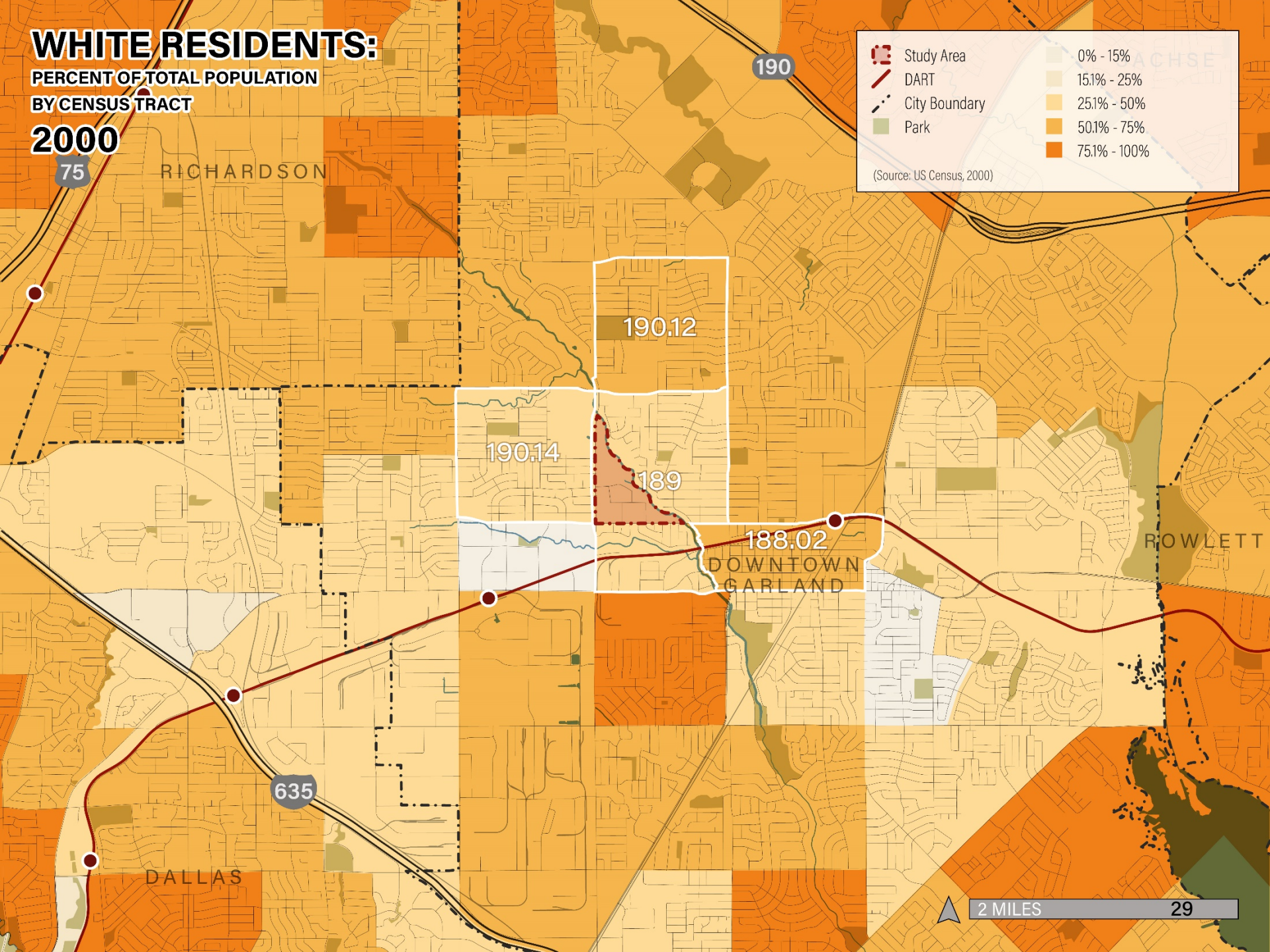
 15.1% - 25%

 25.1% - 50%

 50.1% - 75%

 75.1% - 100%

(Source: US Census, 2000)



WHITE RESIDENTS:

PERCENT OF TOTAL POPULATION

BY CENSUS TRACT

2010

75

RICHARDSON

190



Study Area



DART



City Boundary



Park

0% - 15%

15.1% - 25%

25.1% - 50%

50.1% - 75%

75.1% - 100%

(Source: US Census, 2010)

190.12

190.14

189

188.02

DOWNTOWN
GARLAND

ROWLETT

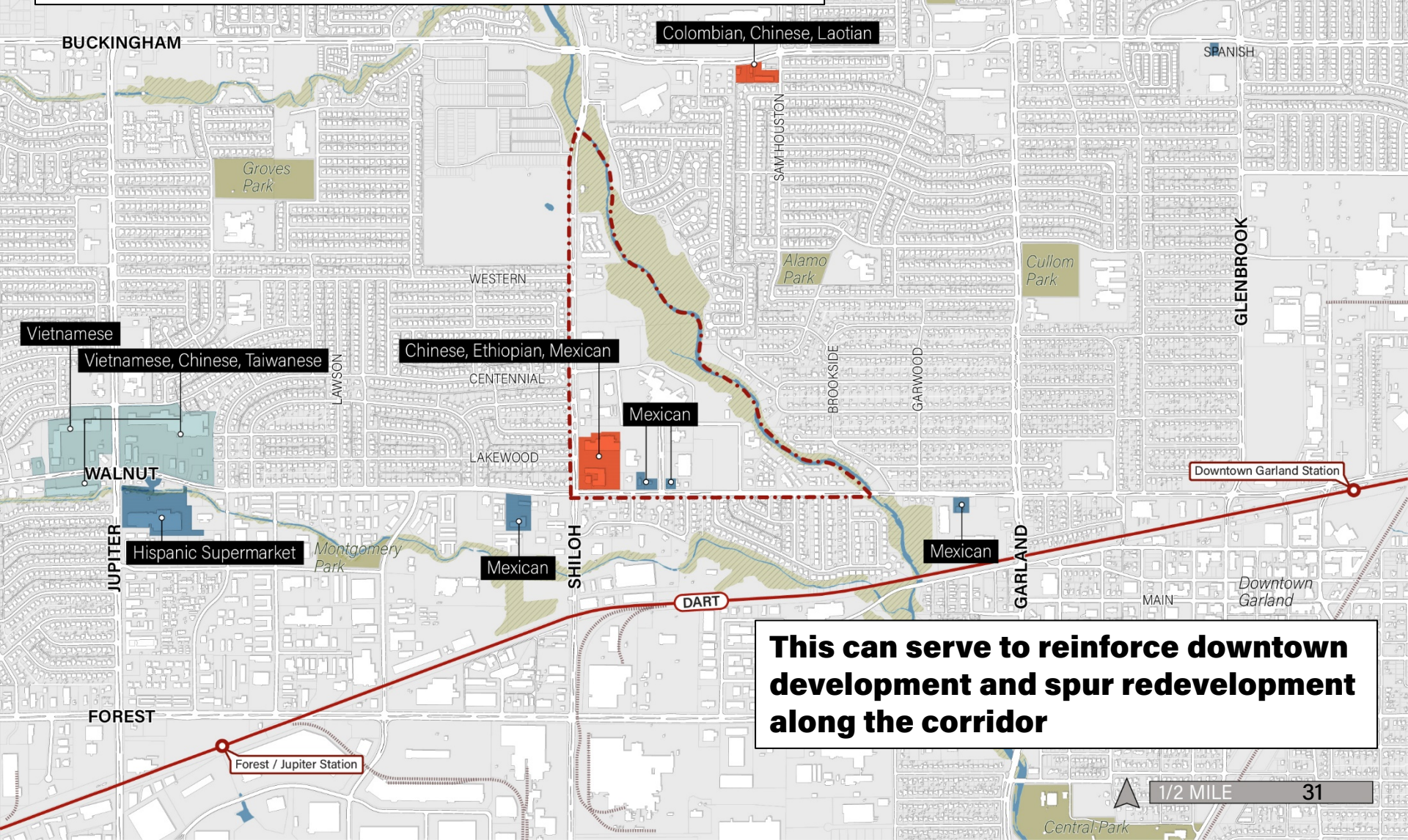
635

DALLAS

2 MILES

30

Multi-cultural businesses are all along the corridor serving the growing market opportunity

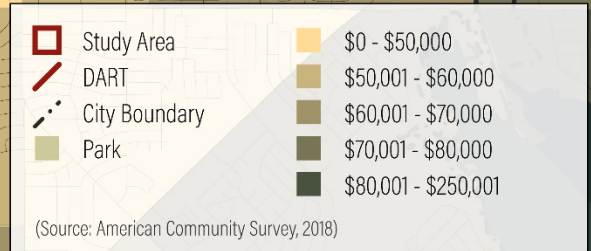
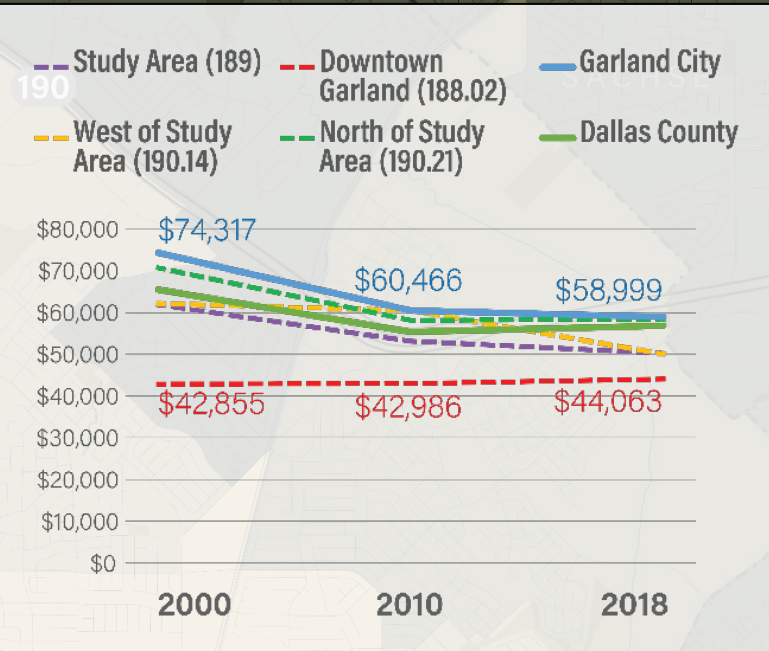
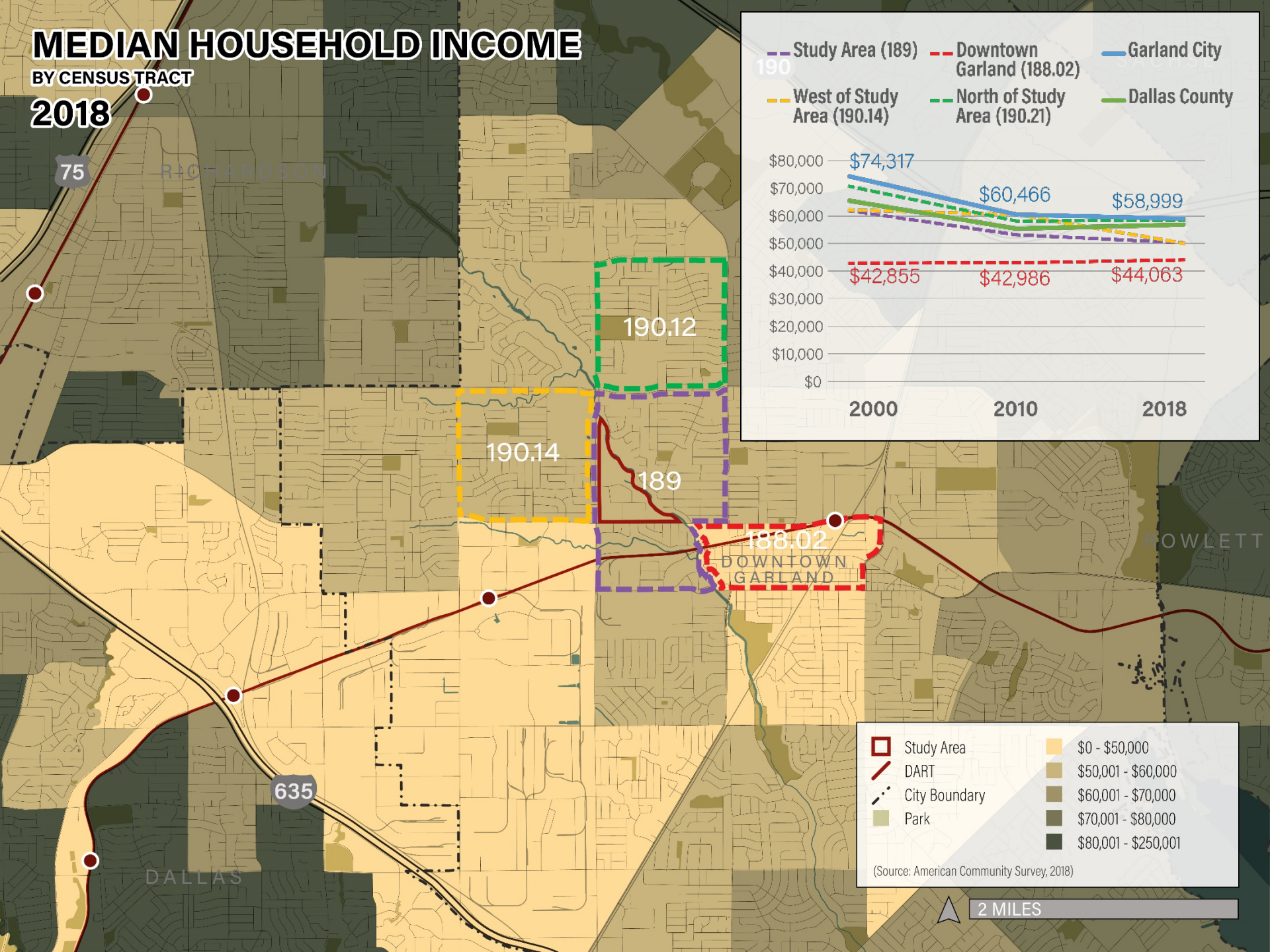


This can serve to reinforce downtown development and spur redevelopment along the corridor

MEDIAN HOUSEHOLD INCOME

BY CENSUS TRACT

2018



2 MILES

MEDIAN HOUSEHOLD INCOME

BY CENSUS TRACT

2000

IN 2018 DOLLARS

 Study Area

 DART

 City Boundary

 Park

 \$0 - \$50,000

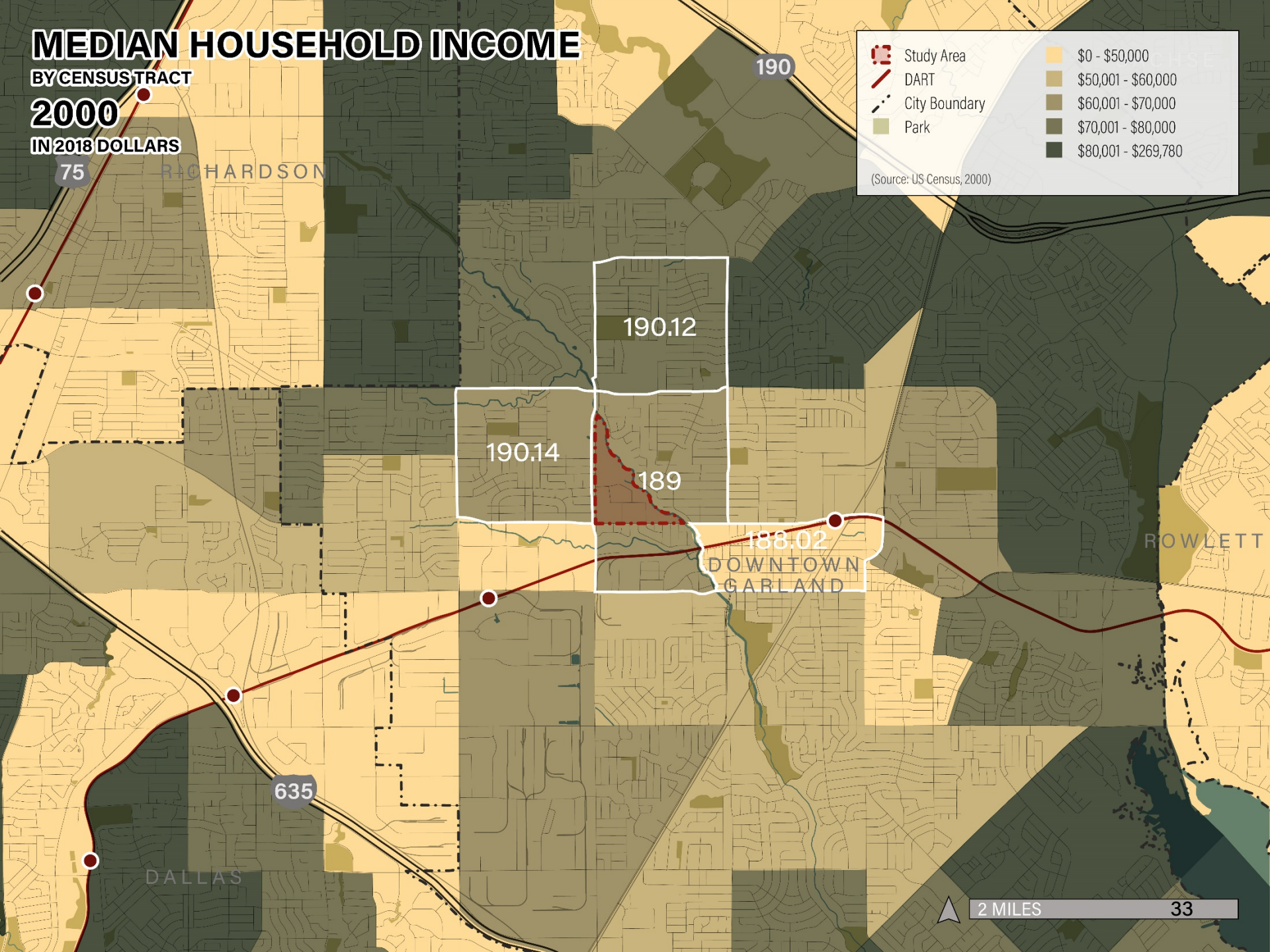
 \$50,001 - \$60,000

 \$60,001 - \$70,000

 \$70,001 - \$80,000

 \$80,001 - \$269,780

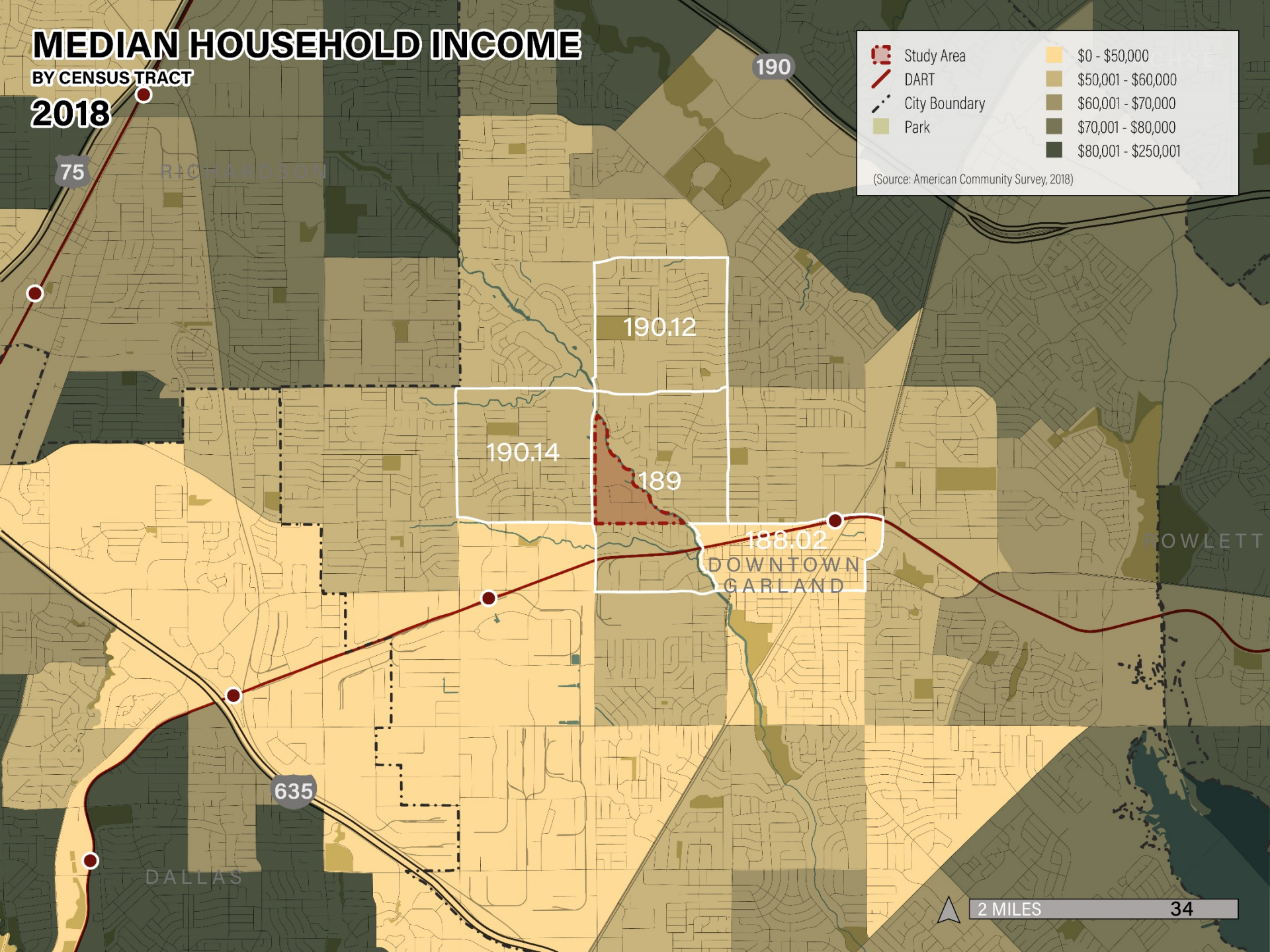
(Source: US Census, 2000)



MEDIAN HOUSEHOLD INCOME

BY CENSUS TRACT

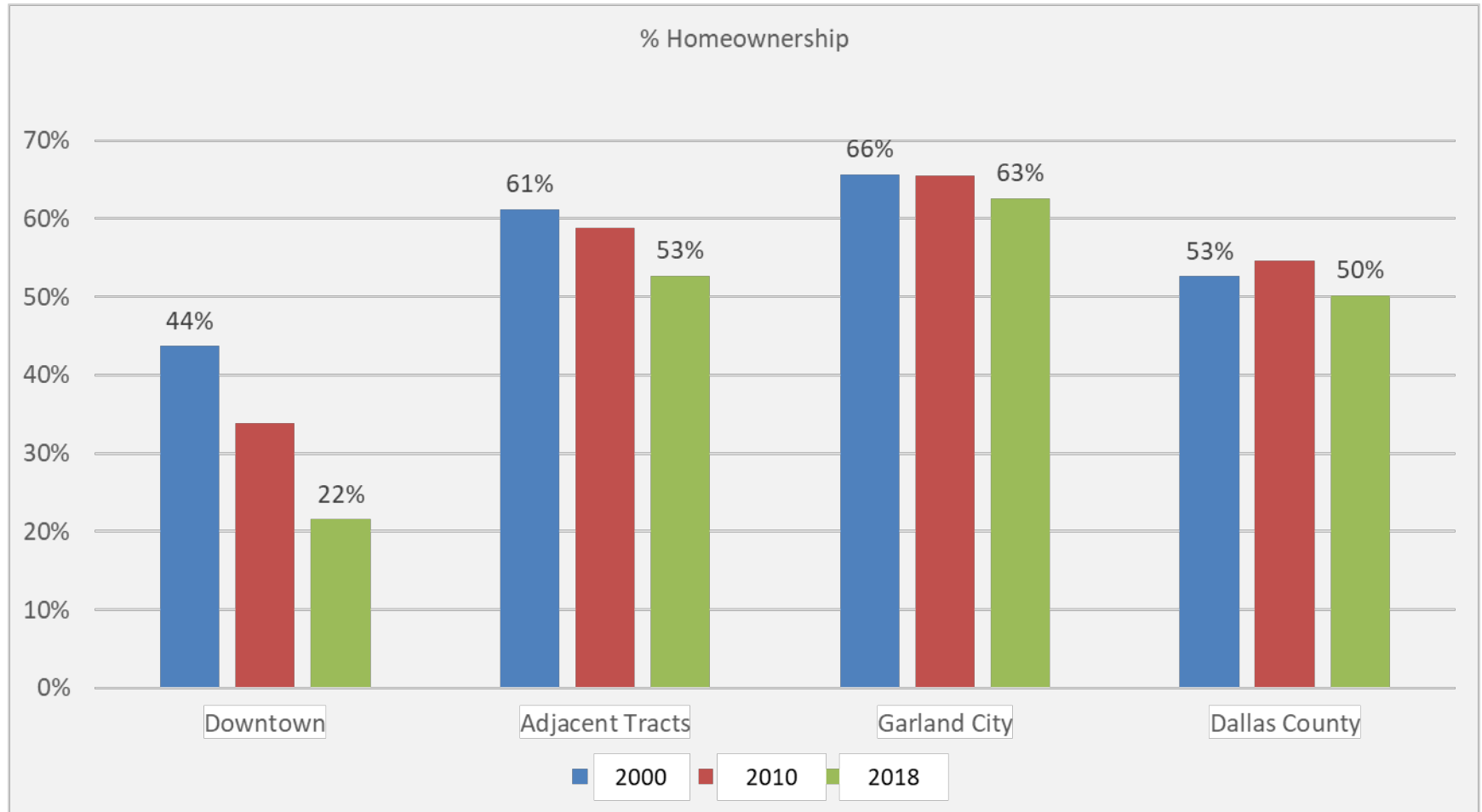
2018



A grayscale aerial photograph of a suburban neighborhood. A river flows through the center of the image, with a bridge crossing it. The surrounding area is filled with residential streets and houses. The word "HOUSING" is overlaid in large, bold, dark blue capital letters across the middle of the image.

HOUSING

Home ownership rates are changing faster than the city

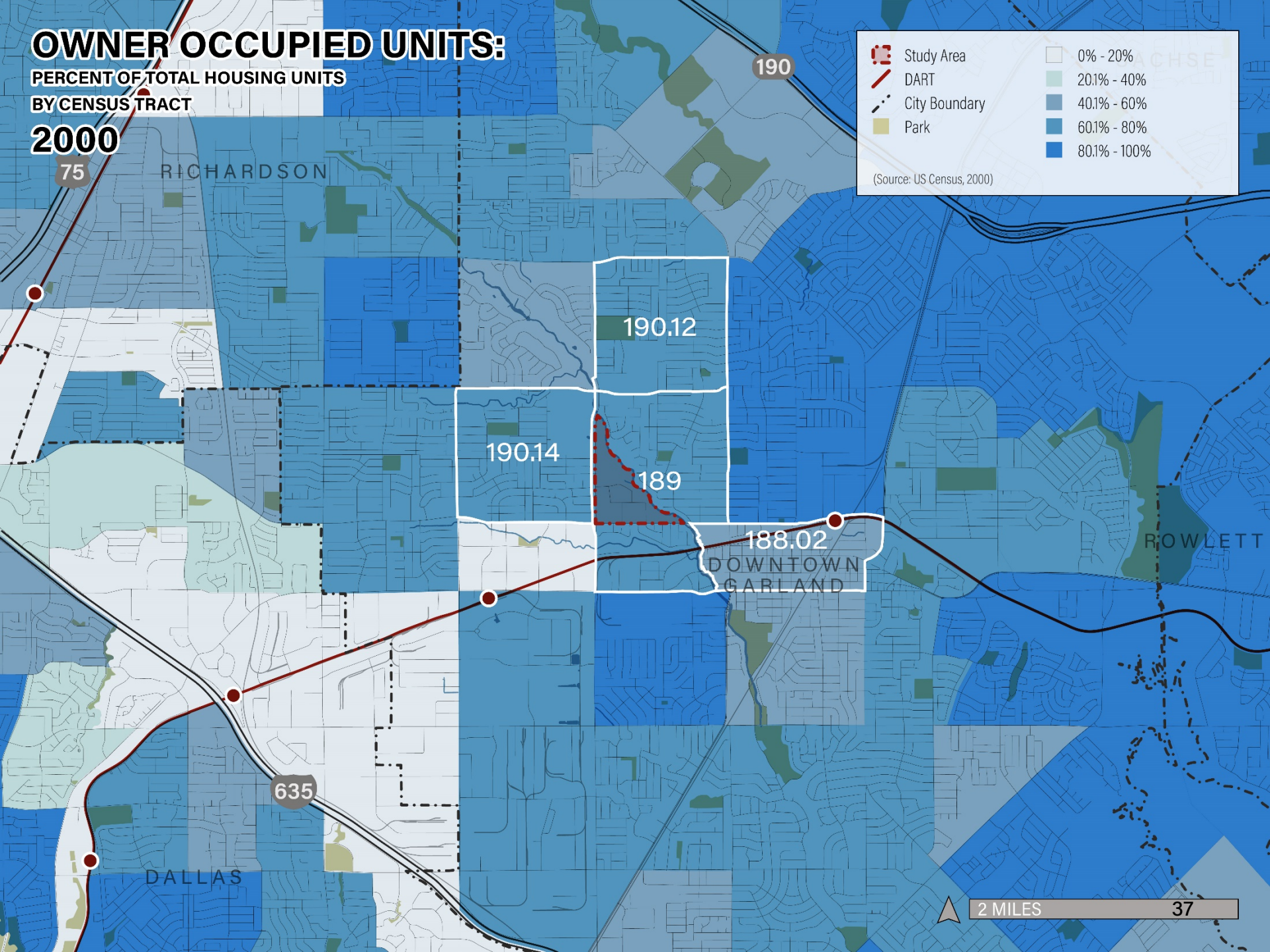


OWNER OCCUPIED UNITS:

PERCENT OF TOTAL HOUSING UNITS

BY CENSUS TRACT

2000



OWNER OCCUPIED UNITS:

PERCENT OF TOTAL HOUSING UNITS

BY CENSUS TRACT

2010

75

RICHARDSON

190



Study Area

DART

City Boundary

Park

0% - 20%

20.1% - 40%

40.1% - 60%

60.1% - 80%

80.1% - 100%

(Source: US Census, 2010)

190.12

190.14

189

188.02

DOWNTOWN
GARLAND

ROWLETT

635

DALLAS

2 MILES

38

OWNER OCCUPIED UNITS:

PERCENT OF TOTAL HOUSING UNITS

BY CENSUS TRACT

2018

75

RICHARDSON

190



Study Area

DART

City Boundary

Park

0% - 20%

20.1% - 40%

40.1% - 60%

60.1% - 80%

80.1% - 100%

(Source: American Community Survey, 2018)

190.12

190.14

189

188.02

DOWNTOWN
GARLAND

ROWLETT

635

DALLAS

2 MILES

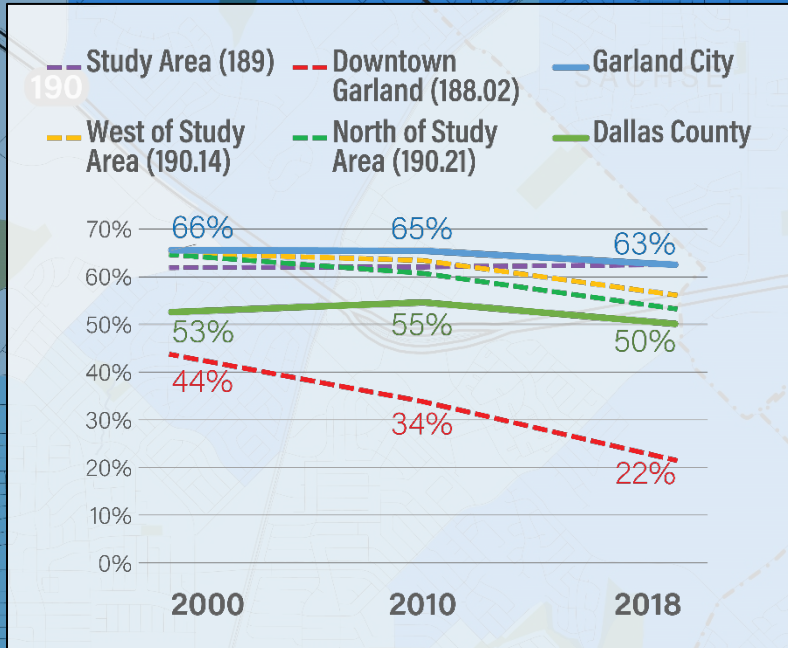
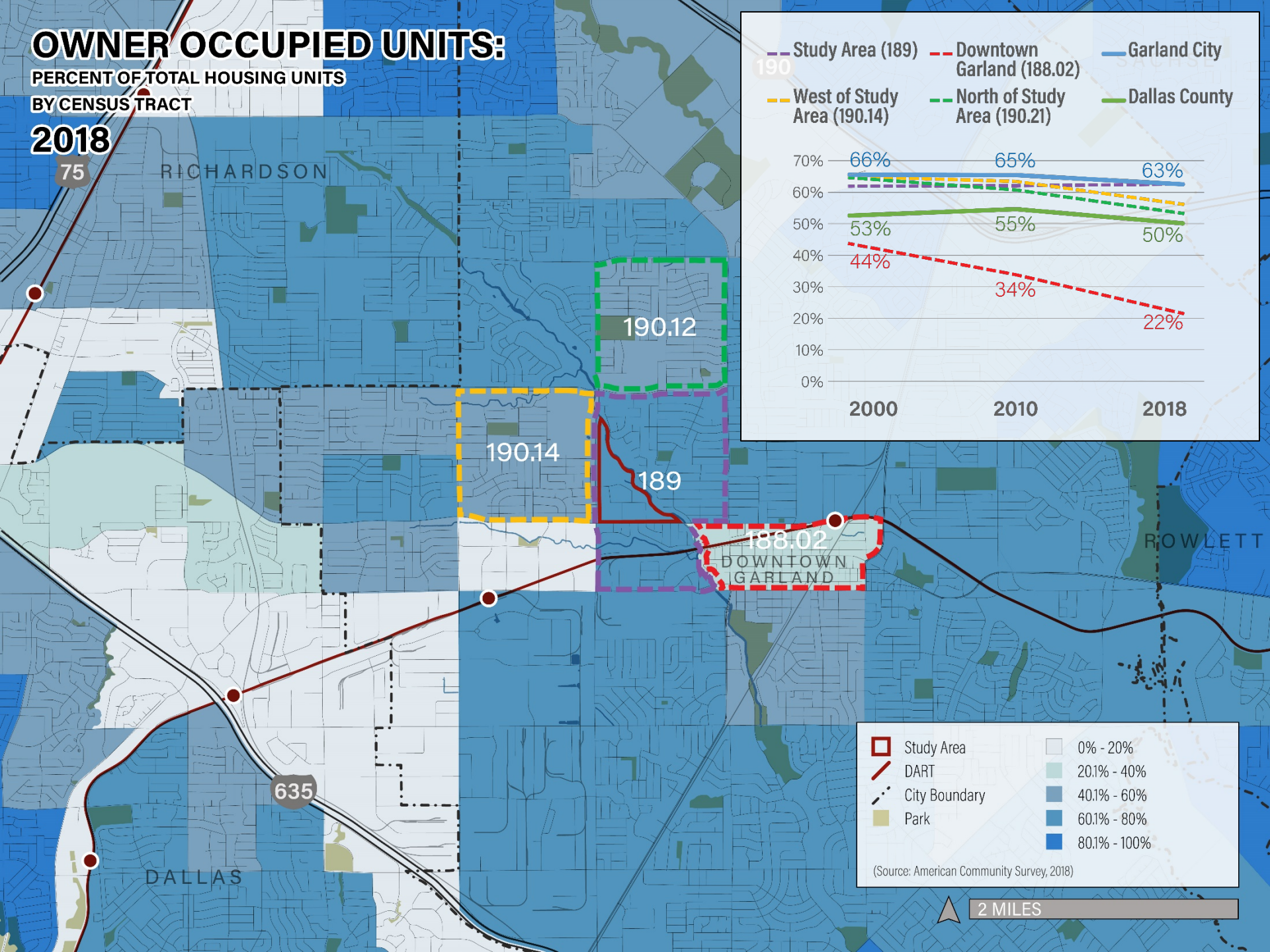
39

OWNER OCCUPIED UNITS:

PERCENT OF TOTAL HOUSING UNITS

BY CENSUS TRACT

2018



Study Area

DART

City Boundary

Park

0% - 20%

20.1% - 40%

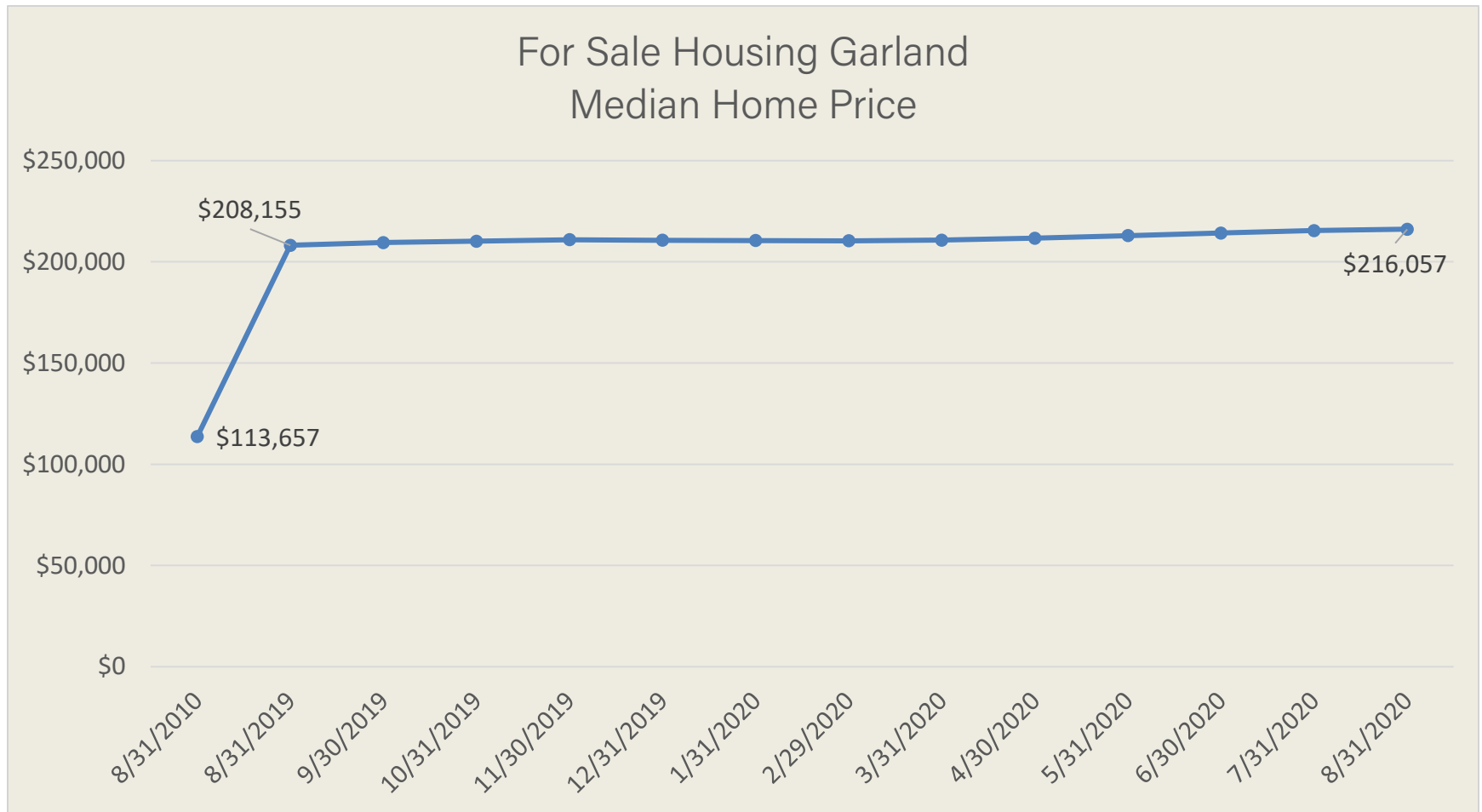
40.1% - 60%

60.1% - 80%

80.1% - 100%

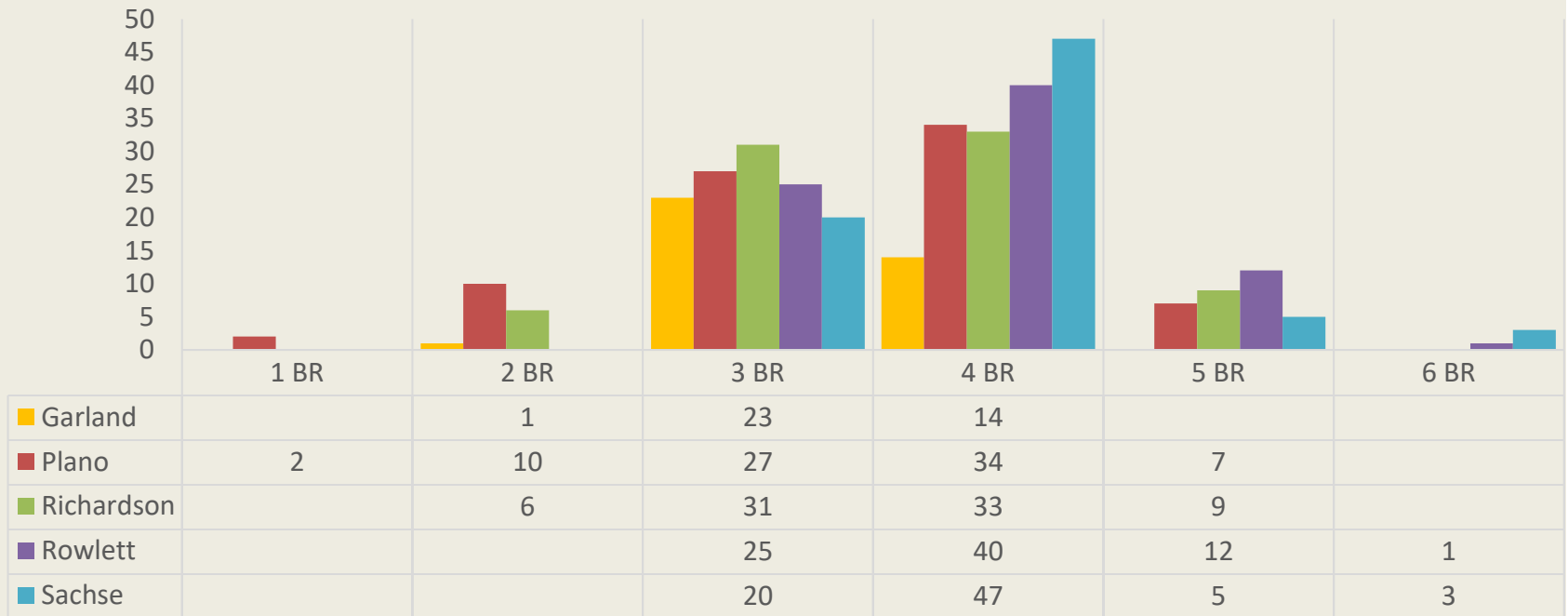
2 MILES

Housing prices have doubled since Aug 2010, and have continued to increase every month since Aug 2019



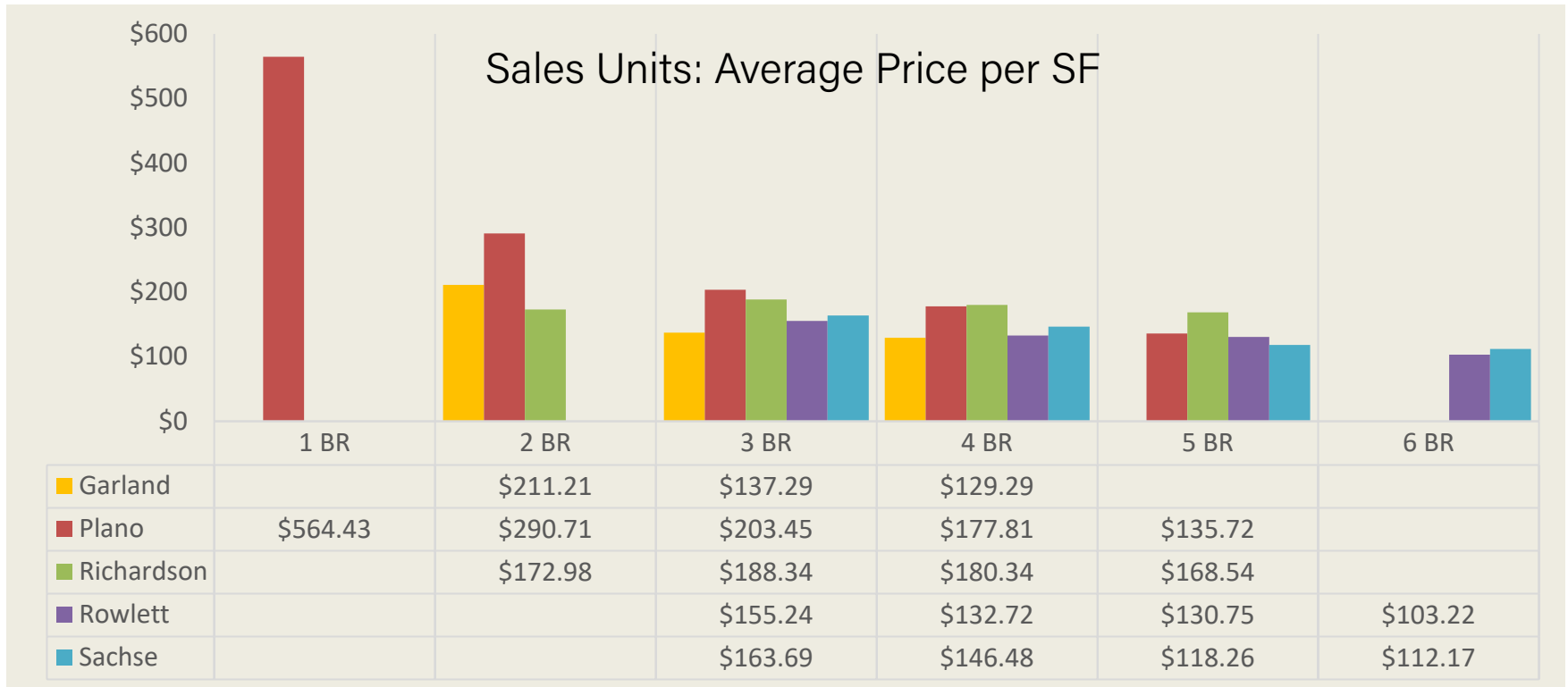
There is limited availability of for sale housing in Garland

Sales Units: Availability by Type



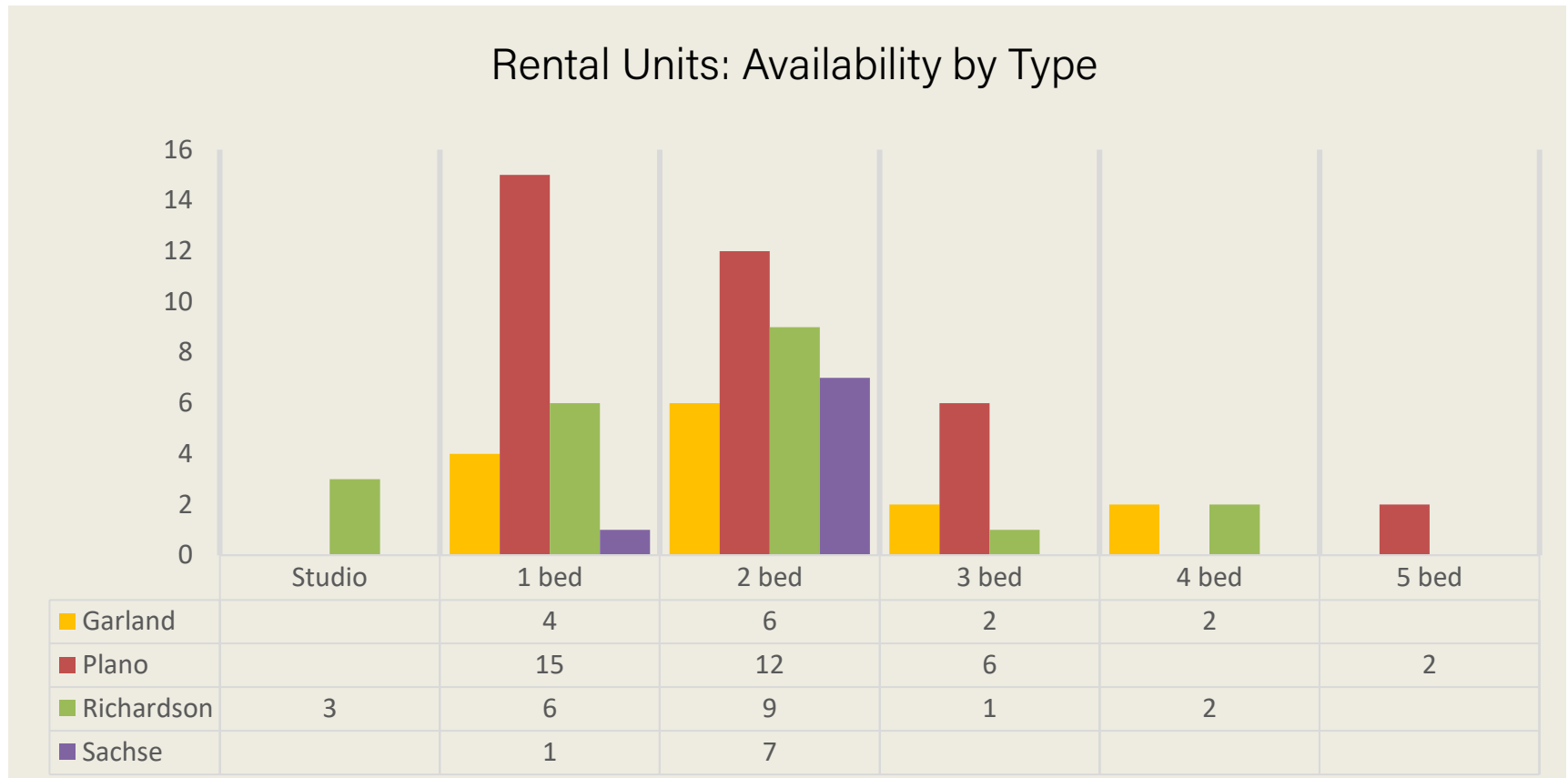
Data pulled from Zillow.com in September of 2020.

From a sales perspective Garland is among the most affordable communities in the region



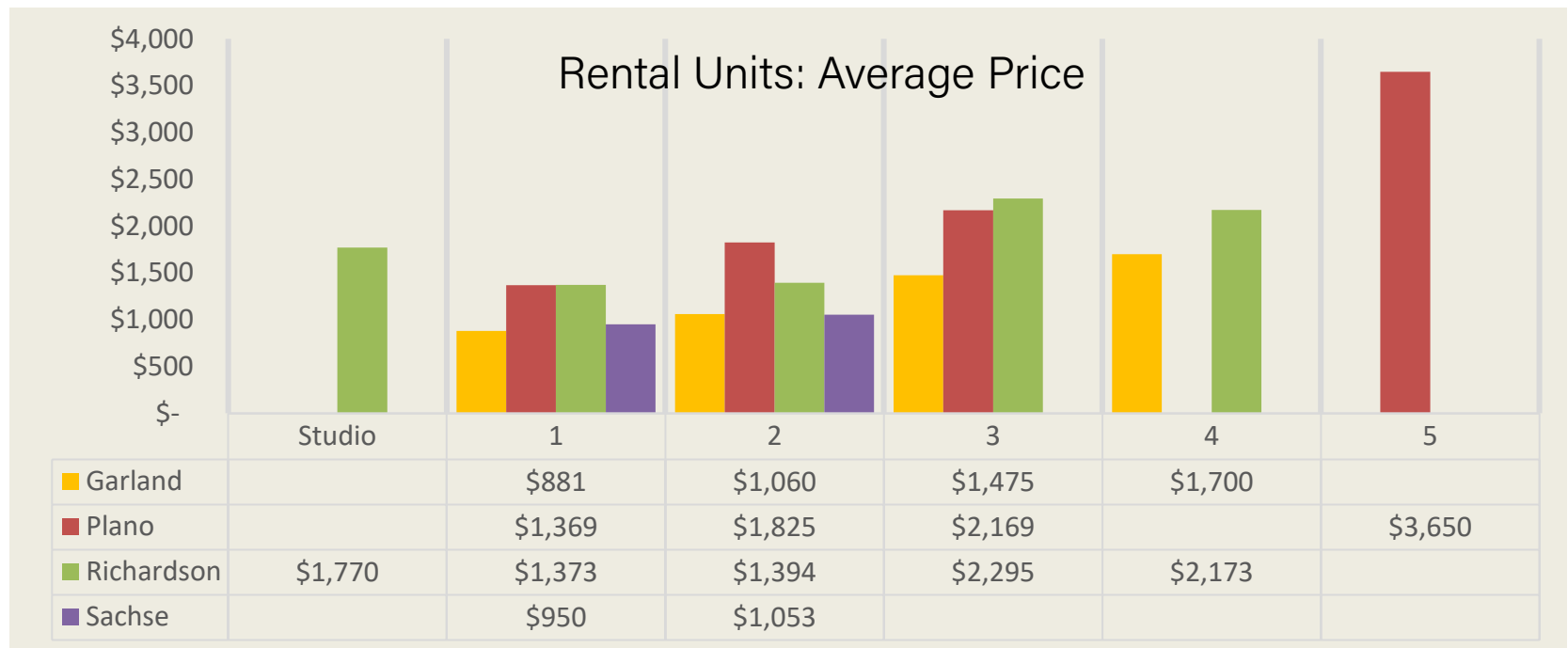
Data pulled from Zillow.com in September of 2020.

Garland has relatively few rental units available



Data pulled from Apartments.com in September of 2020.

For rent housing in Garland is among the most affordable in the region



Data pulled from Apartments.com in September of 2020.

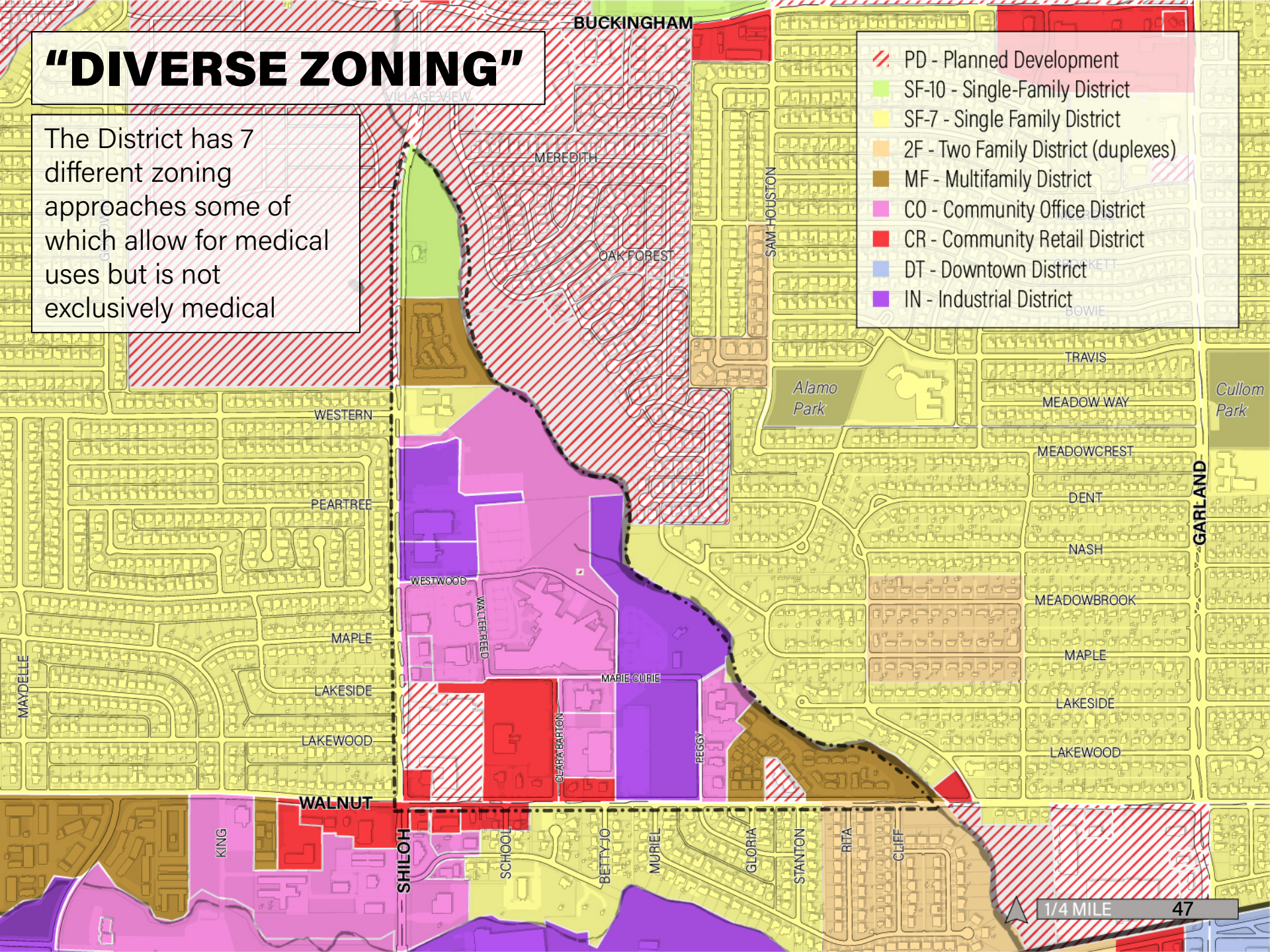
The background is a grayscale aerial photograph of a suburban neighborhood. A river flows through the center of the map. The surrounding areas are filled with residential lots, many of which are outlined in white. A specific lot on the right side of the river is highlighted with a darker gray fill and contains a small white icon of a house. The text "SITE ANALYSIS" is overlaid in the center of the image.

SITE ANALYSIS

"DIVERSE ZONING"

The District has 7 different zoning approaches some of which allow for medical uses but is not exclusively medical

- PD - Planned Development
- SF-10 - Single-Family District
- SF-7 - Single Family District
- 2F - Two Family District (duplexes)
- MF - Multifamily District
- CO - Community Office District
- CR - Community Retail District
- DT - Downtown District
- IN - Industrial District



Zoning Classifications

SINGLE FAMILY (SF-10)

Intended to provide for development of primarily low-density detached, single-family residences up to a 10,000 square-foot lot size. Churches, schools, and public parks also allowed.

SINGLE FAMILY (SF-7)

Intended to provide for development of primarily low-density detached, single-family residences up to a 7,000 square-foot lot size. Churches, schools, and public parks also allowed.

MULTIFAMILY (MF)

Attached residential district at a maximum density of eighteen dwelling units per acre. The principal allowed land uses include low-rise to mid-rise multiple-family dwelling structures that are renter-occupied or owner-occupied (as in condominiums). Recreational, religious, health, and educational uses also allowed.

COMMUNITY OFFICE (CO)

Medium and higher intensity office and professional uses. Examples of allowed uses in a CO district are: professional offices, campus-style corporate office, research, and assembly operations that may be large in scale but that are conducted wholly within a building(s) with very limited or no outside storage.

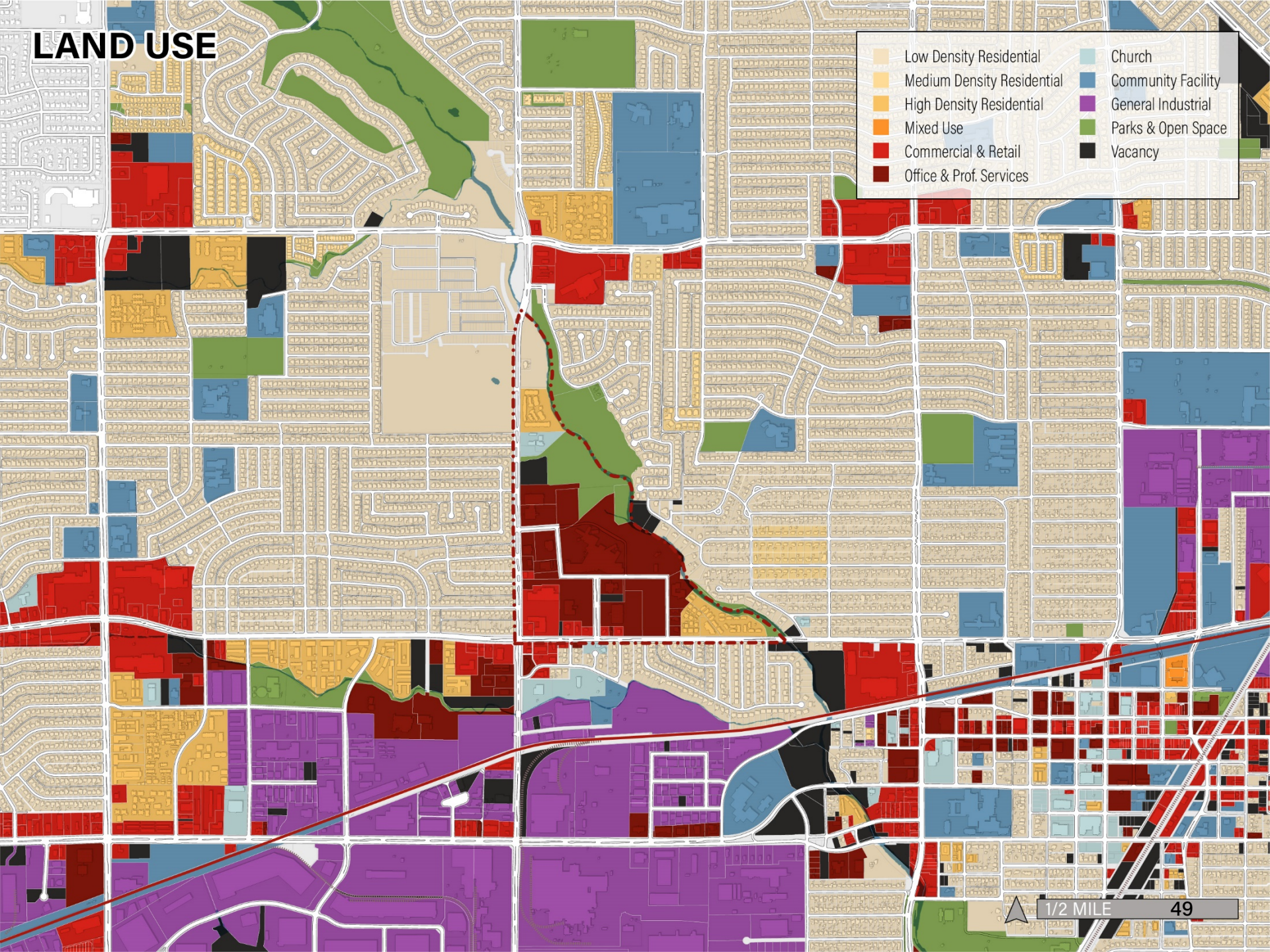
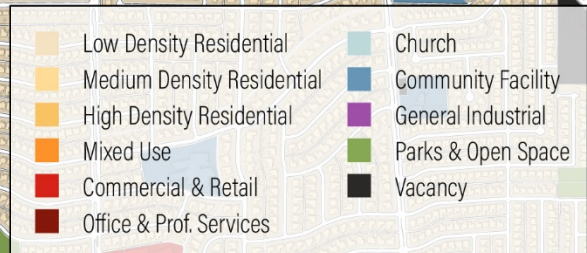
COMMUNITY RETAIL (CR)

Accommodates a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. 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.

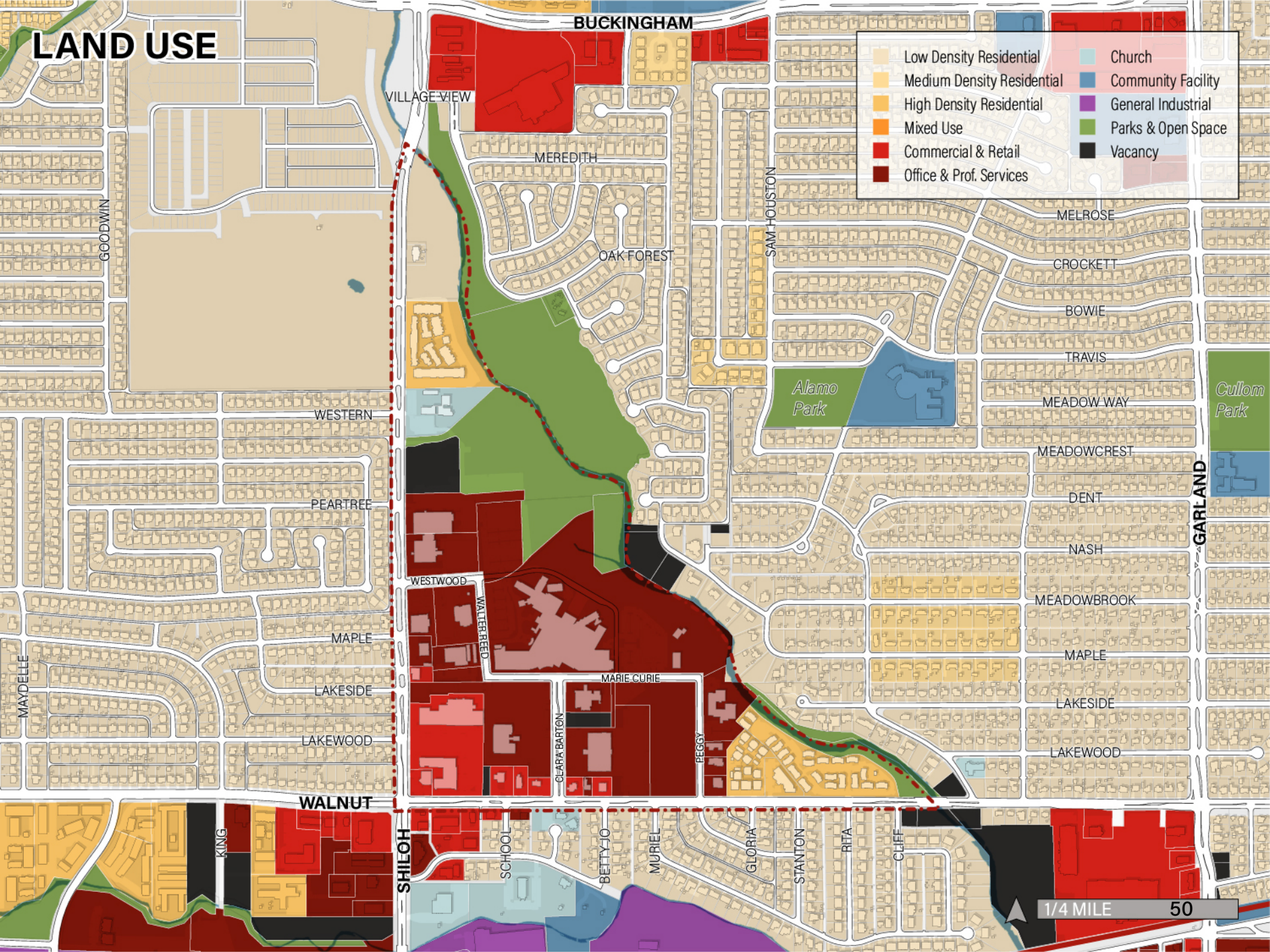
INDUSTRIAL (IN)

Provides for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial district also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities.

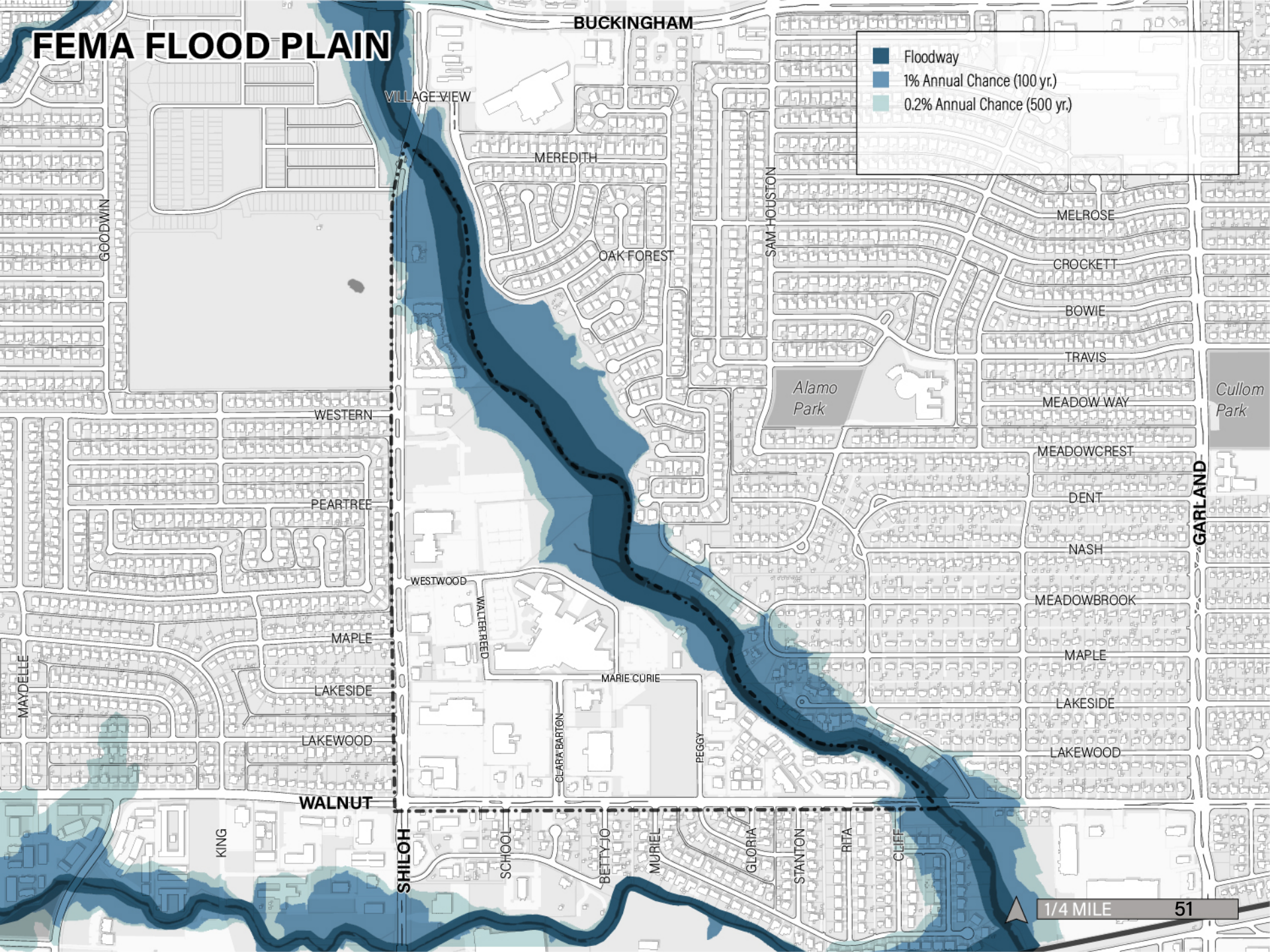
LAND USE



LAND USE



FEMA FLOOD PLAIN



A grayscale map of a city grid, showing streets, buildings, and parks. The word "MOBILITY" is overlaid in the center in a large, bold, dark blue font. The map is rendered in shades of gray, with darker areas representing buildings and lighter areas representing parks or open spaces. The word "MOBILITY" is centered horizontally and vertically, spanning across the middle of the map.

MOBILITY

Mobility Considerations

Pedestrian

- Sidewalks are present on both sides of the street on Walnut St and Forest Ln, but there are many curb cuts
- Many sidewalk gaps are present on Shiloh Rd, meaning pedestrian connections would be difficult to make between the Medical District and the Forest/Jupiter DART station
- Additionally, there are no paved or off-street trails in the area that would create connections

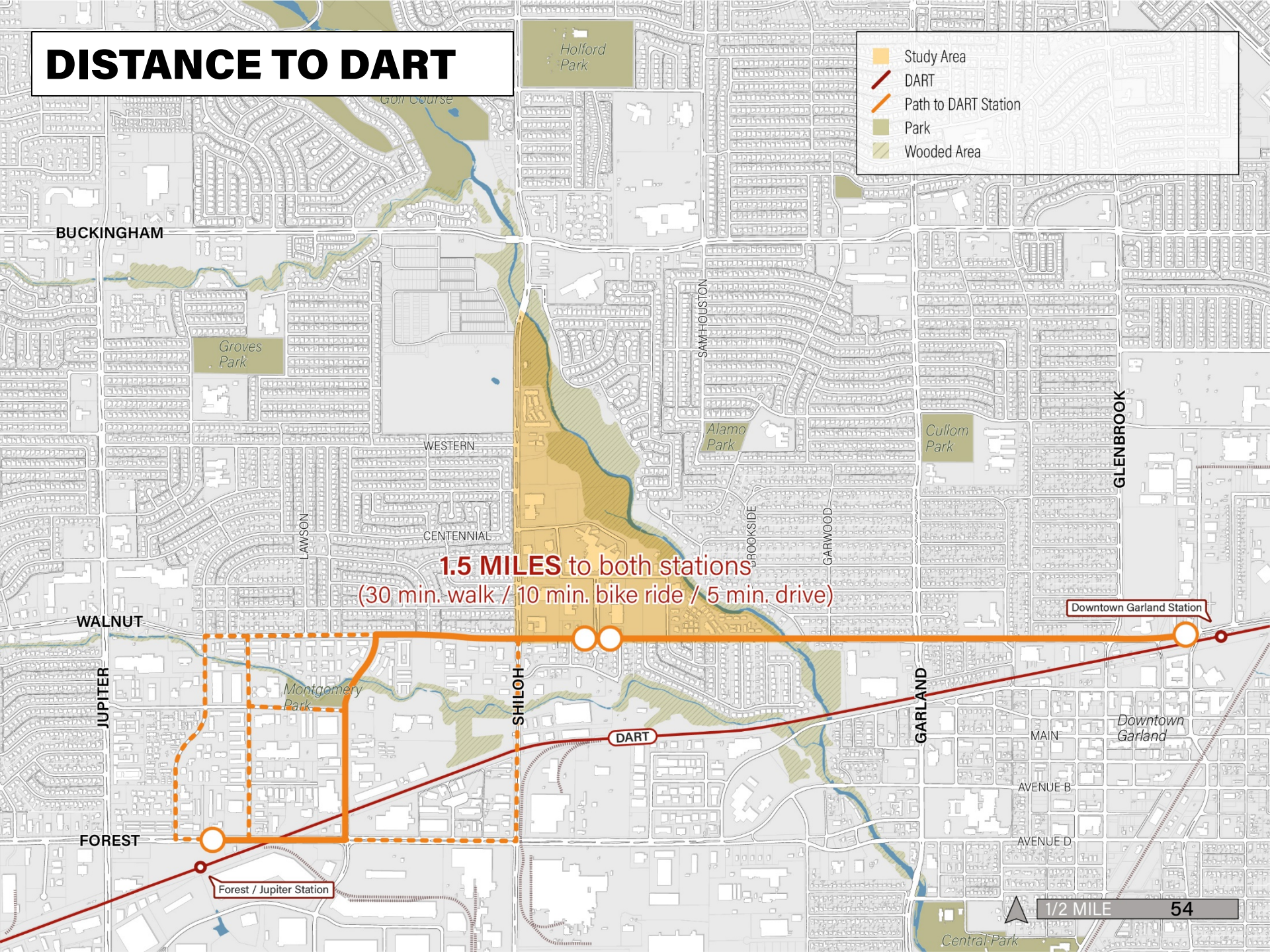
Bicycle

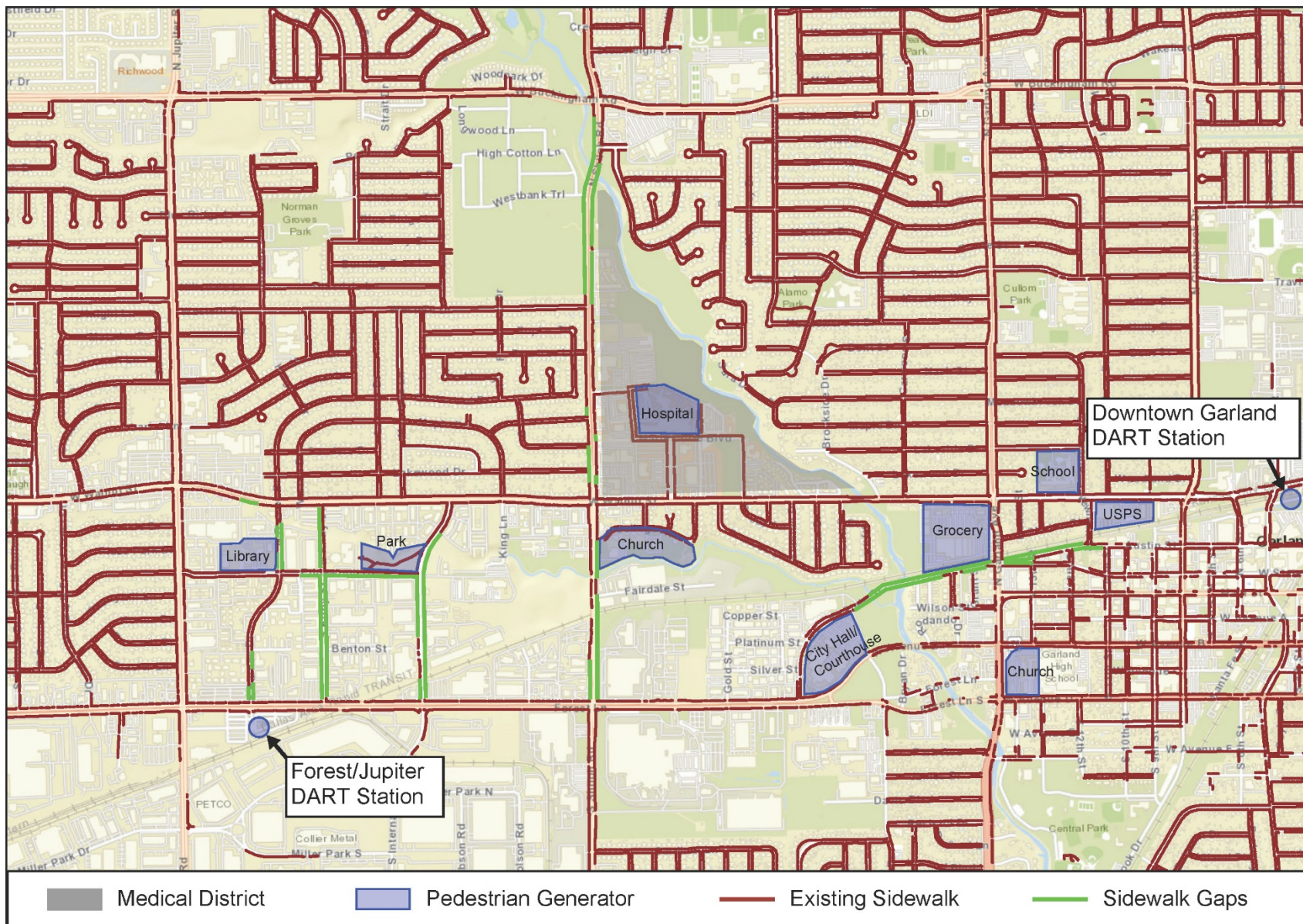
- There are no bike lanes in the immediate area of the Medical District that would make connections to the Forest/Jupiter DART station or the Downtown DART station
- There are bike lanes in the downtown area (on Main St and Glenbrook Dr) but these are not along the direct path between the Medical District and the Downtown DART station (along Walnut St)
- As previously noted, due to the lack of paved and off-street trails, safe cycling is not an option in this area

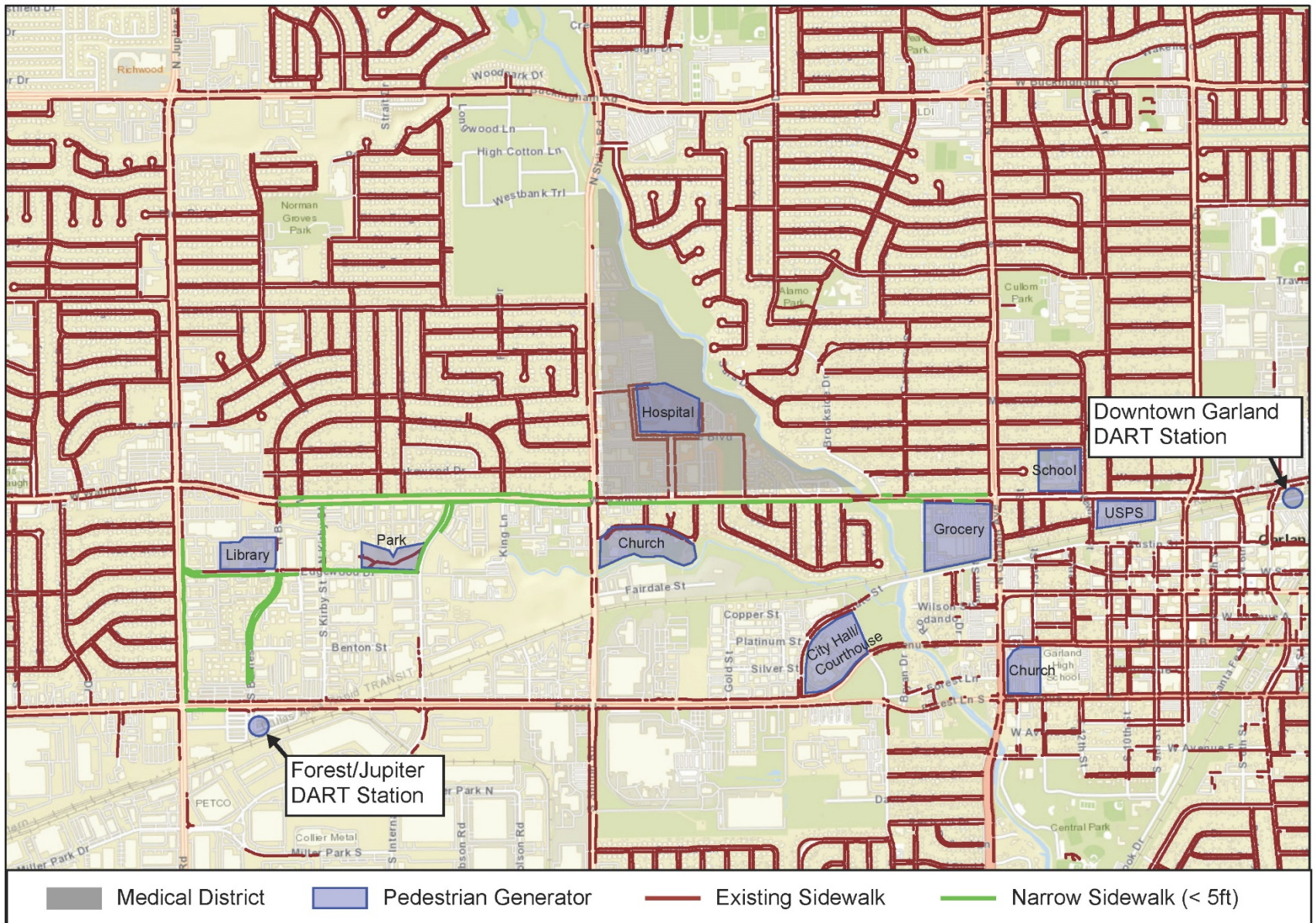
Parking

- There is more parking than needed throughout the Medical District but the SW corner in particular has much more parking than is needed considering the land uses
- The amount of parking is more or less consistent with suburban Texas parking ratios, but the SW corner is likely higher (i.e., provides more parking than necessary) than the Texas norm

DISTANCE TO DART









IDEAS



DEVELOPMENT SCENARIOS

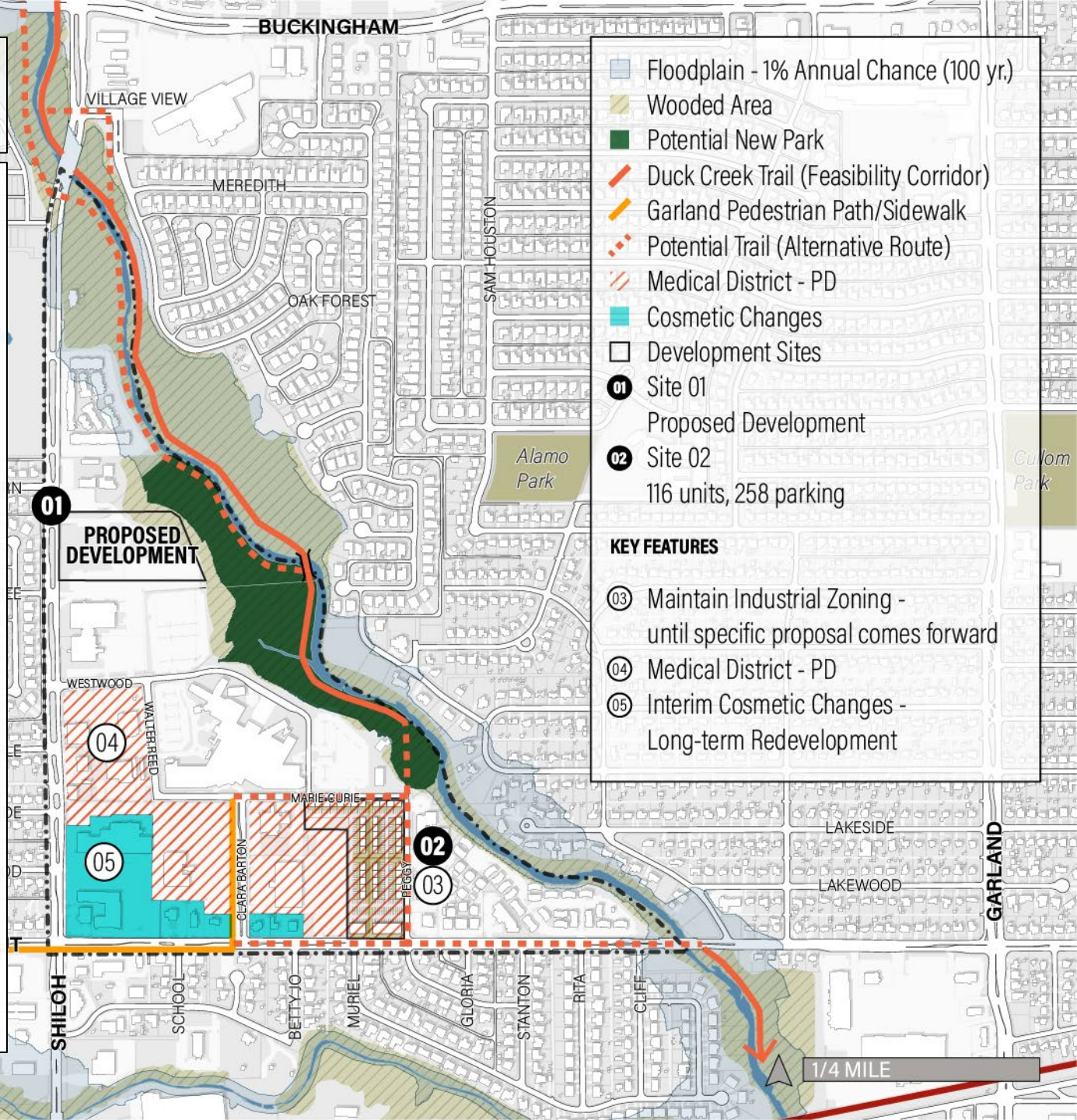
DEVELOPMENT SCENARIO 01

Development Scenario 1 explores how much housing could be built on Site 02 without building a parking deck.

Site 01 is the location of the proposed housing development.

Site 02 was evaluated as a series of townhouses to provide a different housing option than apartments. This can support 116 units. In addition, Site 02 frontage along Walnut can support commercial building and possibly a hotel to support families with patients at the VA. It is recommended to maintain the industrial zoning until a development proposal comes forward for evaluation.

Area 04 is proposed to be a medical district that would allow clinical, educational, research, training, and supporting uses. This would likely be done as a Planned Development Ordinance.



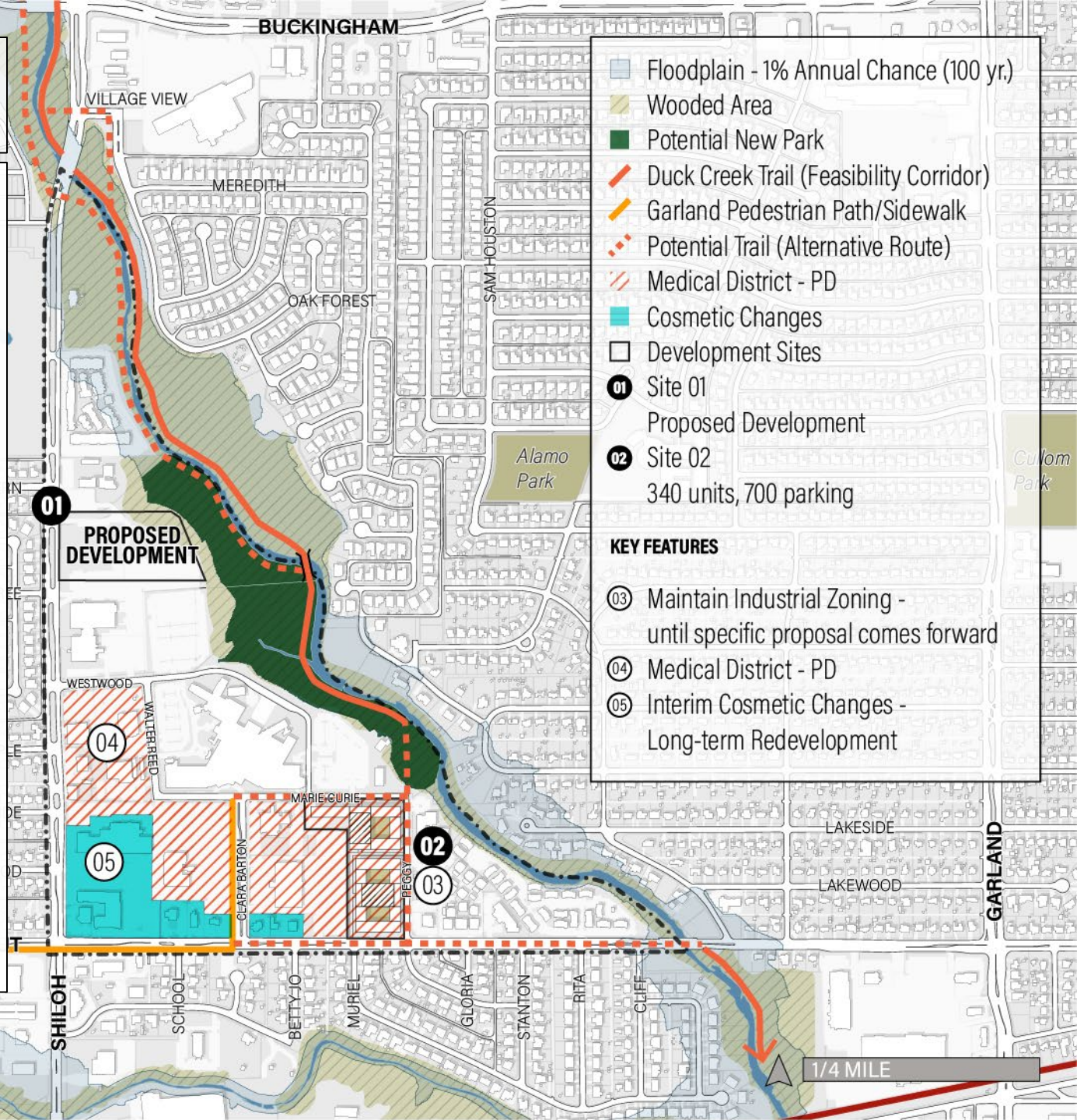
DEVELOPMENT SCENARIO 02

Scenario 2 explores what is the smallest amount housing that could be built on Site 02 that would trigger constructing a parking deck.

Site 01 is the location of the proposed housing development.

Site 02 converts from townhouse to apartments. This can support 340 units and 700 parking spaces. In addition, Site 02 frontage along Walnut first floor could be used for commercial space. It is recommended to maintain the industrial zoning until a development proposal comes forward for evaluation.

Area 04 is proposed to be a medical district that would allow clinical, educational, training, research, and supporting uses. This would likely be done as a Planned Development Ordinance.



DEVELOPMENT SITE 01

SCENARIO A

Numbers Breakdown:

140 Residential Units
280 Parking Spaces

Multi-Family Building

Surface Parking

Shared Open Space

Development Site 1 test fit prior to project announcement. These are test fits to help inform city staff on the amount of units that can be built with and without parking decks.

DEVELOPMENT SITE 01

SCENARIO B

Numbers Breakdown:

230 Residential Units

460 Parking Spaces

Multi-Family Building

Structured Parking

Shared Open Space

Development Site 1 test fit prior to project announcement. These are test fits to help inform city staff on the amount of units that can be built with and without parking decks.

DEVELOPMENT SITE 02

SCENARIO A

Numbers Breakdown:

116 Residential Units

258 Parking Spaces

Shared Open Space

Private Yard

Stacked Townhomes

Commercial Space

Mixed Use Building

WALNUT

CLARA BARTON

These are test fits to help inform city staff on the amount of units that can be built with and without parking decks .

DEVELOPMENT SITE 02

SCENARIO B

Numbers Breakdown:

340 Residential Units

700 Parking Spaces

Shared Open Space

Structured Parking

Commercial Space

Multi-Family Building

These are test fits to help inform city staff on the amount of units that can be built with and without parking decks.

DEVELOPMENT SITE 02

SCENARIO C

Medical Use

Potential Commercial Development

Private Outdoor Space

Surface Parking Lot

Loading

Entrance / Drop-off

Numbers Breakdown:

80,000 sqft

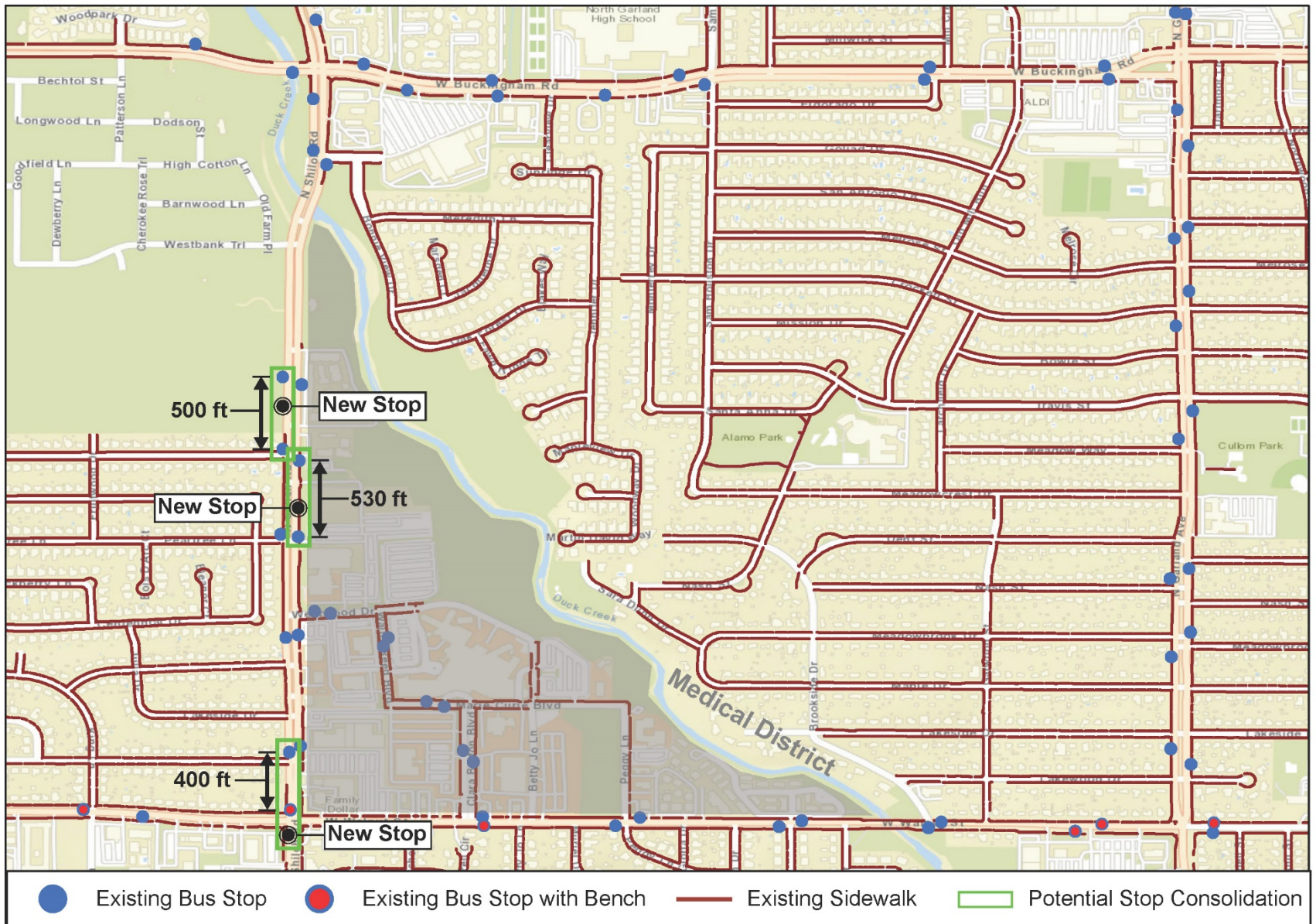
80 Beds

120 Parking Spaces

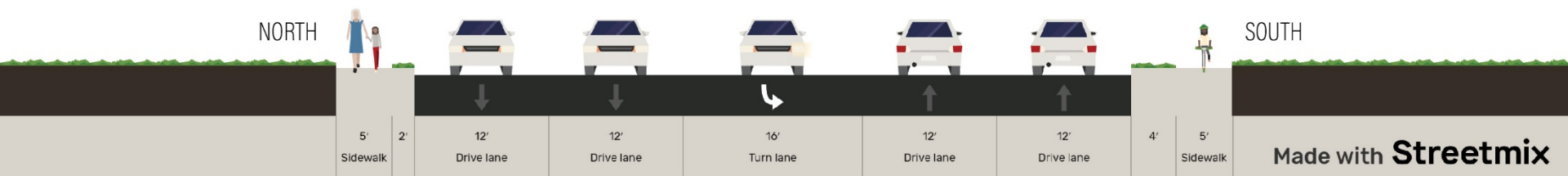
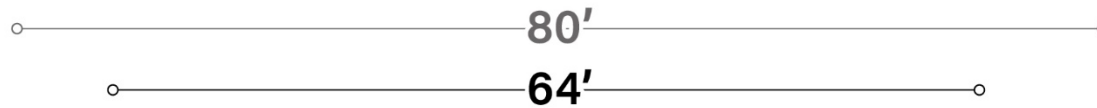
These are test fits to help inform city staff on the amount of units that can be built with and without parking decks.



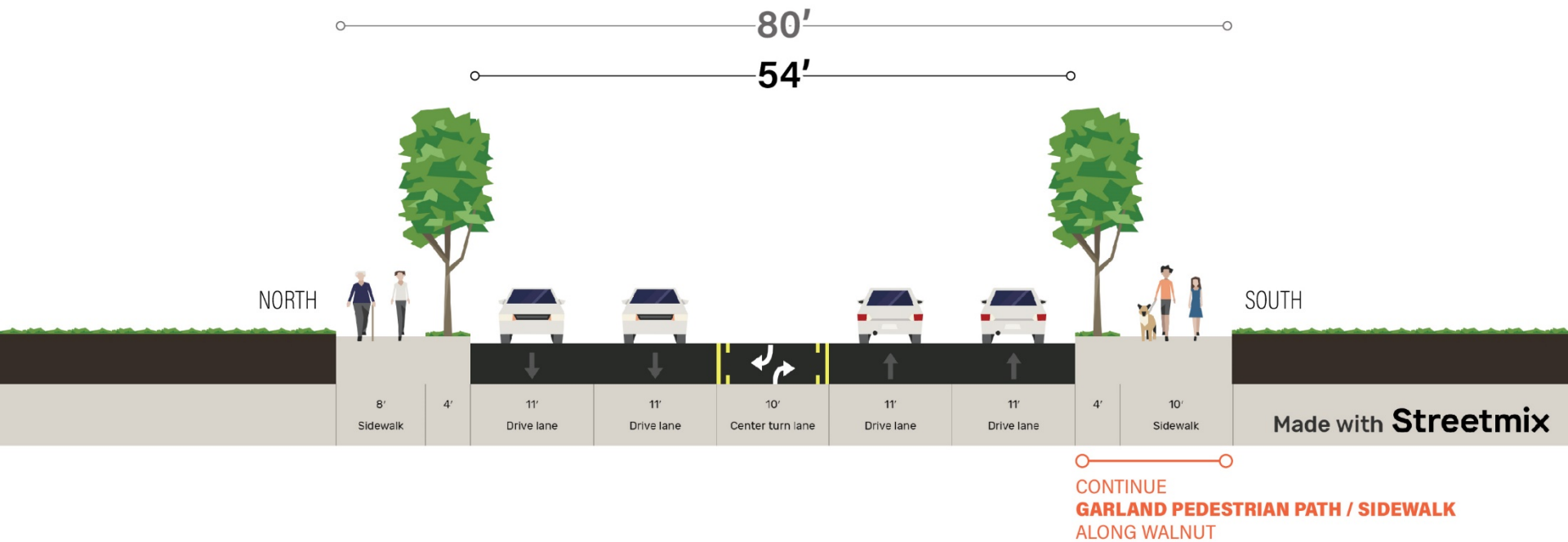
MOBILITY OPTIONS



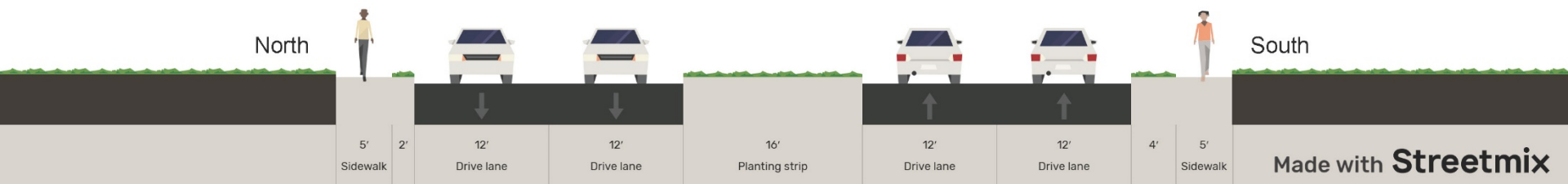
Walnut Street (Existing)



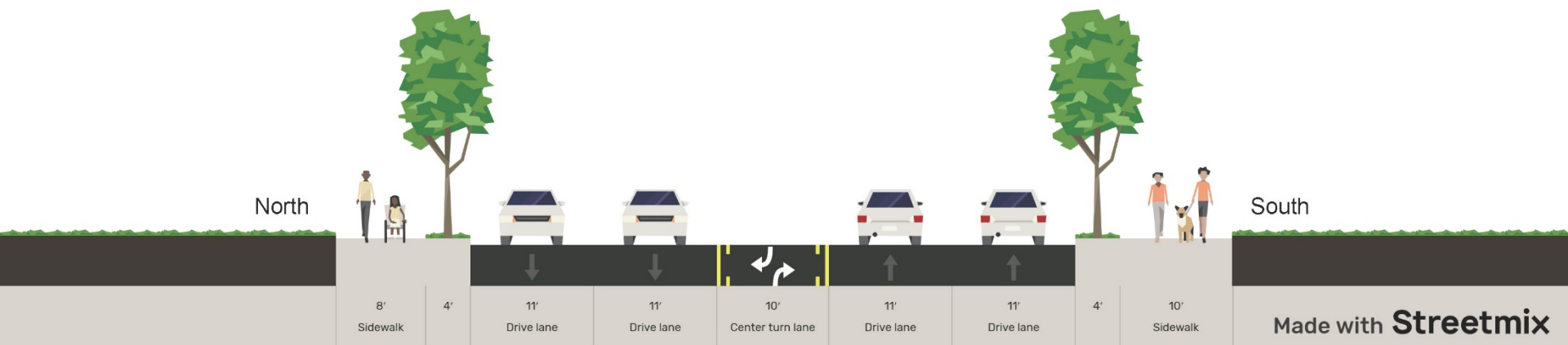
Walnut Street (Potential 1)



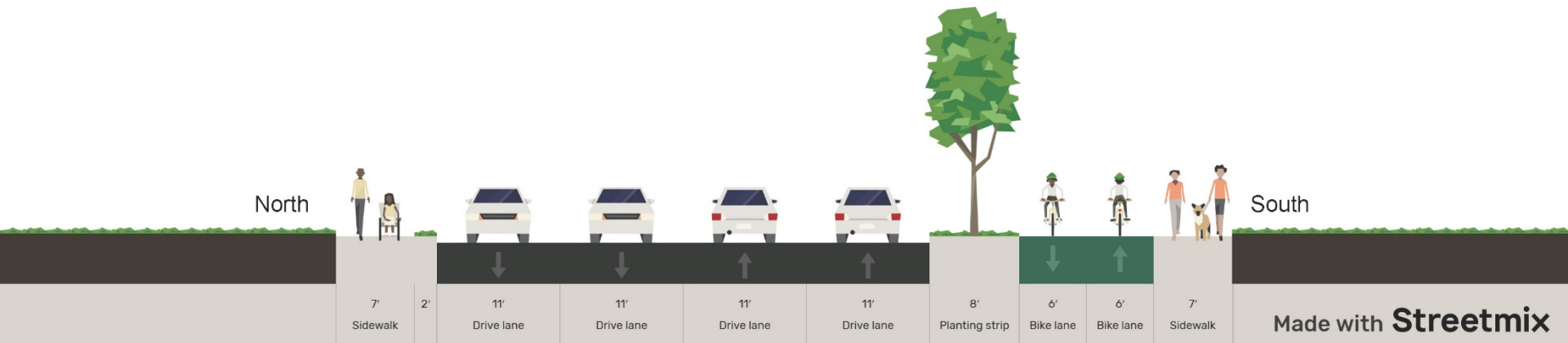
Walnut Street (Existing)



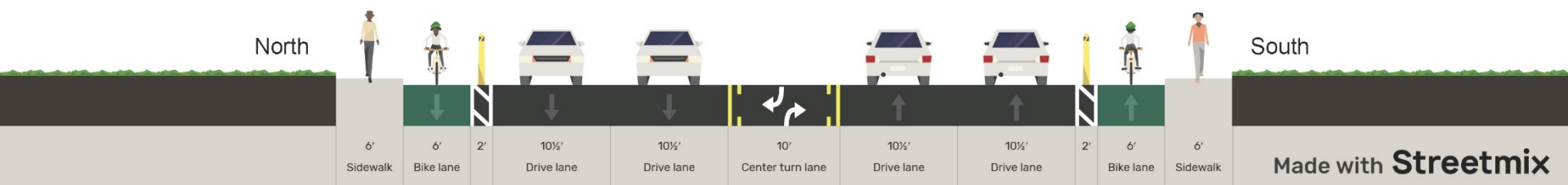
Walnut Street (Potential 1)



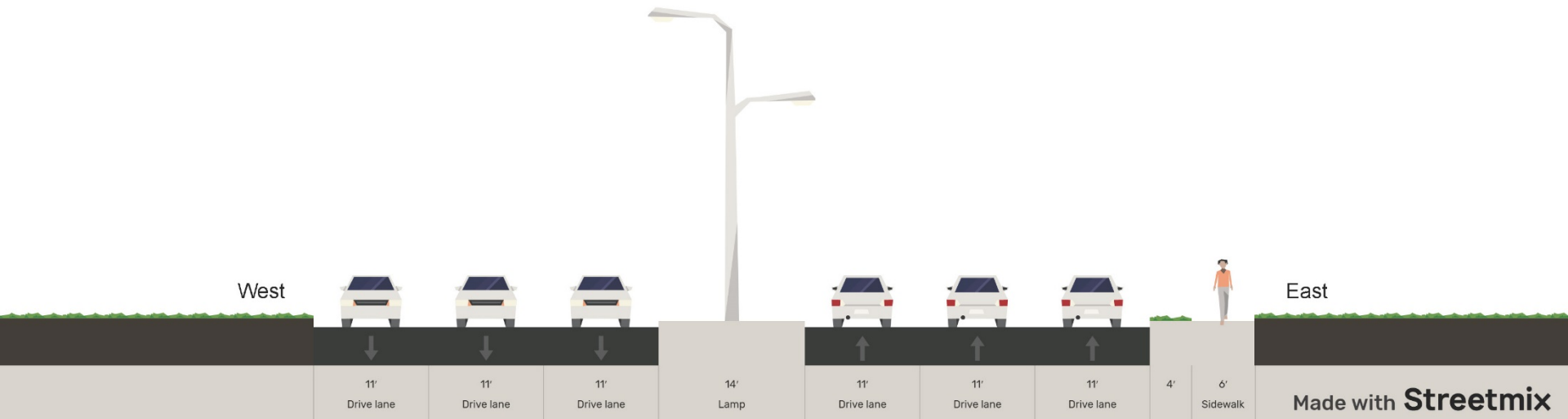
Walnut Street (Potential 2)



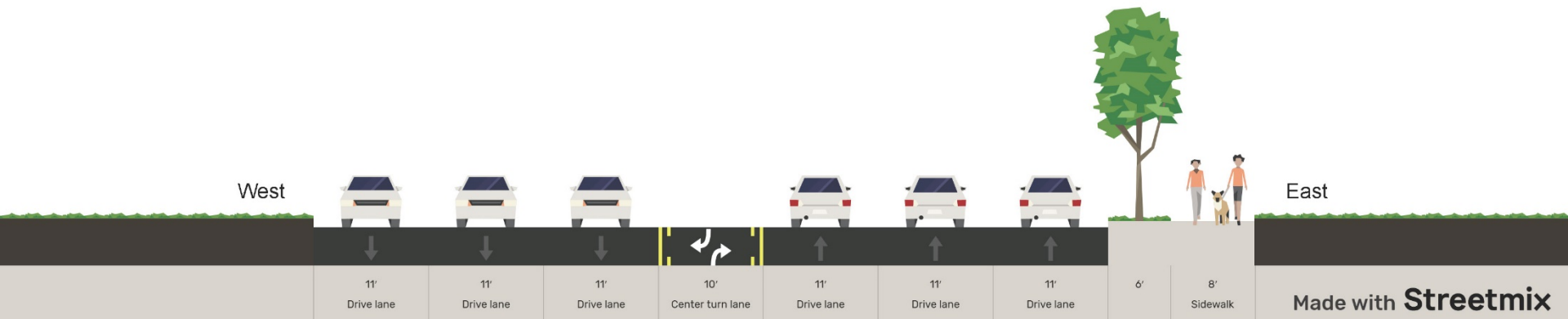
Walnut Street (Potential 3)



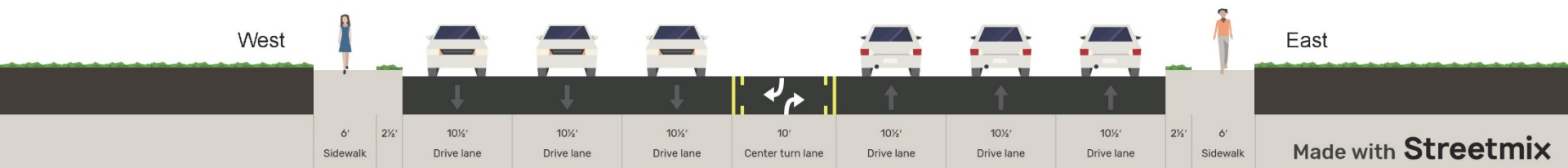
Shiloh Street (Existing)



Shiloh Street (Potential 1)



Shiloh Street (Potential 2)



Shiloh Street (Potential 3)





TRAIL BRIDGE PRECEDENTS

Over Creek Bridge Spring Creek – Richardson



Cantilever Ped Bike Bridge

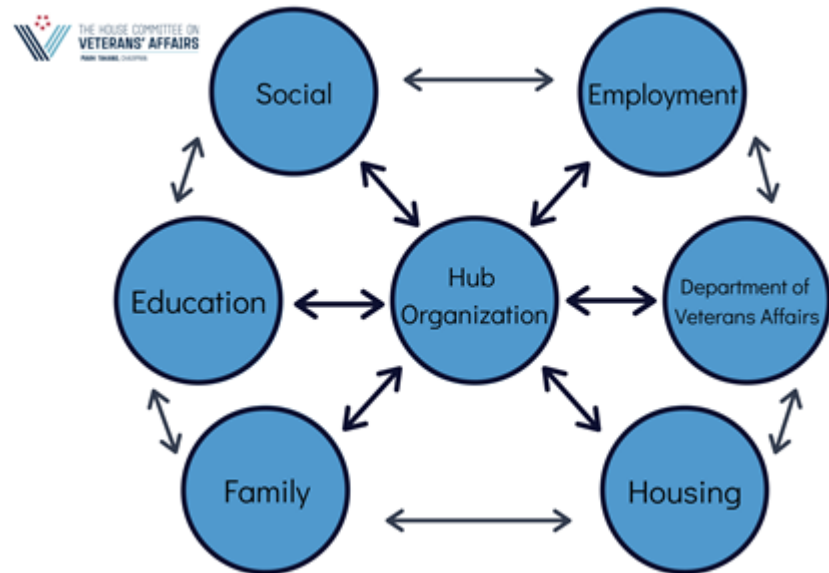


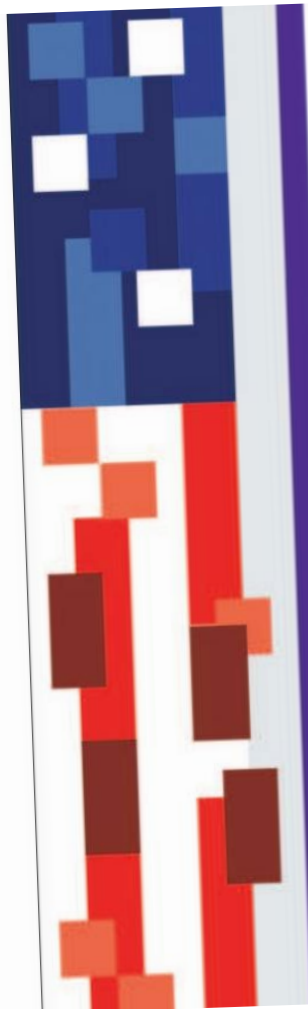
The background is a grayscale aerial photograph of a city, likely San Francisco, showing a dense grid of streets and buildings. A prominent diagonal road, possibly a highway or a major thoroughfare, runs from the top left towards the bottom right. The text 'VETERANS HOUSING' is superimposed in the center of the image in a large, bold, dark blue font.

VETERANS HOUSING

What is the Vets Campus?

- 364k veterans in DFW region
- Takes the idea of a Vets Village (housing), a Vets Hub (one stop services – see graphic) and incorporates VA Learning Hubs (education), research (Dallas VA Research Corporation) and entrepreneurial support and co-locates them into a campus environment
- Leverages VA Economic Communities Initiative – takes it to the next level
- There are developers that specialize in veterans housing, hub models do exist across the country, and there is a growing number of entrepreneur and training programs aimed at veterans





*NYU Tandon Helps Veterans
Make the Move from*

LIFE OF SERVICE to CAREER IN INNOVATION ECONOMY

You've valiantly completed your service to the country. What comes next?

The school's **Veterans Entrepreneurship Training (VET) Program** offers a 10-week course for veterans and military spouses that will introduce them to entrepreneurship while providing the expert mentoring needed to get a business off the ground.

If you don't dream of launching your own business but still want to explore **a new path to a fulfilling and well-paying civilian career**, Tandon can help.

Qualifying vets will receive **full scholarship** to the school's **"Bridge to Tandon"** program, created specifically for those with **non-engineering or non-technical backgrounds**. This program provides the knowledge and tools needed for admission into master's programs at the School of Engineering — including the

VETERANS FUTURE LAB

Veteran-owned start-ups can apply to be part of the **Veterans Future Lab**, Tandon's newest business incubator and the first-ever in New York to be devoted solely to enterprises founded by U.S. vets — the Veterans Future Lab provides tenant companies with a variety of valuable benefits:

- 12 months of free office space
- Mentoring from the city's leading founders, investors, executives, and industry professionals
- Free legal, hosting, design services, and other in-kind benefits worth up to \$400k
- Access to NYU's network of world-renowned faculty, researchers, and technical experts
- An alumni network



HELP Veterans Village
Annapolis MD



Tiny Home Veterans Village – Savannah GA



an's Village of Wichita



VVOW
Veterans Village of Wichita

Veterans Village Wichita KS

Gordon H. Mansfield Veterans Community, Leeds, MA - homeownership

Soldier On's first homeless veterans' ownership housing on a VA campus, and the new Women and Children's Housing Unit, which represents another innovative housing concept for veterans. The idea is for veterans to become homeowners while surrounded by the support services they need throughout their lives.

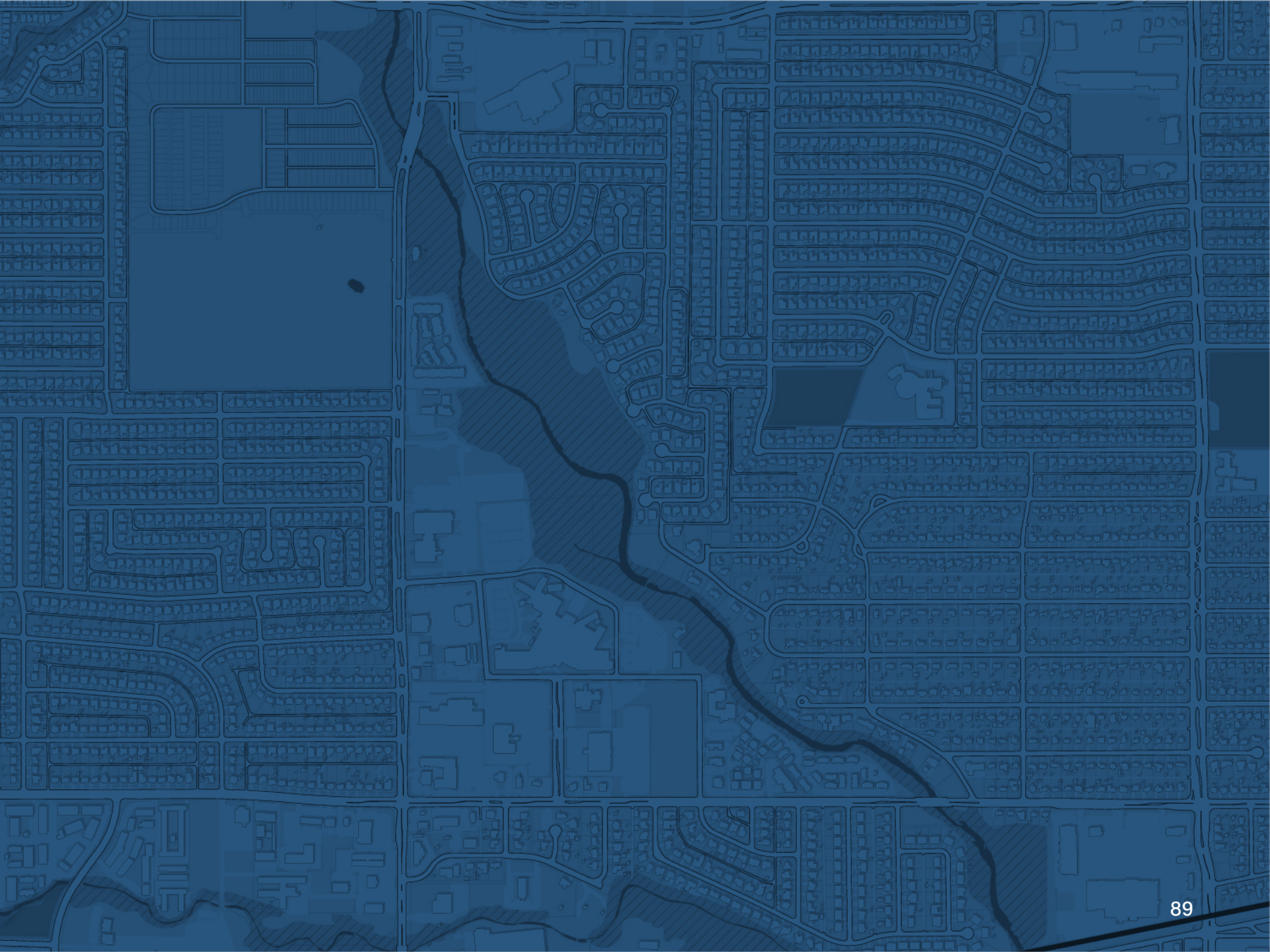
44-unit Gordon H. Mansfield Veterans Community.

Built by Soldier On, in collaboration with the VA Central Western Massachusetts Health Care System

<https://www.gazettenet.com/Homelessness-to-homeownership-on-VA-hospital-grounds-3130369>

<http://npllc.org/blog/2011/09/11/homes-for-heroes-co-op-housing-for-homes-for-veterans/>







**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

5.

Meeting Date: 08/03/2021

Item Title: Neighborhood Vitality Matching Grant Spring 2021 Applications

Submitted By: Scott Bollinger, Neighborhood Resource Manager

Summary of Request/Problem

At the July 19 Work Session, City Council approved the Spring 2021 Neighborhood Vitality Matching Grant applications for Heron's Bay Estates and Northlake Estates to be placed on the August 3 Consent Agenda.

Recommendation/Action Requested and Justification

Staff requests approval of the two Neighborhood Vitality Matching Grant projects, as directed by City Council.

Attachments

2021 NVMG Spring

NEIGHBORHOOD VITALITY MATCHING GRANT PROJECT SUMMARY

1. Neighborhood Association: Heron's Bay Estates

Project Name: Entrance Enhancement

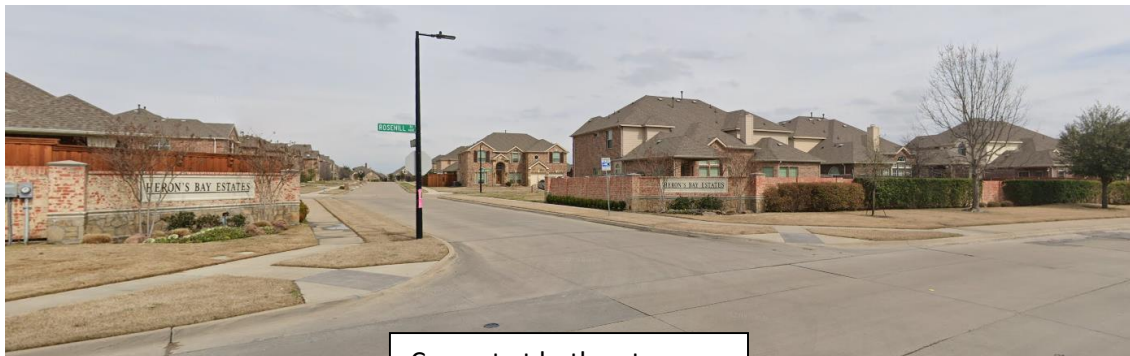
Project Location: Corner at Blue Heron and Rosehill Road and the corner at Sanderling and Rosehill Road (general area 4415 Rosehill Road) (District 3)

Total Project Cost:	\$35,000
Requesting Amount:	\$28,000
Neighborhood Match:	\$7,000
Match %:	20%

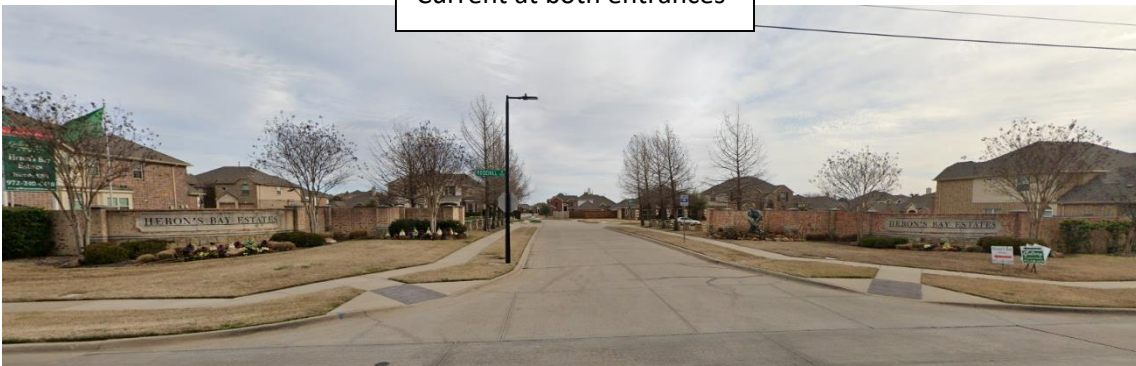
*Note: Neighborhood Associations can receive up to \$100,000 every 5 years. Adding reimbursement costs from Spring 2016, Heron's Bay has received \$70,603.91 allowing \$29,396.09 for this project.

Project Summary:

- Applied for project in Spring 2020. Reviewed by Community Services Community but did not come back due to a change in project direction.
 - Previous project proposal: -Install a 6-8' statue at the Sanderling entrance into the neighborhood. Statue would be similar to the main entrance located at Rosehill Road and Blue Heron Drive.
- Spring 2021 project proposal: Project A: Install a matching pondless water feature across from the Rosehill & Blue Heron entrance. Theme: Herons.
Project B: Install a pondless waterfall feature under both entrance signs into the neighborhood.



Current at both entrances



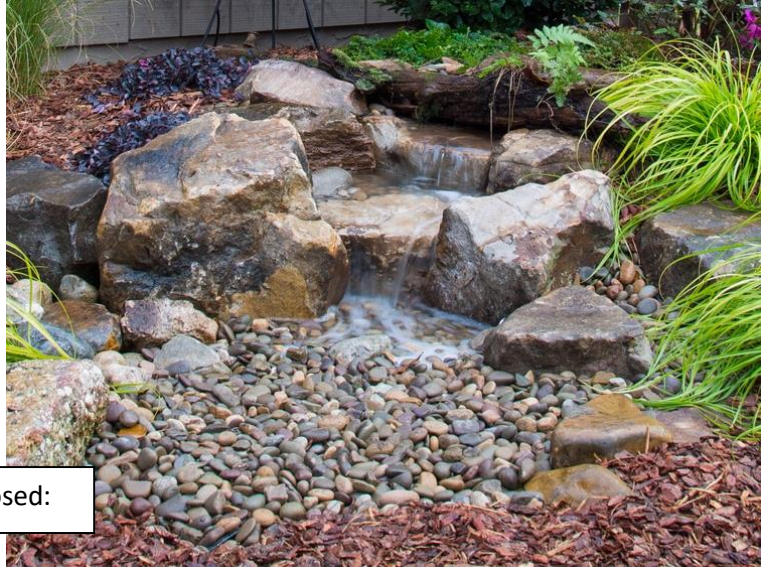
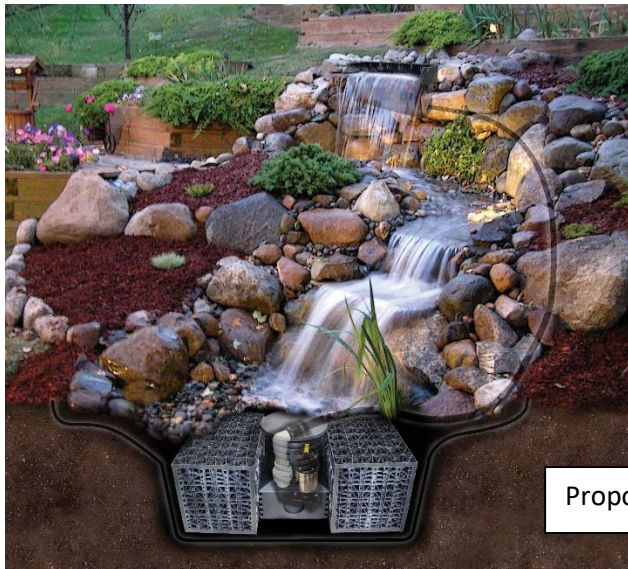


Current status of Rosehill Road and Sanderling Drive entrance

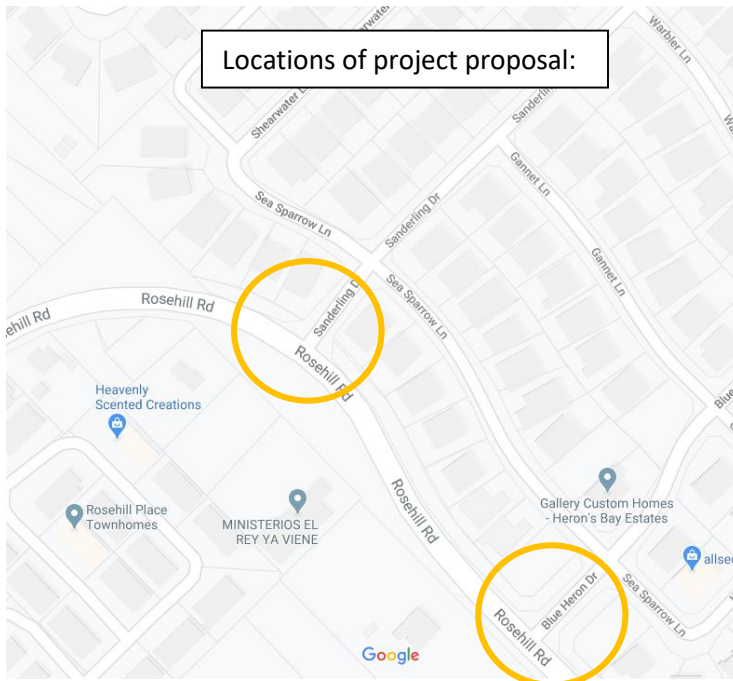


Current status of Rosehill Road and Blue Heron Drive entrance

Pondless waterfall images from Google: (only for reference)



Proposed:



Locations of project proposal:

Neighborhood: Heron's Bay Estates includes around 185 single family homes.

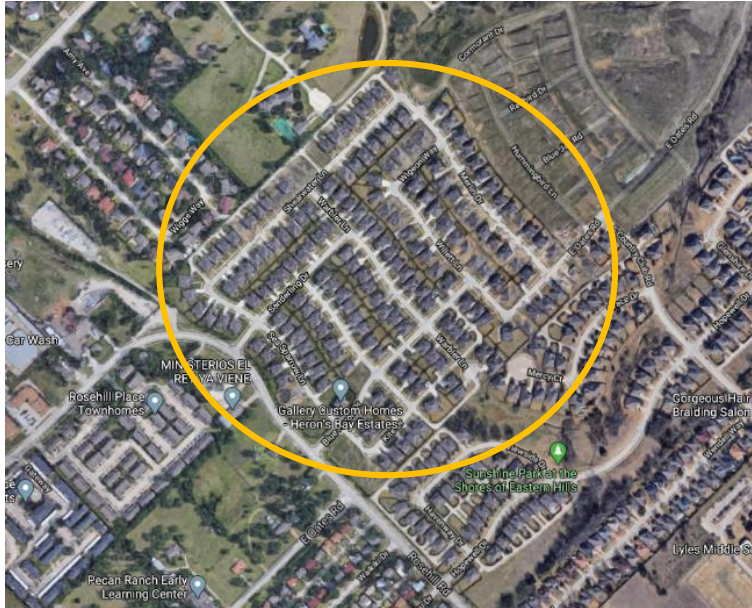
Neighborhood Boundaries:

- North- Merlin Drive
- South- Rosehill Road
- East- Kite Drive
- West- Shearwater Lane

Project Goals: To beautify entrances, increase neighborhood identity and build a stronger community

Future Maintenance: Heron's Bay has a maintenance budget and hired contractor to conduct bi-weekly visits.

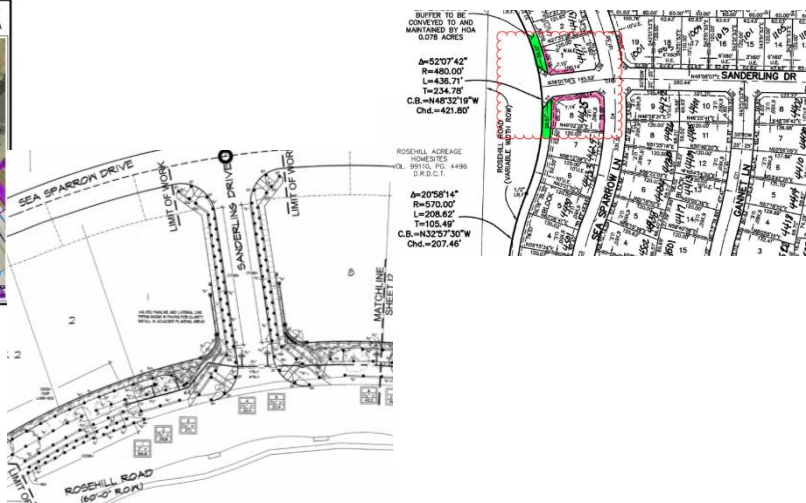
Maps of neighborhood:



Staff Comments on Previous (Spring 2020) Proposal:

Engineering Department:

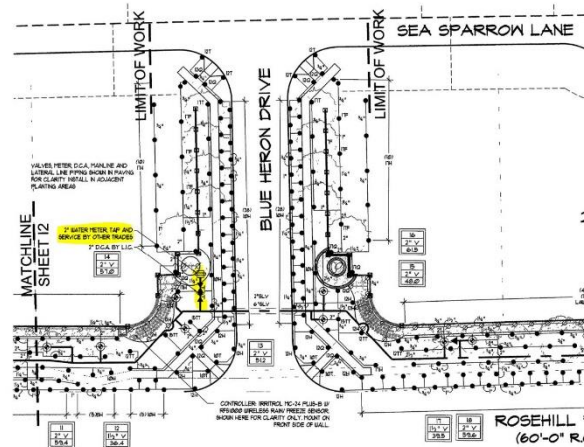
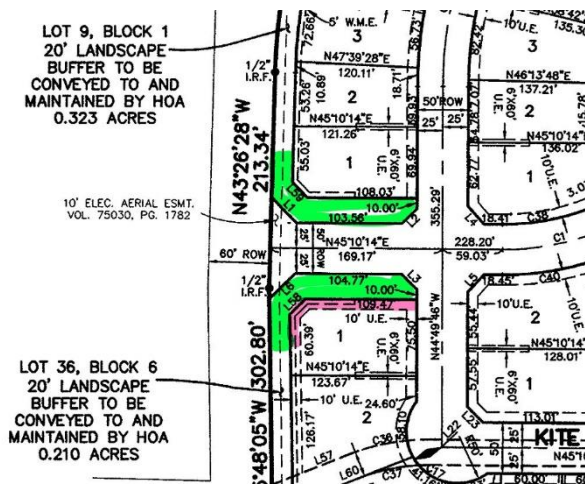
- GIS Map – there is an existing 8" water main within the right-of-way along Sanderling Drive, between the sidewalk and the curb; private improvements must be a minimum of 7.5 feet from the water main.
- Plat Markups (green highlights are HOA lots, pink highlights are easements) – there are HOA lots along Rosehill Road, but none along Sanderling Dr; a license agreement would be needed for any private improvements within the City right-of-way.
- Rosehill and Sanderling Irrigation – I have attached the irrigation plan for this area from the original construction plans; the HOA is heavily irrigated and lines would need to be adjusted to accommodate any sculpture.



Staff Comments on Current Proposal:

Engineering Department:

- GIS Map there is an existing 8" water main within the right-of-way along Blue Heron Drive, between the sidewalk and the curb; private improvements must be a minimum of 7.5 feet from the water main.
- Plat Markups (green highlights are HOA lots, pink highlights are easements) – there are HOA lots along Rosehill Road and Blue Heron Dr; a License Agreement would be needed with the Engineering Department for any private improvements within the City right-of-way.
- Rosehill and Blue Heron Irrigation – I have attached the irrigation plan for this area from the original construction plans; the HOA is heavily irrigated and lines would need to be adjusted to accommodate any additional sculpture. There is an irrigation meter and service tap on the northwest side of Blue Heron (see yellow highlight).



Office of Neighborhood Vitality:

- Entry features (new construction) are an eligible project under the matching grant program.
- Ensure all potential building permits are obtained and paid for prior to construction.
- ONV assisted in payment of previous entrance upgrades. Keeping as many elements to previous project is encouraged.

Community Services Committee Recommendation:

- Meeting date: June 8, 2021
- Recommendation: Approval of request as presented

NEIGHBORHOOD VITALITY MATCHING GRANT PROJECT SUMMARY

2. Neighborhood Association: Northlake Estates Crime Watch

Project Name: Sign Toppers

Project Location: Around entire neighborhood, 1645 Bosque Drive

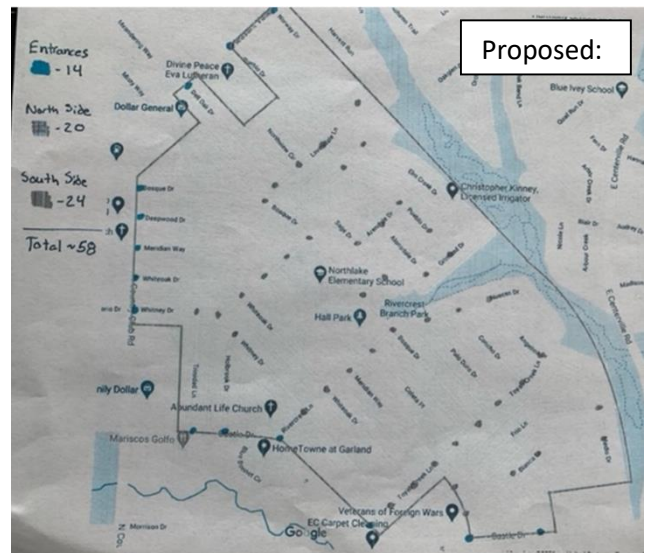
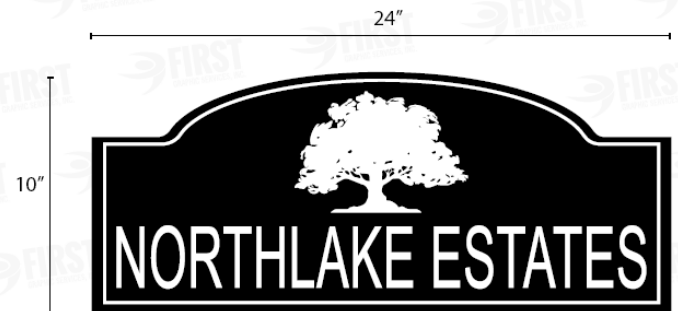
City Council District 1 – Spring 2021 Cycle

Total Project Cost:	\$4,112.42
Requesting Amount:	\$4,112.4
Neighborhood Match:	\$0
Match %:	0%

Crime watch association is reflected as voluntary

Project Summary:

- Install 58 sign toppers to provide neighborhood identification for residents & guests.
- Oak tree as icon on toppers.



Neighborhood: Northlake Estates Crime Watch includes over 250 single family homes adjacent to Hall Park.

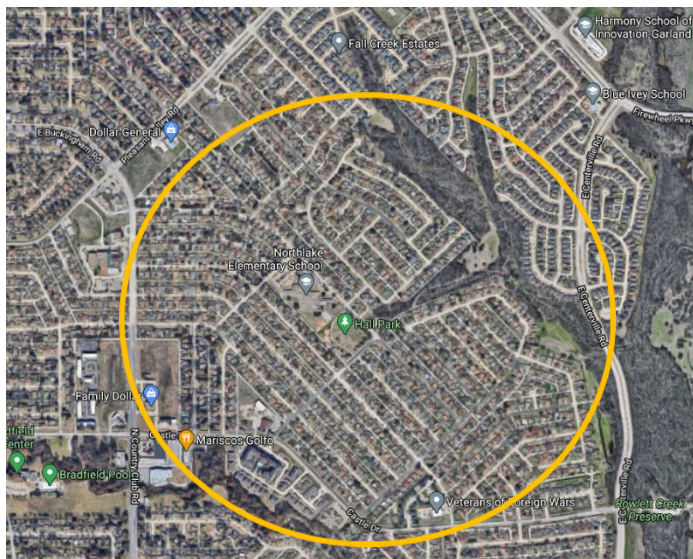
Neighborhood Boundaries:

- North – Pleasant Valley Road
- South – Castle Drive
- East – E Centerville Road
- West – Country Club Road

Project Goals: Continue to care for neighborhood with subtle affordable improvements.

Future Maintenance: Minimal maintenance after project completion. Replacement of occasional damage topper

Map of neighborhood:



City Staff Comments on Proposal:

Office of Neighborhood Vitality:

- Sign toppers are an eligible project under the NVMG program.
- Recommend to have 2 toppers just in case damage occurs after installation.
 - Purchase 2 additional (total of 60) or install 2 less toppers (total of 56).
- Installation costs come to \$2,030.

Transportation Department:

- Mike Hilton approves application for sign toppers for Northlake Estates.
- Transportation will not replace any signs that get damaged unless the organization has extras.
 - Purchasing extras is encouraged.
- Letters must be a minimum of 2" tall.
- Needs a list/map of all locations to install toppers

Community Services Committee Recommendation:

- Meeting date: June 8, 2021
- Recommendation: Approval of request as presented



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

6.

Meeting Date: 08/03/2021

Item Title: Trails Recreation Club Neighborhood Vitality Matching Grant Application

Submitted By: Scott Bollinger, Neighborhood Resource Manager

Summary of Request/Problem

At the July 19 Work Session, City Council approved the Fall 2020 Neighborhood Vitality Matching Grant applications for the Trails Recreation Club to be placed on the August 3 Consent Agenda.

Recommendation/Action Requested and Justification

Staff requests approval of the Neighborhood Vitality Matching Grant project, as directed by City Council.

Attachments

Trails Recreation Club Summary

NEIGHBORHOOD VITALITY MATCHING GRANT PROJECT SUMMARY

Neighborhood Association: Trails Recreation Club

Project Name: Tennis Area Restoration

Project Location: 725 Trails Parkway

City Council District 4 – Fall 2020 Cycle

Total Project Cost:	\$143,144.00
Requesting Amount:	\$70,050.00
Neighborhood Match:	\$73,094.00
Match %:	25%

Per guidelines COG can pay up to \$100,000 every 5 years

Fall 2015	Speed Humps	Approved	Project cost \$1,700, COG paid \$1,530.
Spring 2019	New community sign, landscaping, irrigation	Approved	Projected cost \$35,535, COG paid \$28,428
Fall 2020	Resurface and restripe tennis court and parking lot. Install chain link fence, replace dead bushes, better lighting.	Pending Decision	Projected cost \$143,144, COG pays \$70,050.00

Project Summary:

- Resurface and restripe the parking lot and 6 tennis courts to include pickle ball.
- Install a strong chain link fencing around the tennis courts.
- Restore overhead lighting with timers to conserve energy.

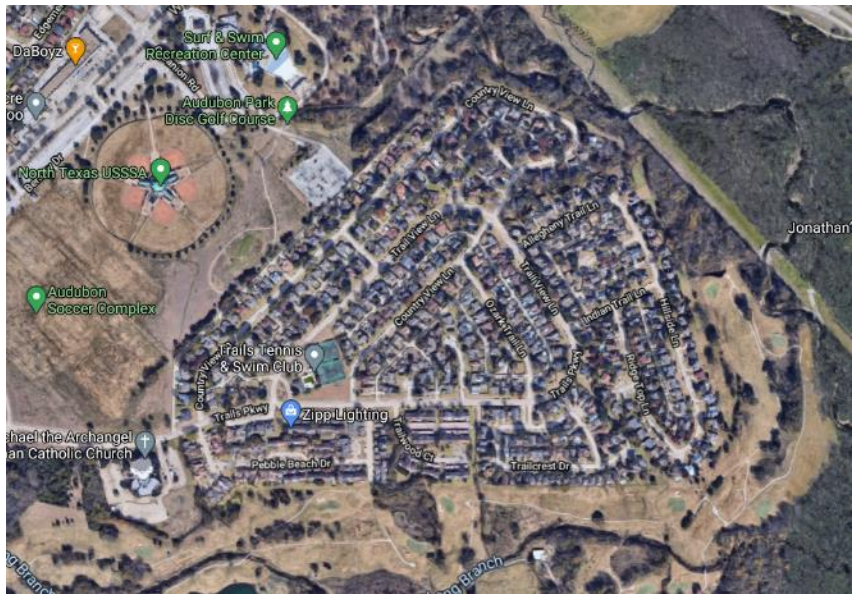


Current





Proposed



Neighborhood: Trails Recreation Club includes 400 single family homes located in its own pocket north of I-30. This is a semi-public recreation club.

Neighborhood Boundaries:

- North – Country View Lane
- South – Trail Crest Drive
- East – Hillside Lane
- West – Country View Lane

Project Goals: Improve a gathering/athletic space for neighbors and guests.

Future Maintenance: Trails has a landscape budget and a hired maintenance crew to replace plants “as needed” and conduct regular visits.

City Staff Comments:

Parks:

- Recommended black vinyl coated chain link, dramatically enhances the aesthetics, if existing line posts, terminal posts and gate frames are to remain, they could be repainted black while the mesh is off
- Recommend resurfacing while chain link and nets are removed
- Push button timers may be a good option for the lighting so it will automatically turn off after pre-programmed times
- Wind screens would also be recommended to increase functionality and/or privacy
- Recommend that existing vegetation that is growing into the fence mesh be removed for both aesthetics and longevity of the new fence mesh that is going up. if new vegetation is going to be planted, locate them at the proper distance from the fence, it is different for each plant

Building Inspections:

- If the fence is going back in the same spot and the materials and height is the same then no permit required for the fence. An electrical permit will be required for the electrical work being done from BI.

Office of Neighborhood Vitality:

- Per the guidelines, the City of Garland is allowed to pay up to \$100,000 every 5 years to a neighborhood. Trails Recreation Club received \$1,500 for the Fall 2015 and \$28,428 for the Spring '19 project. That allows COG to pay a maximum of \$70,050.00 for this project.
- If this project is approved and reimbursed Trails can apply for a Matching Grant in Spring 2024.
- This facility is semi-public with a \$5 fee a day to enjoy the amenities.
- Per the guidelines, repairs or maintenance of existing facilities is not eligible as well as installing gates to limit access, lighting upgrades and security cameras.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

7.

Meeting Date: 08/03/2021

Item Title: Electric Utility Direct Purchase Notes

Summary of Request/Problem

At the July 19, 2021, Work Session, City Council considered termination of the Electric Utility Tax-Exempt Commercial Paper Program, Series 2018 and establishing a 2021 Electric Utility System Commercial Paper Notes Program, Series A.

Recommendation/Action Requested and Justification

The Electric Commercial Paper Program, Series 2018 is set to expire and staff desires to continue utilizing short-term notes to finance future system improvements. Ongoing system improvements anticipated to be debt funded in the near term are projected to require a program with a capacity of \$150 million.

Staff has been working with Hilltop Securities and McCall, Parkhurst & Horton LLP, the City's financial advisor and bond counsel respectively, to solicit qualified liquidity providers and has determined that Wells Fargo offers the best value to the City for short-term interim financing for Capital Improvements. Wells Fargo has offered a Direct Purchase Commercial Paper Note Program which is very similar to a traditional Commercial Paper Program. The primary difference between a traditional Commercial Paper Program and a Direct Purchase Commercial Paper Program is that under a Direct Purchase agreement, the bank acts as both the liquidity provider and buyer of the notes rather than remarketing the notes to other entities. In addition, the Direct Purchase Commercial Paper Program provides flexibility for both tax-exempt capital financing and taxable funding for fuel and energy purchases.

Staff recommends approving the termination of the Electric Utility Tax-Exempt Commercial Paper Program, Series 2018 and establishing a 2021 Electric Utility System Commercial Paper Notes Program, Series A.

Attachments

Ordinance

**ORDINANCE NO. 7238
OF THE CITY OF GARLAND, TEXAS**

AUTHORIZING THE ISSUANCE OF

**CITY OF GARLAND, TEXAS
ELECTRIC UTILITY SYSTEM
COMMERCIAL PAPER NOTES, SERIES A**

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ORDINANCE NO. 7238 OF THE CITY OF GARLAND, TEXAS, APPROVING AND AUTHORIZING THE ISSUANCE OF ELECTRIC UTILITY SYSTEM COMMERCIAL PAPER NOTES, SERIES A IN AN AGGREGATE PRINCIPAL AMOUNT AT ANY ONE TIME OUTSTANDING NOT TO EXCEED \$150,000,000 TO PROVIDE INTERIM FINANCING TO PAY COSTS FOR ELIGIBLE PROJECTS AND TO REFUND OBLIGATIONS ISSUED IN CONNECTION WITH ELIGIBLE PROJECTS; AUTHORIZING SUCH SHORT TERM OBLIGATIONS TO BE ISSUED, SOLD AND DELIVERED IN VARIOUS FORMS, INCLUDING DIRECT PURCHASE COMMERCIAL PAPER NOTES, SUPPORTED COMMERCIAL PAPER NOTES AND BANK NOTES, AND PRESCRIBING THE TERMS, FEATURES AND CHARACTERISTICS OF SUCH INSTRUMENTS; APPROVING AND AUTHORIZING CERTAIN AUTHORIZED OFFICERS AND EMPLOYEES OF THE CITY TO ACT ON BEHALF OF THE CITY IN THE SELLING AND DELIVERY OF SUCH SHORT TERM OBLIGATIONS, WITHIN THE LIMITATIONS AND PROCEDURES SPECIFIED HEREIN; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR THE PAYMENT OF THE COMMERCIAL PAPER NOTES; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, SECURITY AND DELIVERY OF COMMERCIAL PAPER NOTES, INCLUDING THE APPROVAL OF AN ISSUING AND PAYING AGENT AGREEMENT AND A NOTE PURCHASE AGREEMENT; APPROVING THE USE OF AN OFFERING MEMORANDUM IN CONNECTION WITH THE SALE FROM TIME TO TIME OF SUCH SHORT TERM OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Garland, Texas (the “City”) is a “home-rule municipality”, acting as such under the Constitution and laws of the State of Texas, that adopted its charter under Section 5, Article XI of the Texas Constitution, that has a population in excess of 50,000, and that 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 is authorized pursuant to Chapter 1502, Texas Government Code, to own and operate the System (as hereinafter defined); and

WHEREAS, the City Council of the City (the “City Council”) hereby determines to issue its short-term obligations in the form of commercial paper notes and bank notes pursuant to the provisions of Texas Government Code, Chapter 1371, as amended, to provide interim financing for additions, improvements, extensions to the System and the acquisition of electric energy and fuel therefor and to refund obligations issued in connection with such projects; and

WHEREAS, the Commercial Paper Notes (as hereinafter defined) are and shall be issued pursuant to the Acts (as hereinafter defined), and the City Council hereby finds that the purposes

for which it may issue Notes (as hereinafter defined) hereunder constitute an “eligible project”, as contemplated by Section 1371.001, Texas Government Code, as amended; and

WHEREAS, the City has heretofore issued and delivered revenue bonds and commercial paper notes under the authority of Chapters 1502, 1371 and 1207, Texas Government Code, as amended, and other applicable laws, to finance and refinance improvements to the System; and

WHEREAS, at the date of delivery of the Notes authorized hereby, the City will have revenue bonds outstanding, which are payable from a first lien on the Net Revenues (as hereinafter defined) (such bonds are the Prior Lien Bonds, as hereinafter defined), other revenue bonds secured by a second lien on the Net Revenues (such obligations, collectively, are the Senior Lien Obligations, as hereinafter defined); and

WHEREAS, the Notes authorized hereby are being issued as Subordinate Lien Obligations (as hereinafter defined), which are payable from a third lien on the Net Revenues; and

WHEREAS, such short-term obligations proposed to be issued pursuant to this Ordinance constitute obligations which the City intends to fund or refund through the issuance of obligations of the City payable from Net Revenues of the System, as permitted by Texas Government Code, Chapter 1371, as amended, including refunding bonds issued pursuant to and in accordance with the provisions of Texas Government Code, Chapter 1207, as amended; and

WHEREAS, the City Council of the City hereby finds and determines that the issuance of the Notes, subject to the terms, conditions and limitations hereinafter prescribed, should be approved and authorized at this time; and

WHEREAS, it is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Texas Government Code, Chapter 551, as amended;

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

ARTICLE I
EFFECTIVE DATE
THE NOTES
DEFINITIONS AND CONSTRUCTION OF TERMS

Section 1.01. **Effective Date.** This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

Section 1.02. **The Notes.** The Commercial Paper Notes shall be issued, executed, and delivered in the form and manner, and shall be dated, bear interest, mature, shall and may be redeemed prior to maturity, and shall have all of the characteristics, as provided for in this Ordinance and, in the case of Commercial Paper Notes issued as Direct Purchase Notes, the Note Purchase Agreement.

Section 1.03. Definitions. In addition to the definitions set forth in the preamble of this Ordinance, the terms used in this Ordinance and not otherwise defined shall have the meanings given in **Exhibit A** to this Ordinance attached hereto and made a part hereof.

Section 1.04. Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine, or neuter gender shall be considered to include the other genders. For all purposes of this Ordinance, unless the context requires otherwise, all references to designated Sections and other subdivisions are to the Sections and other subdivisions of this Ordinance. The words “herein”, “hereof” and “hereunder” and other words of similar import refer to this Ordinance as a whole and not to any particular Section or other subdivision. References to any named person means that person and its successors and assigns. References to any constitutional, statutory or regulatory provision means such provision as it exists on the date this Ordinance is adopted by the City and any future amendments thereto or successor provisions thereof.

ARTICLE II AUTHORIZATION OF NOTES

Section 2.01. General Authorization. (a) Pursuant to authority conferred by and in accordance with the provisions of the Constitution and laws of the State of Texas, particularly the Acts, Commercial Paper Notes shall be and are hereby authorized to be issued in an aggregate principal amount not to exceed One Hundred Fifty Million Dollars (\$150,000,000) at any one time Outstanding for the purpose of financing Costs of Eligible Projects and to refinance, renew, or refund notes, bonds, and other obligations of the System, including interest thereon, all in accordance with and subject to the terms, conditions, and limitations contained herein; and Bank Notes are hereby authorized to be issued in the aggregate principal amount of up to \$150,000,000 plus interest at the Maximum Rate at any one time outstanding for the purpose of evidencing Advances to retire Supported Notes; all in accordance with and subject to the terms, conditions and limitations contained herein and, with respect to any Bank Note, the related Credit Agreement. For purposes of this **Section 2.01**, any portion of Outstanding Notes to be paid from money on deposit with the Issuing and Paying Agent and from the available proceeds of bonds or other obligations of the City issued on the day of calculation shall not be considered Outstanding. The authority to issue Commercial Paper Notes from time to time under the provisions of this Ordinance shall exist until the Maximum Maturity Date, regardless of whether at any time prior to the Maximum Maturity Date there are any Commercial Paper Notes Outstanding.

(b) In connection with the refinancing or refunding of Notes, bonds, and other obligations of the System, such Notes, bonds, and other obligations of the System, shall qualify as “obligations”, as such term is defined in Chapter 1371 at the time any such refinancing or refunding occurs. Further, the Notes, bonds, and other obligations of the System to be so refunded or refinanced shall be selected by the City or as determined by the City.

Section 2.02. Commercial Paper Notes. (a) Under and pursuant to the authority granted hereby and subject to the limitations contained herein, Commercial Paper Notes to be designated “City of Garland Electric System Commercial Paper Notes, Series A” are hereby authorized to be issued, sold, and delivered from time to time in such principal amounts as determined by a City Representative in Authorized Denominations, numbered in ascending consecutive numerical order in the order of their issuance, and shall mature and become due and payable on such Business Day as a City Representative shall determine at the time of sale; provided, however, that no Commercial Paper Note shall (i) mature after the Maximum Maturity Date, (ii) have a term in excess of 364 calendar days, or such shorter term permitted by an applicable Credit Agreement or Note Purchase Agreement, (iii) mature later than five (5) days prior to the Stated Termination Date for an applicable Credit Facility, or (iv) mature later than the Business Day prior to the Commitment Expiration Date for an applicable Note Purchase Agreement. Anything to the contrary herein notwithstanding, the Master Note shall mature not later than the Maximum Maturity Date.

(b) Subject to the limitations contained herein and in any related Credit Agreement or Note Purchase Agreement, Commercial Paper Notes herein authorized shall be dated as of their date of issuance (the “*Note Date*”) and shall bear no interest or bear interest at such rate or rates per annum or computed pursuant to such formula and on such basis (but in no event to exceed the Maximum Rate in effect on the date of issuance thereof), as may be determined by a City Representative. Interest, if any, on Commercial Paper Notes shall be payable on each interest payment date. Commercial Paper Notes may be payable to bearer, may be issued in registered form, without coupons, or may be issued in book-entry only form pursuant to **Section 2.07** as determined by a City Representative. Both the principal of and interest on the Commercial Paper Notes shall be payable in lawful money of the United States of America, without exchange or collection charges to the Holder thereof in the manner provided in the applicable Form of Commercial Paper Note set forth in **Exhibit B** to this Ordinance.

(c) Subject to applicable terms, limitations, and procedures contained herein, the Commercial Paper Notes may be sold in such manner at public or private sale and at par or at such discount or premium (within the interest rate and yield restrictions provided herein) as a City Representative shall approve at the time of the sale thereof.

Section 2.03. Form of Commercial Paper Notes. (a) If not issued in book-entry only form, the Commercial Paper Notes and the Certificate of Authentication to appear on each of the Commercial Paper Notes shall be substantially in the forms set forth in **Exhibit B** to this Ordinance with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements thereon as may, consistently herewith, be approved by a City Representative. Any portion of the text of any Commercial Paper Notes may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Commercial Paper Notes, and the Commercial Paper Notes shall be printed, lithographed, or engraved or produced in any other similar manner, or typewritten, all as determined and approved by a City Representative.

(b) If the Commercial Paper Notes are issued in book-entry only form pursuant to **Section 2.07**, they shall be issued in the form of a Master Note for Tax Exempt Notes and for Taxable Notes in substantially the form attached hereto as **Exhibit C**, or such other form as required by DTC, to which there shall be attached the respective form of Commercial Paper Note set forth in **Exhibit B** and it is hereby declared that the provisions of **Exhibit B** are incorporated into and shall be a part of the Master Note. It is further provided that this Ordinance and the respective form of Commercial Paper Note set forth in **Exhibit B** shall constitute the “underlying records” referred to in the Master Note. Notwithstanding the provisions of **Section 2.04**, the Master Note shall be executed by the manual signature of the Mayor or Mayor Pro-tem of the City.

Section 2.04. Execution - Authentication. (a) The Commercial Paper Notes shall be executed on behalf of the City by Mayor under its seal reproduced or impressed thereon and attested by the City Secretary. The signature of said officers on the Notes may be manual or facsimile. Notes bearing the manual or facsimile signatures of individuals who are or were the proper officers of the City on the date of passage of this Ordinance shall be deemed to be duly executed on behalf of the City, notwithstanding that such individuals or either of them shall cease to hold such offices at the time of the initial sale and delivery of Notes authorized to be issued hereunder and with respect to Notes delivered in subsequent sales, exchanges, and transfers, all as authorized and provided in Chapter 1201, Texas Government Code, as amended.

(b) Other than pursuant to **Section 2.03(b)**, no Commercial Paper Note shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Commercial Paper Note a certificate of authentication substantially in the form provided in the Form of Commercial Paper Notes attached as **Exhibit B** to this Ordinance, executed by the Issuing and Paying Agent by manual signature, and such certificate upon any Commercial Paper Note shall be conclusive evidence, and the only evidence, that such Commercial Paper Note has been duly certified or registered and delivered. No Supported Notes shall be authenticated which mature later than five days prior to the Stated Termination Date for the related Credit Facility and the Issuing and Paying Agent shall not authenticate Supported Notes if the Issuing and Paying Agent has received a No-Issuance Notice or the Final Drawing Notice except for Notes authenticated and delivered in exchange or replacement for previously authenticated Notes pursuant to the **Section 2.06** or **Section 2.08**, as applicable. Notwithstanding anything herein to the contrary, no Direct Purchase Notes shall be authenticated which mature later than the Business Day prior to the Commitment Expiration Date for the related Note Purchase Agreement).

Section 2.05. Issuing and Paying Agent. (a) The appointment of U.S. Bank National Association (“U.S. Bank”), as the Issuing and Paying Agent for the Commercial Paper Notes is hereby confirmed. The City covenants and agrees to keep and maintain the Registration Books at the office of the Issuing and Paying Agent, all as provided herein and pursuant to such reasonable rules and regulations as the Issuing and Paying Agent may prescribe. The City covenants to maintain and provide an Issuing and Paying Agent at all times while the Commercial Paper Notes are outstanding, which, if it is not acting in such capacity, shall be a national or state banking

association or corporation organized and doing business under the laws of the United States of America or of any state and authorized under such laws to exercise trust powers. Should a change in the Issuing and Paying Agent occur, the City agrees to promptly cause a written notice thereof to be (i)(A) sent to each Registered Owner, if any, of the Commercial Paper Notes then Outstanding by United States mail, first class, postage prepaid, or (B) published in a financial newspaper or journal of general circulation in the City of New York, New York, once during each calendar week for at least two calendar weeks, (iii) sent to DTC or the successor securities depository if the Commercial Paper Notes are then subject to a book-entry only system pursuant to **Section 2.07**, (iv) sent to each Rating Agency, and (v) sent to the Bank. Such notice shall give the name and address of the successor Issuing and Paying Agent. A successor Issuing and Paying Agent may be appointed without the consent of the Holders.

(b) Subject to the provisions of **Section 2.07**, the City and the Issuing and Paying Agent may treat the bearer (in the case of Commercial Paper Notes so registered) or the Registered Owner of any Commercial Paper Note as the absolute owner thereof for the purpose of receiving payment thereof and for all purposes, and, to the extent permitted by law, the City and the Issuing and Paying Agent shall not be affected by any notice or knowledge to the contrary.

(c) A copy of the Registration Books and any change thereto shall be provided to the City by the Issuing and Paying Agent and transmitted by electronic means or such other means as may be mutually agreeable to the City, within two Business Days of the opening thereof or any change therein, as the case may be.

(d) A City Representative is hereby authorized and directed to execute and deliver a Issuing and Paying Agent Agreement with U.S. Bank in substantially the form presented to the City Council with such changes, additions, or amendments thereto as may be necessary and proper to carry out the purpose and intent of the City Council in authorizing this Ordinance, including, without limitation, authorizing the Issuing and Paying Agent to effect draws upon a Credit Facility in the manner provided in the Issuing and Paying Agent Agreement. A City Representative is further authorized to enter into any supplemental agreements with the Issuing and Paying Agent or with any successor Issuing and Paying Agent.

Section 2.06. Negotiability, Registration, and Exchangeability. (a) The Commercial Paper Notes shall be, and shall have all of the qualities and incidents of, a negotiable instrument under the laws of the State of Texas, and each successive Holder, in accepting any of the obligations, shall be conclusively deemed to have agreed that such obligations shall be and have all of the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

(b) Registration Books relating to the registration, payment, and transfer or exchange of the Commercial Paper Notes shall at all times be kept and maintained by the City at the office of the Issuing and Paying Agent, and the Issuing and Paying Agent shall obtain, record, and maintain in the Registration Books the name, and to the extent provided by or on behalf of the Holder, the address of each Holder of the Commercial Paper Notes, except for Commercial Paper Notes registered to bearer. A copy of the Registration Books shall be provided to and held by the City in the manner provided in **Section 2.05**. Any Commercial Paper Note may, in accordance

with its terms and the terms hereof, be transferred or exchanged for Commercial Paper Notes of like tenor and character and of other authorized denominations upon the Registration Books by the Holder in person or by his duly authorized agent, upon surrender of such Commercial Paper Note to the Issuing and Paying Agent for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Issuing and Paying Agent.

(c) Upon surrender for transfer of any Commercial Paper Note at the designated office of the Issuing and Paying Agent, the Issuing and Paying Agent shall register and deliver, in the name of the designated transferee or transferees, one or more new Commercial Paper Notes executed on behalf of, and furnished by, the City of like tenor and character and of authorized denominations and having the same maturity, bearing interest at the same rate and in an aggregate principal amount equal to the unpaid or unredeemed principal amount of the Commercial Paper Note or Commercial Paper Notes surrendered for transfer.

(d) Furthermore, Commercial Paper Notes may be exchanged for other Commercial Paper Notes of like tenor and character and of authorized denominations and having the same maturity, bearing the same rate of interest and in an aggregate principal amount equal to the unpaid or unredeemed principal amount of the Commercial Paper Notes surrendered for exchange, upon surrender of the Commercial Paper Notes to be exchanged at the designated office of the Issuing and Paying Agent. Whenever any Commercial Paper Notes are so surrendered for exchange, the Issuing and Paying Agent shall register and deliver new Commercial Paper Notes of like tenor and character as the Commercial Paper Notes exchanged, executed on behalf of and furnished by, the City to the Holder requesting the exchange.

(e) The City and the Issuing and Paying Agent may charge the Holder a sum sufficient to reimburse them for any expenses incurred in making any exchange or transfer after the first such exchange or transfer. The Issuing and Paying Agent or the City may also require payment from the Holder of a sum sufficient to cover any tax, fee, or other governmental charge that may be imposed in relation thereto. Such charges and expenses shall be paid before any such new Commercial Paper Note shall be delivered.

(f) The City and the Issuing and Paying Agent shall not be required to transfer or exchange any Commercial Paper Note (i) during the period commencing with the closing of business on any Record Date (as defined in the Note) and ending with the opening of business on the next following principal or interest payment date or (ii) selected, called, or being called for redemption in whole or in part.

(g) New Commercial Paper Notes delivered upon any transfer or exchange shall be valid special obligations of the City, evidencing the same debt as the Commercial Paper Notes surrendered, shall be secured by this Ordinance and shall be entitled to all of the security and benefits hereof to the same extent as the Commercial Paper Notes surrendered.

(h) The sale or other transfer of an Outstanding Direct Purchase Note shall be subject to any restrictions or requirements set forth in the related Note Purchase Agreement.

(i) The City reserves the right to change the above registration and transferability provisions of the Commercial Paper Notes at any time on or prior to the delivery thereof in order to comply with applicable laws and regulations of the United States in effect at the time of issuance thereof. In addition, to the extent that the provisions of this **Section 2.06** conflict with or are inconsistent with the provisions of the Form of Commercial Paper Note set forth in **Exhibit B**, such other provisions shall control.

Section 2.07. Book-Entry Only System. (a) If a City Representative determines that it is possible and desirable to provide for a book-entry only system of Commercial Paper Note registration with DTC, such City Representative, acting for and on behalf of the City, is hereby authorized to approve, execute, and deliver a Letter of Representations to DTC and to enter into such other agreements and execute such instruments as are necessary to implement or maintain such book-entry only system, such approval to be conclusively evidenced by the execution thereof by said City Representative. Under the book-entry system with DTC, (i) no physical Note certificates will be delivered to DTC and (ii) the City will execute and deliver to the Issuing and Paying Agent, as custodian for DTC, a master note relating to the Tax Exempt Notes and to the Taxable Notes (each a “*Master Note*”) in substantially the form set forth in **Exhibit C**, or such other form as is required by DTC. Except as provided herein, the ownership of the Notes shall be registered in the name of Cede & Co., as nominee of DTC, which will serve as the initial securities depository for the Notes. Ownership of beneficial interests in the Notes shall be shown by book entry on the system maintained and operated by DTC and DTC participants, and transfers of ownership of beneficial interests shall be made only by DTC and the DTC participants by book entry, and the City and the Issuing and Paying Agent shall have no responsibility therefor. DTC will be required to maintain records of the positions of the DTC participants in the Notes, and the DTC participants and persons acting through the DTC participants will be required to maintain records of the purchasers of beneficial interests in the Notes. Except as provided in this **Section 2.07**, the Notes shall not be transferable or exchangeable, except for transfer to another securities depository or to another nominee of a securities depository.

(b) With respect to Commercial Paper Notes registered in the name of DTC or its nominee, neither the City nor the Issuing and Paying Agent shall have any responsibility or obligation to any DTC Participant or to any person on whose behalf a DTC Participant holds an interest in the Commercial Paper Notes. Without limiting the immediately preceding sentence, neither the City nor the Issuing and Paying Agent shall have any responsibility or obligation with respect to (i) the accuracy of the records of DTC or any DTC Participant with respect to any ownership interest in the Commercial Paper Notes, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner of the Commercial Paper Notes, as shown on the Registration Books, of any notice with respect to the Commercial Paper Notes, including any notice of redemption, and (iii) the payment to any DTC Participant or any other person, other than a Registered Owner of the Commercial Paper Notes, as shown in the Registration Books, of any amount with respect to principal of and premium, if any, or interest on the Commercial Paper Notes.

(c) Whenever, during the term of the Commercial Paper Notes, the beneficial ownership thereof is determined by a book entry at DTC, the requirements in this Ordinance of holding, registering, delivering, exchanging, or transferring the Commercial Paper Notes shall be deemed modified to require the appropriate person or entity to meet the requirements of DTC as to holding, registering, delivering, exchanging, or transferring the book entry to produce the same effect.

(d) Either the City or DTC may determine to discontinue the book-entry only system of Commercial Paper Note registration with DTC, and in such case, unless a new book-entry only system is put in place, physical certificates in the forms set forth in **Exhibit B** shall be provided to the Beneficial Holders.

(e) If at any time, DTC ceases to hold the Commercial Paper Notes, all references herein to DTC shall be of no further force or effect.

(f) Whenever the beneficial ownership of the Commercial Paper Notes is determined by a book entry at DTC, delivery of Commercial Paper Notes for payment at maturity shall be made pursuant to DTC's payment procedures as are in effect from time to time and the DTC Participants shall transmit payment to beneficial owners whose Commercial Paper Notes have matured. The City and each Issuing and Paying Agent, Bank, and Dealer are not responsible for transfer of payment to the DTC Participants or beneficial owners.

Section 2.08. Commercial Paper Notes Mutilated, Lost, Destroyed, or Stolen. If any Commercial Paper Note shall become mutilated, the City, at the expense of the Holder of said Commercial Paper Note, shall execute, and the Issuing and Paying Agent shall authenticate and deliver, a new Note of like tenor and number in exchange and substitution for the Commercial Paper Note so mutilated, but only upon surrender to the Issuing and Paying Agent of the Commercial Paper Note so mutilated. If any Commercial Paper Note shall be lost, destroyed, or stolen, evidence of such loss, destruction, or theft shall be submitted to the City and the Issuing and Paying Agent. If such evidence be satisfactory to the City and the Issuing and Paying Agent and indemnity satisfactory to them shall be given, the City, at the expense of the Holder, shall execute, and the Issuing and Paying Agent shall authenticate and deliver, a new Commercial Paper Note of like tenor in lieu of and in substitution for the Commercial Paper Note so lost, destroyed, or stolen. In the event any such Commercial Paper Note shall have matured, the Issuing and Paying Agent, instead of issuing a duplicate Commercial Paper Note, may pay the same without surrender thereof after making such requirement as it deems fit for its protection, including a lost instrument bond. Neither the City nor the Issuing and Paying Agent shall be required to treat both the original Commercial Paper Note and any duplicate Commercial Paper Note as being Outstanding for the purpose of determining the principal amount of Commercial Paper Notes which may be issued hereunder, but both the original and the duplicate Commercial Paper Note shall be treated as one and the same. The City and the Issuing and Paying Agent may charge the Holder of such Commercial Paper Note with their reasonable fees and expenses for such service.

Section 2.09. Cancellation. All Commercial Paper Notes which at maturity are surrendered to the Issuing and Paying Agent for the collection of the principal and interest thereof or are surrendered for transfer or exchange pursuant to the provisions hereof or are refunded through an Advance or otherwise shall, upon payment or issuance of new Commercial Paper Notes, be cancelled by the Issuing and Paying Agent and forthwith transmitted to the City, and thereafter the City shall have custody of such cancelled Commercial Paper Notes.

Section 2.10. Credit Facilities and Credit Agreements. The City reserves the right to deliver Credit Facilities for Supported Notes and to enter into Credit Agreements relating to a Credit Facility or Substitute Credit Facility. Any City Representative may enter into transactions under a Credit Agreement or Credit Facility and execute any instruments in connection therewith. In addition, the City reserves the right, subject to the requirements of **Section 4.13(b)**, to amend any Credit Facility or Credit Agreement at any time without the consent of the Holders.

Section 2.11. Bank Notes. Any Bank Note shall be in the form set forth in the related Credit Agreement. Pursuant to **Section 4.01**, a Bank Note is a “Subordinate Lien Obligation” on a parity and of equal dignity with the Commercial Paper Notes.

Section 2.12. Dealer and Dealer Agreements. One or more commercial paper dealers shall be designated by the City for Commercial Paper Notes subject to public offerings. The City may remove or replace any Dealer at any time without the consent of the Holders. The City Representative is authorized from time to time to designate, in the manner set forth in the respective Dealer Agreements, the dollar amount of the Commercial Paper Notes to be Outstanding from time to time and the particular portion of the Outstanding principal amount for which each Dealer is responsible. A City Representative is further authorized and directed to approve, execute, and deliver to a Dealer any instrument evidencing such changes, additions, or amendments to the Dealer Agreement as may be necessary and proper to carry out the purpose and intent of the City Council in authorizing this Ordinance. A City Representative is also authorized to enter any supplemental agreements with a Dealer.

Section 2.13. Note Purchase Agreement. (a) The Note Purchase Agreement between Wells Fargo Bank, National Association and the City, in substantially the form presented to the City Council, is hereby approved. A City Representative is hereby authorized to complete, amend, and modify the draft Note Purchase Agreement as may be necessary and proper to carry out the purpose and intent of the City Council in authorizing this Ordinance, and a City Representative is hereby authorized to execute and deliver the Note Purchase Agreement in the form so amended, completed, and modified.

(b) Any City Representative may enter into transactions under a Note Purchase Agreement and execute any instruments in connection therewith.

(c) The City reserves the right to amend any Note Purchase Agreement in accordance with its terms. The City may, subject to any applicable provisions of an existing Credit Agreement or existing Note Purchase Agreement, enter into a new or substitute Note Purchase Agreement.

Section 2.14. Fiscal and Other Agents. In furtherance of the purposes of this Ordinance, the City may from time to time appoint and provide for the payment of such additional fiscal, paying, or other agents or trustees as it may deem necessary or appropriate in connection with the Notes.

ARTICLE III ISSUANCE AND SALE OF NOTES

Section 3.01. Issuance and Sale of Notes. Subject to applicable terms, limitations, and procedures contained herein, all Commercial Paper Notes shall be issued and sold in accordance with the following provisions:

(a) All Commercial Paper Notes shall be sold in the manner determined by the City Representative to be most advantageous to the City.

(b) The terms of the Commercial Paper Notes shall be established and they shall be delivered by the Issuing and Paying Agent in accordance with telephonic, computer, or written instructions of any City Representative and in the manner specified below and in the Issuing and Paying Agent Agreement. To the extent such instructions are not written, they shall be confirmed in writing within 24 hours of the transmission or communication thereof. Said instructions shall specify such principal amounts, dates of issue, maturities, rates of discount or interest, or the formula or method of calculating interest and the basis upon which it is to be computed, interest payment dates, redemption or prepayment provisions, whether the Note is a Tax Exempt Note or a Taxable Note, and other terms and conditions which are hereby authorized and permitted to be fixed by any City Representative at the time of sale of the Commercial Paper Notes. Such instructions shall include the purchase price of the Commercial Paper Notes, and a request that the Issuing and Paying Agent authenticate such Commercial Paper Notes by countersignature of its authorized officer or employee, if not in book-entry only form, and deliver them to the named purchaser or purchasers thereof upon receipt of payment in accordance with the custom then prevailing in the New York financial market in regard to such Commercial Paper Notes. The rules of the New York Clearinghouse shall apply thereto. Such instructions shall also contain provisions representing (i) that all action on the part of the City necessary for the valid issuance of the Commercial Paper Notes then to be issued, or the incurring of Advances under a Bank Note then to be incurred, has been taken, (ii) that all provisions of Texas and federal law necessary for the valid issuance of such Commercial Paper Notes have been complied with, (iii) that such Commercial Paper Notes will be valid special obligations of the City, enforceable according to their terms, subject to the exercise of judicial discretion in accordance with general principles of equity and bankruptcy, insolvency, reorganization, moratorium, and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable, and (iv) that the stated interest on the Tax Exempt Notes is, subject to the conditions set forth in the opinion of Bond Counsel delivered concurrently with the commencement of the issuance of Tax Exempt Notes, excludable from gross income of the owners thereof for federal income tax purposes. Such instructions shall also certify that, as of the date of such certificate:

- (1) no Event of Default under **Section 5.01** of this Ordinance has occurred and is continuing as of the date of such Certificate;
- (2) for Supported Notes, no No-Issuance Notice or Final Drawing Notice has been delivered pursuant to a Credit Facility or related Credit Agreement;
- (3) the City has been advised by Bond Counsel that the projects to be financed or refinanced by the Commercial Paper Notes will constitute Eligible Projects, and, further, that the proposed issuance will not cause the City to be in violation of its covenants set forth in **Section 4.11** (if the Commercial Paper Notes are Tax Exempt Notes) and **Section 4.12** (if the Commercial Paper Notes are Supported Notes);
- (4) the principal amount of Commercial Paper Notes to be Outstanding after the proposed issuance;
- (5) after the proposed issuance, the total principal amount of Outstanding Commercial Paper Notes plus interest accrued or to accrue thereon to the respective maturity dates of the Commercial Paper Notes shall not exceed the Commitment;
- (6) the City is in compliance, in all material respects, with the covenants set forth in **Article IV** as of the date of such instructions, other than **Section 4.12** in the case of Taxable Notes;
- (7) the sum of the interest payable on such Commercial Paper Notes issued and Outstanding or in the process of issuance and any discount established for such Commercial Paper Notes will not exceed a yield to the maturity date of such Commercial Paper Note in excess of the Maximum Rate in effect on the date of issuance of such Commercial Paper Note; and
- (8) the amounts of the proceeds of such issue of Notes which are to be deposited to the Note Construction Account and the Note Repayment Fund.

(c) A Bank Note may be or has been delivered to the Bank and indebtedness may be incurred thereunder in accordance with the terms of the Credit Agreement.

Section 3.02. Proceeds of Sale of Commercial Paper Notes. (a) The proceeds of the sale of any Commercial Paper Notes (net of all expenses and costs of sale and issuance) shall be

deposited in the Note Repayment Fund and applied for any or all of the following purposes as directed by a City Representative:

(i) Proceeds to be used for the payment and redemption or purchase of Outstanding Commercial Paper Notes at or before maturity and the repayment of any Advances (evidenced by a Bank Note) or other amounts due under a Credit Agreement shall be deposited and retained in the Note Repayment Fund, and expended therefor; and

(ii) Proceeds not retained in the Note Repayment Fund as provided in subparagraph (i) above shall be transferred and deposited to the Note Construction Account and used and applied in accordance with the provisions of **Section 4.08** for the purpose of financing Costs of Eligible Projects.

(b) Notwithstanding the provisions of Subsection (a) of this **Section 3.02**, in the event that Commercial Paper Notes are issued to refund bonds or other obligations of the City (not including Commercial Paper Notes) the proceeds of sale of the Commercial Paper Notes shall be deposited with the paying agent/registrar therefor or other banking institution to be held in escrow for the purpose of paying the amounts due under and with respect to the obligations refunded.

Section 3.03. Limitation on Issuance. (a) Unless this Ordinance is amended and modified by the City pursuant to **Section 6.01**, the City covenants that there will not be issued and Outstanding at any time more than \$150,000,000 in principal amount of the Commercial Paper Notes. The City, however, does reserve the right to increase the maximum principal amount of Commercial Paper Notes that may be at any one time outstanding by an amendment to this Ordinance pursuant to **Section 6.01**. For purposes of this **Section 3.03** any portion of outstanding Commercial Paper Notes to be paid on a particular day from moneys on deposit in the Supported Note Payment Fund and available proceeds of Notes or bonds shall not be considered outstanding on such day.

(b) Additionally, the City covenants and agrees that the total principal amount of all Commercial Paper Notes Outstanding at any one time and the total amount of interest accrued or to accrue thereon shall not exceed the Commitment.

ARTICLE IV

SECURITY FOR NOTES; FUNDS AND ACCOUNTS; COVENANTS OF THE CITY

Section 4.01. Subordinate Lien Obligations. The Notes are special obligations of the City constituting Subordinate Lien Obligations. The Notes Outstanding under this Ordinance shall be secured and payable equally and ratably on a parity with all other Subordinate Lien Obligations outstanding from time to time, without preference, priority, or distinction between or among all other Subordinate Lien Obligations.

Section 4.02. Pledge of Revenues. The City hereby covenants and agrees that, subject only to the prior lien on and pledge of the Net Revenues of the System to the payment and security of the Prior Lien Bonds and the Senior Lien Obligations (including the establishment and maintenance of the special funds created for the payment and security thereof) under the terms and conditions of the ordinances and proceedings pertaining to their authorization, the Net Revenues of the System, with the exception of those in excess of the amounts required for the payment and security of the Subordinate Lien Obligations, are hereby irrevocably pledged to the payment and security of the Notes, including the maintenance of the special funds herein created in connection with the issuance of the Notes, and the obligations of the City under the Issuing and Paying Agent Agreement, any Dealer Agreement, any Credit Agreement and any Note Purchase Agreement, all as hereinafter provided, and it is hereby ordained that the Notes, and the interest thereon, and the obligations of the City under the Issuing and Paying Agent Agreement, any Dealer Agreement, any Credit Agreement and any Note Purchase Agreement, shall be equally and ratably secured by a parity lien on and pledge of the Net Revenues of the System with all other Subordinate Lien Obligations and be valid and binding without any filing or recording except for the filing of this Ordinance in the records of the City. None of the Notes or the obligations of the City under the Issuing and Paying Agent Agreement, any Dealer Agreement, any Credit Agreement or any Note Purchase Agreement, are secured by or payable from any funds raised or to be raised by the levy of taxes by the City or a mortgage or deed of trust on any properties, whether real, personal, or mixed, constituting the System or otherwise, or from any source other than as specified in this Ordinance.

Texas Government Code, Chapter 1208, as amended, applies to the issuance of the Notes and the execution and delivery of the Issuing and Paying Agent Agreement and any Dealer Agreement, Credit Agreement or Note Purchase Agreement, 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 Notes 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 Notes or the parties to the Issuing and Paying Agent Agreement or any Dealer Agreement, Credit Agreement or Note Purchase Agreement 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 4.03. Rates and Charges. For such time as the Notes are Outstanding and for the benefit of the Holders of the Notes and in addition to all provisions and covenants in the law of the State of Texas and in this Ordinance, the City shall, at all times while any of the Subordinate Lien Obligations are outstanding and unpaid, maintain rates and collect charges for the electric utility services afforded by the System, as required by Texas Government Code, Chapter 1502, as amended, which will provide Gross Revenues of the System, including the money transferred to the System Fund (as described in the ordinances authorizing the issuance of

the Senior Lien Obligations) for the sole purpose of compliance with this **Section 4.03**, sufficient at all times to:

- (a) pay for all maintenance, operation, depreciation, replacement and betterment charges of the System; and
- (b) produce Net Revenues each Fiscal Year in an amount reasonably estimated to be not less than 1.0 times the annual principal and interest requirements of the outstanding Prior Lien Bonds, Senior Lien Obligations and Subordinate Lien Obligations and all other outstanding indebtedness against the Net Revenues of the System (for purposes of this **Section 4.03(b)** the City may use the lesser of the 30 year level debt service amortization based on The Bond Buyer Revenue Bond Index for such term in effect on the first day of the Fiscal Year or the Revenue Bond Index published in The Bond Buyer on the date of calculation for calculating the annual principal and interest requirements on the Commercial Paper Notes) or on any other commercial paper notes or short-term debt of the City.

Section 4.04. Punctual Payment. The City will punctually pay or cause to be paid the principal of and interest on the Notes (but only from the sources pledged herein), in conformity with the Notes, this Ordinance and the related Credit Agreement or Note Purchase Agreement, as applicable.

Section 4.05. Funds and Accounts. 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 shall be created and established, or, in the case of the System Fund, the creation thereof is hereby confirmed, and the City shall continue such Funds in place and maintained while any Notes are Outstanding, to wit:

(a) The “City of Garland, Texas Electric Utility System Fund,” hereinafter called the “*System Fund*,” which Fund was previously created and established pursuant to the ordinances authorizing the outstanding Prior Lien Bonds and Senior Lien Obligations and is kept and maintained at a depository bank of the City selected by the City.

(b) Two separate and special trust funds are hereby created and established with the Issuing and Paying Agent and designated as the “City of Garland Electric System Series A Commercial Paper Note Payment Fund” (the “*Supported Note Payment Fund*”) and the “City of Garland Electric System Series A Note Repayment Fund” (the “*Note Repayment Fund*”). In addition, the City may direct the Issuing and Paying Agent to establish and maintain a separate account or accounts in the Supported Note Payment Fund or the Note Repayment Fund with respect to any or all of the Notes, including the establishment within the Supported Note Payment Fund and the Note Repayment Fund of subaccounts designated as the “Tax-Exempt Subaccount” and the “Taxable Subaccount” for the purpose of administering moneys for the payment of Tax-Exempt Notes and Taxable Notes, respectively. The Supported Note Payment Fund and the Note

Repayment Fund are created as separate funds and shall be held by the Issuing and Paying Agent, and moneys deposited therein shall be used solely for the purposes described in, and applied in accordance, with **Section 4.08** of this Ordinance.

(c) The “City of Garland Electric System Series A Note Construction Account,” hereinafter called the “*Note Construction Account*,” which Account shall be kept at a depository bank of the City selected by the City.

The City reserves the right to establish and maintain additional funds and accounts in connection with payment or support of the Notes and other Subordinate Lien Obligations 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 Notes and any proposed obligations which would be Subordinate Lien Obligations.

Section 4.06. 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 Operation and Maintenance Expense of the System shall be paid therefrom. All moneys deposited therein which are not required for the payment of Operation and Maintenance Expenses of the System shall be appropriated and used, first, to the payment of any principal, interest or reserve requirements of any outstanding Prior Lien Bonds, second, to the payment of any principal, interest or reserve requirements of any outstanding Senior Lien Obligations, third, to the payment of any principal, interest or reserve requirements of any outstanding Subordinate Lien Obligations on a pro rata basis, fourth, 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 thereof made for the benefit of the Subordinate Lien Obligations, and fifth, for any purpose authorized by applicable law.

Section 4.07. Supported Note Payment Fund and Note Repayment Fund.
(a) Moneys drawn under a Credit Facility, or any other proceeds of Advances made under a Credit Agreement, shall be deposited into the Supported Note Payment Fund and used to pay the principal of, premium, if any, and interest on the Supported Notes at the respective interest payment or maturity or redemption dates of each of such Notes as provided herein. The Issuing and Paying Agent is hereby authorized to make a drawing under a Credit Facility for Supported Notes as soon as practicable after the opening of business, but in no event later than 11:00 a.m., New York City time, on the maturity date of a Supported Note in an amount equal to the principal of and interest on the Supported Notes maturing on such day; provided, that if a Credit Facility so provides, the Issuing and Paying Agent may make such drawing on or prior to 5:00 p.m., New York City time, on the Business Day next preceding the maturity date of a Supported Note. Upon receipt of the Final Drawing Notice, the Issuing and Paying Agent is hereby authorized to, and shall present all required drawing certificates and accompanying documentation, if required, to the Bank providing the Final Drawing Notice and demand payment be made under such Bank’s Credit Facility prior to the date specified in the Final Drawing Notice for termination of such Credit Facility in such amount so as to be timely and sufficient to pay the entire amount of principal and interest becoming due on all Supported Notes secured by such Credit Facility on

their next maturity dates. If the Bank fails to make Advances in accordance with its Credit Facility, the City shall transfer available Net Revenues to the Supported Note Payment Fund in an amount sufficient to pay principal and interest coming due on the Supported Notes.

(b) In addition to the proceeds from the sale of Commercial Paper Notes deposited in the Note Repayment Fund, the City shall also cause to be deposited in the Note Repayment Fund available Net Revenues in the amounts and at the times required, together with such proceeds, to reimburse the Bank for the principal of and interest on outstanding Advances and to pay the principal of and interest on Direct Purchase Notes. Amounts remaining in the Note Repayment Fund not then necessary for the purposes set forth above may be transferred to the System Fund or the Note Construction Account upon request of a City Representative.

(c) Pending the expenditure of moneys in the Note Repayment Fund for authorized purposes, moneys deposited therein may be invested at the direction of a City Representative in Eligible Investments. Any income received from such investments shall be deposited, as received, into the System Fund, or as otherwise directed by a City Representative and shall not, for purposes of this Ordinance, be considered an amount held in the Note Repayment Fund. Moneys held in the Supported Note Payment Fund shall remain uninvested pending their expenditure.

Section 4.08. Note Construction Account. (a) Moneys deposited in the Note Construction Account shall remain therein until from time to time expended to pay for Costs, and to refund obligations issued in connection with Eligible Projects and shall not be used for any other purposes whatsoever, except as otherwise provided below, and pending such expenditure, moneys in said Account may be invested at the direction of a City Representative in Eligible Investments. Any income received from such investments (except as otherwise required to be rebated to the United States of America in accordance with the provisions of **Section 4.11**) shall be retained in the Note Construction Account and utilized for the purposes authorized herein, or, at the direction of the City, shall be transferred to the System Fund and applied as provided therein, unless in the opinion of Bond Counsel such use would adversely affect the tax status of Notes, in which case, the City shall use such proceeds in another manner that would not adversely affect the tax status of the Commercial Paper Notes.

(b) Any amounts on deposit in the Note Construction Account designated by a City Representative as eligible to pay interest during construction and thereafter may be transferred from time to time at the direction of a City Representative to the credit of either the Supported Note Payment Fund or the Note Repayment Fund and utilized as provided therein. Any amounts remaining in the Note Construction Account after the payment of all Costs shall be paid, at the direction of a City Representative, to the credit of either the Supported Note Payment Fund or the Note Repayment Fund and utilized as provided therein, or into the System Fund and applied as specified therein and in accordance with the provisions of **Section 4.11**, as applicable.

Section 4.09. 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 4.10. Security of Funds. All moneys deposited in the Funds and Accounts referred to in this Ordinance shall be secured in the manner and to the fullest extent required by the laws of the State of Texas for the security of public funds and shall be used only for the purposes permitted by this Ordinance.

Section 4.11. Tax Exempt Notes to Remain Tax Exempt. (a) In order to maintain the exclusion from gross income of the interest on the Commercial Paper Notes issued as Tax Exempt Notes for federal income tax purposes, the City will make all calculations required by section 148 of the Code, including, but not limited to, the calculation of rebate, in a reasonable and prudent fashion and to segregate and set aside the lawfully available amounts that such calculations indicate may be required to be paid to the United States of America. The City further covenants to do and perform all acts and things within its power and authority necessary to comply with each applicable requirement of Section 103 and Sections 141 through 150 of the Code. The City agrees to periodically execute or cause to be executed a Federal Tax Certificate as may be required by the Code, in the opinion of Bond Counsel, and the Form 8038-G, or any other forms designated by the Internal Revenue Service in substitution thereof. In furtherance of the foregoing, the City will execute annually, or at any other time necessary in the opinion of Bond Counsel, a Federal Tax Certificate and Form 8038-G necessary to assure the tax-exempt status of the Tax Exempt Notes.

(b) The City covenants to refrain from any action which would adversely affect, or to take such action to assure, the treatment of the Tax Exempt Notes as obligations described in section 103 of 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:

(i) to take any action to assure that no more than 10 percent of the proceeds of the Tax Exempt Notes (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 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 Notes, in contravention of section 141(b)(2) of the Code;

(ii) to take any action to assure that in the event that the “private business use” described in **Section 4.11(a)** exceeds 5 percent of the proceeds of the Tax Exempt Notes 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;

(iii) to take any action to assure that no amount which is greater than lesser of \$5,000,000, or 5 percent of the proceeds of the Tax Exempt Notes (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;

(iv) to refrain from taking any action which would otherwise result in the Tax Exempt Notes being treated as “private activity bonds” within the meaning of section 141(b) of the Code;

(v) to refrain from taking any action that would result in the Tax Exempt Notes being “federally guaranteed” within the meaning of section 149(b) of the Code;

(vi) to refrain from using any portion of the proceeds of the Tax Exempt Notes, 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 Notes, other than investment property acquired with -

(A) proceeds of the Tax Exempt Notes invested for a reasonable temporary period until such proceeds are needed for the purpose for which the Tax Exempt Notes are issued;

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the 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 stated principal amount (or, in the case of a discount, the issue price) of the Tax Exempt Notes;

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

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

(ix) 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 Notes) 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 Notes have been paid in full, 100 percent of the amount then required to be paid as a result of the Excess Earnings under section 148(f) of the Code.

In order to facilitate compliance with the above covenants (viii) and (ix), a “Rebate Fund” is hereby established by the City 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 Registered Owners. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) The City covenants to account for the expenditure of Tax Exempt Note sale proceeds and investment earnings to be used for an Eligible Project on its books and records in accordance with the requirements of the Code. The City 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 project being financed with the proceeds of the Tax Exempt Notes is completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the City 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 Notes, or (2) the date the Tax Exempt Notes are retired. The City agrees to obtain the advice of 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 Notes. For purposes hereof, the City 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.

(d) The City covenants that the property constituting the Eligible Projects financed with the proceeds of the Tax Exempt Notes will not be sold or otherwise disposed in a transaction resulting in the receipt by the City 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 Notes. For purpose of the foregoing, the City may rely on an opinion of 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 Notes. 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 Bond Counsel that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) The City shall not, expend, or permit to be expended, the proceeds of the Tax Exempt Notes in any manner inconsistent with its reasonable expectations as certified in the Federal Tax

Certificates to be executed from time to time with respect to the Tax Exempt Notes; provided, however, that the City may expend proceeds of the Tax Exempt Notes in any manner if the City first obtains an unqualified opinion of Bond Counsel that such expenditure will not impair the exemption from federal income taxation of interest paid on the Tax Exempt Notes.

(f) Unless superseded by another action of the City, to ensure compliance with the covenants contained in this Ordinance regarding private business use, remedial actions, arbitrage and rebate relating to the Tax-Exempt Notes, the City hereby adopts and establishes the instructions attached hereto as **Exhibit D** as its written procedures.

(g) This Ordinance is intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations with respect to the Tax Exempt Notes.

Section 4.12. Taxable Notes. (a) The provisions of **Section 4.12** of this Ordinance notwithstanding, the City reserves the ability to issue Commercial Paper Notes in a manner such that such obligations are not obligations described in section 103(a) of the Code (“*Taxable Notes*”). Commercial Paper Notes so issued as Taxable Notes shall be issued in the Form of Taxable Note set forth in **Exhibit B**.

(b) It is the intention of the City that the interest on the Taxable Notes not be excludable from gross income for federal income tax purposes under section 103 of the Code. Accordingly, the City covenants not to file any information return that would result in the interest being excludable from gross income under such section of the Code.

(c) The City and the Issuing and Paying Agent covenant and agree that the Issuing and Paying Agent will undertake to report, to the extent required by the Code, interest payments on the Taxable Notes to the Internal Revenue Service. Such information will be filed by the Issuing and Paying Agent on the form published by the Internal Revenue Service for this purpose and contain the information required by the Code.

(d) The City and the Issuing and Paying Agent covenant and agree that the Issuing and Paying Agent will obtain or cause to be obtained from the holder of each of the Taxable Notes the information required by Code relating to the correct social security number or other taxpayer identification number for the holder of each of the Taxable Notes or to withhold the portion of the payment required to be withheld under the Code.

Section 4.13. Maintenance of Available Credit Facilities Requirement. The covenants and requirements in **Section 4.13(a)** and **(b)** are applicable only if and to the extent Outstanding Commercial Paper Notes are Supported Notes. No Credit Facility shall be required for Direct Purchase Notes.

(a) The City agrees and covenants that at all times up to and including the Maximum Maturity Date, unless the Supported Notes are no longer Outstanding, it will maintain one or more Credit Facilities in amounts such that the amount available for drawing or borrowing under such Credit Facilities would be sufficient at that time to pay principal of and interest on all

Outstanding Supported Notes when due. No Supported Note shall be issued if, after giving effect to the issuance thereof and, if applicable, the immediate application of the proceeds thereof to retire other Supported Notes secured by the applicable Credit Facility, the aggregate principal amount of all Supported Notes secured by or payable from the applicable Credit Facility would exceed the amount of the Commitment thereunder. The availability for drawing or borrowing of such amounts under such Credit Facilities may be subject to reasonable conditions precedent, including but not limited to, bankruptcy of the City. In furtherance of the foregoing covenant, the City agrees that it will not issue any Supported Notes or make any drawing or borrowing under any Credit Facilities which will result in a violation of such covenant, will not amend a Credit Facility or the related Credit Agreement in a manner which will cause a violation of such covenant and, if and to the extent necessary to maintain compliance with such covenant, will arrange for a new Credit Facility prior to, or contemporaneously with, the Stated Termination Date of a Credit Facility.

(b) So long as any Supported Notes are Outstanding, the City shall not deliver or cause to be delivered to the Issuing and Paying Agent a Substitute Credit Facility or consent to the assignment by the Bank of its obligations under the Credit Facility or the related Credit Agreement unless simultaneously therewith there is also delivered to the Issuing and Paying Agent (i) written evidence from each of the Rating Agencies which then rates the Supported Notes to the effect that termination of the then existing Credit Facility and substitution of the Substitute Credit Facility therefor or the assignment of the Bank's obligations under the Credit Facility or the related Credit Agreement will not result in the reduction or withdrawal of the ratings assigned to then Outstanding Supported Notes by such rating service and (ii) an opinion of counsel to the Bank issuing the Substitute Credit Facility to the effect that the Substitute Credit Facility is a valid and binding obligation of such Bank, enforceable in accordance with its terms, subject to customary exceptions relating to bankruptcy, insolvency, creditor's rights, and equitable relief. The City shall, at least fifteen (15) days prior to the delivery of any Substitute Credit Facility to the Issuing and Paying Agent, mail by first-class mail, postage prepaid, a notice of such substitution to all Holders existing as of three (3) Business Days prior to the date of such mailing.

Section 4.14. Refunding Bonds. (a) The City in good faith shall endeavor to sell a sufficient principal amount of bonds secured by Net Revenues in order to have funds available, together with other moneys available therefor, to pay the Notes and the interest thereon, or any renewals thereof, as the same shall become due, and other amounts due under a Credit Agreement or a Note Purchase Agreement, as applicable, in the event that, for whatever reason, a Bank will not or cannot make an Advance under a Credit Facility or related Credit Agreement to make such payment, or a Bank will not or cannot purchase Notes pursuant to a Note Purchase Agreement, as applicable.

(b) The City intends to refinance the Commercial Paper Notes with refunding bonds issued under Chapter 1207, Texas Government Code, as amended, and, therefore (in accordance with Section 1371.057(c) of Chapter 1371), the City will treat the Commercial Paper Notes as having the intended term and payment schedule of such refunding bonds, as determined by the City Representative.

Section 4.15. Opinion of Bond Counsel. The City shall cause the legal opinion of Bond Counsel as to the validity of the Notes and, with respect to Tax Exempt Notes, as to the exemption of interest on the Commercial Paper Notes from federal income taxation, to be furnished to any Noteholder without cost. In addition, a copy of said opinion may be printed on each of the Commercial Paper Notes. In addition, in connection with the updating of any offering memorandum or other offering document (as provided in accordance with **Section 8.08**) as required by a Dealer Agreement, there shall be provided an updated opinion of Bond Counsel for Tax Exempt Notes and for Taxable Notes, at the cost of the City or the Dealer as agreed to in the Dealer Agreement.

Section 4.16. Compliance With Other Documents. The City will comply with the terms and provisions of any resolution, ordinance or contract to which the City is a party, the non-compliance with which would materially adversely affect the ability of the City to make payments on the Notes when due.

Section 4.17. Reservation of Right to Issue Bonds and Obligations. The City will not hereafter issue or incur any additional obligations on a lien on and pledge of the Net Revenues on a parity with the Prior Lien Bonds. The City hereby expressly reserves the right to hereafter issue or incur Senior Lien Obligations in accordance with the provisions of the ordinances pursuant to which outstanding Senior Lien Obligations were issued. The City retains the right to issue bonds, notes, or other evidences of indebtedness or to incur contractual obligations as Subordinate Lien Obligations. The City also retains the right to issue bonds, notes, or other evidences of indebtedness or to incur contractual obligations secured by a lien on and pledge of the Net Revenues junior and subordinate to the lien and pledge securing the Notes.

Section 4.18. No Rule 15c2-12 Undertaking. In connection with the issuance of the Notes, the City has not made an undertaking in accordance with SEC Rule 15c2-12 (the “Rule”) and is not therefore obligated pursuant to the Rule to provide any on-going disclosure in connection with the Notes.

ARTICLE V EVENTS OF DEFAULT AND REMEDIES OF NOTEHOLDERS

Section 5.01. Events of Default. If one or more of the following events shall occur:

- (a) if default shall be made in the due and punctual payment of the principal of any Commercial Paper Note when and as the same shall become due and payable, whether at maturity as therein expressed, by declaration or otherwise;
- (b) if default shall be made in the due and punctual payment of interest on any Commercial Paper Note when and as such interest shall become due and payable and such failure shall continue for five (5) Business Days;

(c) if default shall be made in the due and punctual payment of principal of or interest on a Bank Note or if the principal of any Bank Note (and interest accrued thereon) shall become due and payable prior to the maturity thereof under such Bank Note and the related Credit Agreement;

(d) if default shall be made by the City in the performance or observance of any other of the covenants, agreements or conditions on its part in this Ordinance or in the Commercial Paper Notes contained, and such default shall continue for a period of sixty (60) days after written notice thereof; provided, however, if such default cannot be cured within the sixty (60) day period but corrective action to cure such default is commenced and diligently pursued until the default is corrected no such Event of Default shall be deemed to have occurred; or

(e) if there shall occur the dissolution (without a successor being named to assume the rights and obligations) or liquidation of the City or the filing by the City of a voluntary petition in bankruptcy, or adjudication of the City as a bankrupt, or assignment by the City for the benefit of its creditors, or the entry by the City into an agreement of composition with its creditors, or the approval by a court of competent jurisdiction with its creditors, or the approval by a court of competent jurisdiction of a petition applicable to the City in any proceeding for its reorganization instituted under the provisions of the Bankruptcy Code, as amended, or under any similar act in any jurisdiction which may now be in effect or hereafter enacted;

then such event as described above shall constitute an “*Event of Default*” under this Ordinance.

Section 5.02. Suits at Law or in Equity and Mandamus. In case one or more Events of Default shall occur, then and in every such case any Bank and any Holder of a Note then Outstanding shall be entitled to proceed to protect and enforce such person’s rights by such appropriate judicial proceeding as such Bank or Holder shall deem most effectual to protect and enforce any such right; either by suit in equity or by action at law, whether for the specific performance of any covenant or agreement contained in this Ordinance, or in aid of the exercise of any power granted in this Ordinance, or to enforce any other legal or equitable right vested in the Holders of Notes by this Ordinance or the Notes or by law. The provisions of this Ordinance shall be a contract with the Bank and each and every Holder of Notes and the duties of the City shall be enforceable by any Bank or such Holder as aforesaid by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction.

ARTICLE VI AMENDMENTS

Section 6.01. Amendment of Ordinance.

(a) Amendments Without Consent. This Ordinance and the rights and obligations of the City and of the Holders of the Outstanding Commercial Paper Notes may be modified or amended at any time without notice to or the consent of any Holder of the Commercial Paper Notes or any holder or owner of other Subordinate Lien Obligations, solely for any one or more of the following purposes:

- (i) To add to the covenants and agreements of the City contained in this Ordinance, other covenants and agreements thereafter to be observed, or to surrender any right or power reserved to or conferred upon the City in this Ordinance;
- (ii) To cure any ambiguity or inconsistency, or to cure or correct any defective provisions contained in this Ordinance, upon receipt by the City of an opinion of Bond Counsel, that the same is needed for such purpose, and will more clearly express the intent of this Ordinance;
- (iii) To supplement the security for the Outstanding Commercial Paper Notes, replace or provide additional credit facilities or make changes in the provisions thereof, or change the form of the Outstanding Commercial Paper Notes or make such other changes in the provisions hereof, including extending the Maximum Maturity Date, as the City may deem necessary or desirable and which shall not, in the judgment of the City, materially adversely affect the interests of the Holders of the Outstanding Commercial Paper Notes;
- (iv) To make any changes or amendments requested by each Rating Agency then rating or requested to rate Commercial Paper Notes, as a condition to the issuance or maintenance of a rating, which changes or amendments do not, in the judgment of the City, materially adversely affect the interests of the Holders of the Outstanding Commercial Paper Notes; or
- (v) To increase the amount of Commercial Paper Notes which may be Outstanding pursuant to **Section 2.01.**

(b) Amendments With Consent. Subject to the other provisions of this Ordinance, the Holders of Outstanding Commercial Paper Notes aggregating at least a majority in Outstanding principal amount shall have the right from time to time to approve any amendment, other than

amendments described in Subsection (a) of this **Section 6.01**, to this Ordinance which may be deemed necessary or desirable by the City, provided, however, that nothing herein contained shall permit or be construed to permit, without the approval of the Holders of all of the Outstanding Commercial Paper Notes, the amendment of the terms and conditions in this Ordinance or in the Commercial Paper Notes so as to:

- (i) Make any change in the maturity of the Outstanding Commercial Paper Notes;
- (ii) Reduce the rate of interest borne by Outstanding Commercial Paper Notes;
- (iii) Reduce the amount of the principal payable on Outstanding Commercial Paper Notes;
- (iv) Modify the terms of payment of principal of or interest on the Outstanding Commercial Paper Notes, or impose any conditions with respect to such payment;
- (v) Affect the rights of the Holders of less than all Commercial Paper Notes then Outstanding; or
- (vi) Change the minimum percentage of the Outstanding principal amount of Commercial Paper Notes necessary for consent to such amendment.

(c) Notice. If at any time the City shall desire to amend this Ordinance pursuant to Subsection (b) of this **Section 6.01**, the City shall cause notice of the proposed amendment to be published in a financial newspaper or journal of general circulation in the City of New York, New York, once during each calendar week for at least two successive calendar weeks. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the principal office of the Issuing and Paying Agent for inspection by all Holders of Commercial Paper Notes issued hereunder. Such publication is not required, however, if the City gives or causes to be given such notice in writing to each Holder of Outstanding Commercial Paper Notes, or if there are no Outstanding Commercial Paper Notes. A copy of such Notice shall be provided in writing to (i) the Bank at the address shown in the Credit Agreement or Note Purchase Agreement, as applicable, as the address to which notices to the Bank are to be sent and (ii) to each national rating agency maintaining a rating on the Commercial Paper Notes.

(d) Receipt of Consents. Whenever at any time not less than thirty (30) days, and within one year, from the date of the first publication of said notice or other service of written notice of the proposed amendment the City shall receive an instrument or instruments executed by all of the Holders or the Holders of at least a majority in principal amount of the Outstanding Commercial Paper Notes, as appropriate, which instrument or instruments shall refer to the proposed amendment described in said notice and which specifically consent to and approve such

amendment in substantially the form of the copy thereof on file as aforesaid, the City may adopt the amendatory resolution in substantially the same form.

(e) Effect of Amendments. Upon the adoption by the City of any resolution to amend this Ordinance pursuant to the provisions of this **Section 6.01**, this Ordinance shall be deemed to be amended in accordance with the amendatory resolution, and the respective rights, duties, and obligations of the City and all the Holders of then Outstanding Commercial Paper Notes and all future Commercial Paper Notes shall thereafter be determined, exercised, and enforced under this Ordinance, as amended.

(f) Consent Irrevocable. Any consent given by any Holder of Commercial Paper Notes pursuant to the provisions of this **Section 6.01** shall be irrevocable for a period of six months from the date of the resolution publication or other service of the notice provided for in this **Section 6.01** and shall be conclusive and binding upon all future Holders of the same Commercial Paper Notes during such period. Such consent may be revoked at any time after six months from the date of the first publication of such notice by the Holder who gave such consent, or by a successor in title, by filing notice thereof with the Issuing and Paying Agent and the City, but such revocation shall not be effective if the Holders of all of the Commercial Paper Notes or at least a majority in principal amount of Outstanding Commercial Paper Notes, as appropriate, prior to the attempted revocation consented to and approved the amendment.

(g) Ownership. For the purpose of this **Section 6.01**, the ownership and other matters relating to all Commercial Paper Notes registered as to ownership shall be determined from the Registration Books kept by the Issuing and Paying Agent therefor. The fact of the owning of Commercial Paper Notes issued hereunder not registered as to ownership by any Holder and the amount and the numbers of such Commercial Paper Notes and the date of the holding of the same may be proved by the affidavit of the person claiming to be such Holder if such affidavit shall be deemed by the Issuing and Paying Agent to be satisfactory, or by a certificate executed by any trust company, bank, banker or any other depository, wherever situated, if such certificate shall be deemed by the Issuing and Paying Agent to be satisfactory, showing that at that date therein mentioned such person had on deposit with such trust company, bank, banker or other depository the Commercial Paper Notes described in such certificate. The Issuing and Paying Agent may conclusively assume that such ownership continues until written notice to the contrary is served upon the Issuing and Paying Agent.

(h) Consent of Bank under Credit Agreement. Notwithstanding anything contained herein to the contrary, for so long as a Bank has not failed to honor a properly presented and conforming drawing under its Credit Facility, no amendment to this Ordinance shall become effective without the prior written consent of such Bank, which consent shall not be unreasonably withheld.

(i) Consent of Bank under Note Purchase Agreement. Notwithstanding anything contained herein to the contrary, for so long as a Bank has not failed to honor a properly presented and conforming request for purchase under its Note Purchase Agreement, no

amendment to this Ordinance shall become effective without the prior written consent of such Bank, which consent shall not be unreasonably withheld.

(j) Consent of Issuing and Paying Agent. The City shall not amend this Ordinance in a manner that would materially increase the duties, obligations or liabilities of the Issuing and Paying Agent without the consent of the Issuing and Paying Agent.

ARTICLE VII DEFEASANCE

Section 7.01. Defeasance. (a) Any Note and the interest thereon shall be deemed to be paid, retired and no longer Outstanding (a “Defeased Note”) within the meaning of this Ordinance, except to the extent provided in subsection (d) of this **Section 7.01**, when payment of the principal of such Note, 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 Issuing and Paying Agent 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 of sufficient money to provide for such payment, and when proper arrangements have been made by the City with the Issuing and Paying Agent for the payment of its services until all Defeased Notes shall have become due and payable. At such time as a Note shall be deemed to be a Defeased Note hereunder, as aforesaid, such Note 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 Defeasance Securities, and thereafter the City will have no further responsibility with respect to amounts available to the Issuing and Paying Agent (or other financial institution permitted by applicable law) for the payment of such Defeased Notes, including any insufficiency therein caused by the failure of the Issuing and 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 Notes that is made in conjunction with the payment arrangements specified in **Subsection 7.01(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 Notes for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Notes 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 Issuing and Paying Agent may at the written direction of the City 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 Issuing and Paying Agent that is not required for the payment of the Notes 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 Defeasance Securities are held for the payment of Defeased Notes 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 7.01(a)(i) or (ii)**. All income from such Defeasance Securities received by the Issuing and Paying Agent that is not required for the payment of the Defeased Notes, 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) The term “Defeasance Securities” means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Notes.

(d) Until all Defeased Notes shall have become due and payable, the Issuing and Paying Agent shall perform the services of Issuing and Paying Agent for such Defeased Notes 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.

ARTICLE VIII MISCELLANEOUS

Section 8.01. Ordinance to Constitute a Contract; Equal Security. In consideration of the acceptance of the Notes by those who shall hold the same from time to time, this Ordinance shall be deemed to be and shall constitute a contract between the City and the Holders from time to time of the Notes and the pledge made in this Ordinance by the City and the covenants and agreements set forth in this Ordinance to be performed by the City shall be for the equal and proportionate benefit, security, and protection of all Holders of the Notes, without preference, priority, or distinction as to security or otherwise of any of the Notes over any of the others by reason of time of issuance, sale, or maturity thereof or otherwise for any cause whatsoever, except as expressly provided in or permitted by this Ordinance or, with respect to a Bank Note, the related Credit Agreement.

Section 8.02. Individuals Not Liable. All covenants, stipulations, obligations, and agreements of the City contained in this Ordinance shall be deemed to be covenants, stipulations, obligations, and agreements of the City to the full extent authorized or permitted by the Constitution and laws of the State of Texas. No covenant, stipulation, obligation, or agreement herein contained shall be deemed to be a covenant, stipulation, obligation, or agreement of any member or officer of the City Council or agent, officer, or employee of the City in his individual capacity and neither the members or officers of the City Council nor any agent, officer, or employee of the City shall be liable personally on the Notes or be subject to any personal liability or accountability by reason of the issuance thereof.

Section 8.03. Additional Actions. All City Council members, officers, employees, attorneys, and agents of the City 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 seal and on behalf of the City all such notices, certificates, documents and instruments, whether or not herein mentioned, as may be necessary or desirable in order to effectuate the purposes of this Ordinance, each Credit Agreement, each Dealer Agreement, each Note Purchase Agreement and the Issuing and Paying Agent Agreement. In addition, the Mayor, Mayor Pro-tem, City Manager, City Secretary and the Finance Director of the City, and Bond Counsel, are hereby authorized to approve, subsequent to the date of this adoption of this Ordinance, any amendments to the above named documents, and any technical amendments to this Ordinance as may be required by one or more of the Rating Agencies as a condition to the granting or maintenance of a rating on the Commercial Paper Notes acceptable to a City Representative, or as may be required by the Attorney General's office in connection with the approval of this Ordinance, or to correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this resolution. In addition, the statements, findings, representations, and determinations set forth in the recitals to this Ordinance are hereby incorporated into and made a part of this Ordinance for all purposes.

Section 8.04. Severability of Invalid Provisions. If any one or more of the covenants, agreements, or provisions herein contained shall be held contrary to any express provisions of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements, or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of any of the other provisions hereof or of the Notes issued hereunder.

Section 8.05. Payment and Performance on Business Days. Whenever under the terms of this Ordinance or the Notes, the performance date of any provision hereof or thereof, including the payment of principal of or interest on the Notes, shall occur on a day other than a Business Day, then the performance thereof, including the payment of principal of and interest on the Notes, need not be made on such day but may be performed or paid, as the case may be, on the next succeeding Business Day with the same force and effect as if made on the date of performance or payment is scheduled.

Section 8.06. Limitation of Benefits With Respect to the Ordinance. With the exception of the rights or benefits herein expressly conferred, nothing expressed or contained herein or implied from the provisions of this Ordinance or the Notes is intended or should be construed to confer upon or give to any person other than the City, the Holders, the Issuing and Paying Agent, the Banks, and the Dealers any legal or equitable right, remedy, or claim under or by reason of or in respect to this Ordinance or any covenant, condition, stipulation, promise, agreement, or provision herein contained. This Ordinance and all of the covenants, conditions, stipulations, promises, agreements, and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City, the Holders, the Issuing and Paying Agent, the

Banks, and the Dealers as herein and in the Issuing and Paying Agent Agreement, the Credit Agreements, the Note Purchase Agreements and the Dealer Agreements provided.

Section 8.07. Approval of Attorney General. No Notes herein authorized to be issued shall be sold or delivered by a City Representative until the Attorney General of the State of Texas shall have approved this Ordinance, and other agreements and proceedings as may be required in connection therewith, all as is required by the Acts.

Section 8.08. Offering Memorandum. A City Representative is hereby authorized to cooperate with any Dealer in periodically updating and approving the offering memorandum or other offering document used by a Dealer in the offering of the Commercial Paper Notes.

Section 8.09. Notice to Rating Agencies. A City Representative shall give written notice to each Rating Agency of (i) the execution and delivery of a Credit Facility and related Credit Agreement and any amendment, substitution, extension, or termination of such facility or agreement, (ii) the execution and delivery of a Dealer Agreement and any amendment to a Dealer Agreement, (iii) any amendment or substitution of the Issuing and Paying Agent Agreement, and (iv) execution and delivery of a Note Purchase Agreement and any amendment to a Note Purchase Agreement. Notice will also be given upon termination of the Commercial Paper program.

Section 8.10. Public Notice. It is hereby found and determined that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the meeting at which this Ordinance was adopted, and that this Ordinance would be introduced and considered for adoption at said meeting; that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

Section 8.11. Reservation of Right to Enter Into Certain Facility Agreements. The City reserves the right to enter into Credit Facilities in conjunction with the issuance, payment, sale, resale, or exchange of certain Notes (and which may be on a parity with the Notes) when, in the written opinion of a City Representative, such Credit Facilities are in the best interest of the City given market conditions at the time.

Section 8.12. Termination of Letter of Credit and Dealer Agreement. A City Representative, acting for and on behalf of the City Council, is authorized and hereby directed to terminate the Letter of Credit (the "2018 Note LOC") supporting the City's Electric Utility System Commercial Paper Notes, Series 2018 (the "Series 2018 Notes") issued by Bank of America, N.A. pursuant to the Reimbursement Agreement dated as of June 1, 2018 between Bank of America, N.A. and the City (the "2018 Reimbursement Agreement"), along with the 2018 Reimbursement Agreement, with such termination to be effective on the date of execution and delivery of the Note Purchase Agreement approved by the City Council pursuant to **Section 2.13(a)** or such later date as determined by the City Representative. A City Representative, acting for and on behalf of the City Council, is authorized and hereby directed to terminate the Commercial Paper Dealer Agreement dated as of June 1, 2018 between Merrill Lynch, Pierce,

Fenner & Smith Incorporated and the City, with the termination of such agreements to be effective on the date of execution and delivery of the Note Purchase Agreement approved by the City Council pursuant to **Section 2.13(a)** or such later date as determined by the City Representative.

Section 8.13. Repeal of 2018 Note Ordinance. The City has authorized the Commercial Paper Notes to replace the City's previous electric utility system commercial paper program, which program has been evidenced by the issuance of the Series 2018 Notes which were authorized by Ordinance 6986, passed and adopted by the City Council of the City on May 15, 2018 ("Ordinance 6986"). Upon the adoption of this Ordinance and after the effective date of the Note Purchase Agreement authorized hereby pursuant to **Section 2.13(a)**, any Series 2018 Notes or any bank note to Bank of America, N.A. previously issued and outstanding shall be refunded as soon as possible thereafter from (i) proceeds of Commercial Paper Notes, (ii) proceeds of Senior Lien Obligations and/or (iii) to the extent available, Net Revenues. Upon such refunding of all outstanding Series 2018 Notes, (i) the authority of the City to issue any new Series 2018 Notes under Ordinance 6986 is terminated, and (ii) the 2018 Note LOC and the 2018 Reimbursement Agreement shall be terminated. Upon the effective termination of the 2018 Note LOC and the 2018 Reimbursement Agreement, Ordinance 6986 shall be and is hereby repealed.

Section 8.14. Repealer. All ordinances, resolutions and orders, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 8.15. Engagement of Bond Counsel. The obligation of the Bank to perform pursuant to the Note Purchase Agreement and accept delivery of the Notes is subject to the Bank being furnished with the approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the City in connection with the issuance of the Notes. The engagement of such firm as bond counsel to the City in connection with issuance, sale and delivery of the Notes is hereby approved and confirmed. 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, City Manager or Finance Director, and each of such officers is hereby authorized to execute such engagement letter on behalf of the City.

EXHIBIT A

DEFINITIONS

As used in this Ordinance, the terms below defined shall be construed, are used and are intended to have the following meanings, unless the text hereof specifically indicates otherwise. Terms used in the Ordinance and not otherwise defined shall have the meaning given in the Ordinance.

“*Acts*” means, collectively, Chapter 1502, Texas Government Code, as amended, and Chapter 1371.

“*Advances*” means advances or loans under and subject to the conditions set forth in a Credit Agreement.

“*Authorized Denomination*” shall mean \$100,000 in principal amount or any integral multiple of \$1,000 in excess thereof, or such other denomination provided for in the Note Purchase Agreement in the case of Direct Purchase Notes.

“*Bank*” means, as applicable (i) the bank or other financial institution, acting in its capacity as issuer of a Credit Facility, and its successors and assigns, and if a Substitute Credit Facility is issued, the issuer of such Substitute Credit Facility, and its successors and assigns, and (ii) the bank or other financial institution which is a party to, and committed to purchase Notes under and in accordance with the terms of, a Note Purchase Agreement, and its successors and assigns.

“*Bank Note*” means a promissory note or notes issued pursuant to the provisions of this Ordinance and a Credit Agreement in evidence of Advances made by a Bank under a Credit Facility or Credit Agreement, having the terms and characteristics contained therein and issued in accordance with the terms thereof.

“*Bond Counsel*” means an attorney or firm of attorneys of recognized standing and ability, specializing in the law pertaining to municipal bonds, selected by the City.

“*Business Day*” means any day that is not a Saturday, Sunday or a legal holiday in the State of New York or a day on which The New York Stock Exchange, banking institutions located in the State of New York, the Bank, a Dealer or the Issuing and Paying Agent are legally authorized to close in the City of New York, or a day on which the office of the Bank at which drawings under the Credit Facility are to be received is required or authorized by law or executive order to be closed.

“*Chapter 1371*” means Chapter 1371, Texas Government Code, as amended.

“*City Council*” means the City Council of the City of Garland, Texas.

“*City Representative*” means one or more of the following officers or employees of the City, to-wit: the Mayor, Mayor Pro-tem, City Manager and the Finance Director of the City, or such other officer or employee of the City authorized by the City Council to act as a City representative.

“*Code*” means the Internal Revenue Code of 1986, as amended.

“*Commercial Paper Note*” means a Supported Note or a Direct Purchase Note issued pursuant to the provisions of this Ordinance, having the terms and characteristics specified in **Section 2.02** and in the forms described in **Exhibit B** to this Ordinance.

“*Commitment*” means, as applicable (i) the aggregate amount of the principal component and interest component of a Bank's commitment under a Credit Facility or Credit Agreement or the available amount to be drawn under the Credit Facility, as applicable, or (ii) the aggregate principal amount of Notes that a Bank is committed to purchase under a Note Purchase Agreement.

“*Commitment Expiration Date*” means the date on which a Bank's commitment to purchase Notes pursuant to a Note Purchase Agreement expires or terminates by the terms of the Note Purchase Agreement, as such date may be extended pursuant to the terms of the Note Purchase Agreement.

“*Costs*” means all costs and expenses incurred in relation to Eligible Projects and permitted by law to be paid with the proceeds of the Commercial Paper Notes, including without limitation feasibility study costs; design, planning, engineering, and legal costs; acquisition costs of land, interests in land, right of way, and easements; construction costs; costs of machinery, equipment, and other capital assets incident and related to the operation, maintenance, and administration of the Eligible Projects; and financing costs, including interest during construction and thereafter, underwriter's discount, and/or legal, financial, and other professional services fees and expenses, and shall include reimbursement for Costs attributable to Eligible Projects incurred prior to the issuance of any Commercial Paper Notes.

“*Credit Agreement*” means any letter of credit agreement, reimbursement agreement, or similar agreement between the City and a Bank relating to a Credit Facility for Supported Notes, as such agreement may be amended, supplemented or replaced from time to time.

“*Credit Facility*” shall mean an irrevocable letter of credit, surety bond, insurance policy or similar instrument securing the payment of the principal of, premium, if any, and interest on, Supported Notes, issued and delivered to the Issuing and Paying Agent, until such time as a Substitute Credit Facility has been issued in substitution and replacement for such Credit Facility in accordance with the provisions of **Section 4.13** and thereafter “*Credit Facility*” shall mean such Substitute Credit Facility.

“*Dealer*” means each commercial paper dealer designated pursuant to **Section 2.12**.

“*Dealer Agreement*” means each commercial paper dealer agreement executed by the City and a Dealer, as may be amended or supplemented from time to time.

“*Designated Office*” means the corporate trust office of the Issuing and Paying Agent where Commercial Paper Notes must be presented and delivered for receipt of payment of the principal amount thereof.

“*Direct Purchase Notes*” means Notes initially purchased by a Bank under a Note Purchase Agreement.

“*DTC*” means The Depository Trust Company, or any substitute securities depository appointed pursuant to this Ordinance, or any nominee of either.

“*DTC Participant*” means a member of, or the participant in, DTC that will act on behalf of a Holder.

“*Eligible Investments*” means any or all of the authorized investments described in the Public Funds Investment Act, Chapter 2256, Texas Government Code, in which the City may purchase, sell and invest its funds and funds under its control; and provided further, that Eligible Investments shall specifically include, with respect to the investment of proceeds of any Commercial Paper Notes, guaranteed investment contracts fully collateralized by direct obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America.

“*Eligible Project*” means the acquisition, purchase, construction, improvement, enlargement, and/or equipping of any property, buildings, structures, activities, services, operations, or other facilities, or any other project, program or improvement, authorized by either of the Acts and any other applicable laws of the State of Texas, including capital assets and facilities incident and related to the operation, maintenance and administration thereof, and with respect to a property or a facility for the generation, distribution or transmission of electric power and energy, the purchase of electric energy and fuel acquisition for use by the System.

“*Final Drawing Notice*” means a notice from a Bank, delivered in accordance with the terms of the Bank's Credit Facility or related Credit Agreement, instructing the Issuing and Paying Agent or the City not to issue, authenticate or deliver Supported Notes, providing notice that such Credit Facility will terminate, and instructing the Issuing and Paying Agent to make a final drawing under such Credit Facility to provide for the payment of the principal of and interest on Outstanding Supported Notes.

“*Fiscal Year*” means the 12-month operational period of the System commencing on October 1 of each year and ending on the following September 30, or such other 12-month period designated by the City as the fiscal year for the System.

“*Gross Revenues*” shall mean those revenues, income, and receipts derived or received by the City from the operation and ownership of the System, including interest income and earnings from the investment or deposit of money in any Fund created by any ordinance or authorizing

document associated with the Prior Lien Bonds or the Senior Lien Obligations or by this Ordinance or maintained by the City in connection with the System, and money transferred to the City's Electric Utility System Fund, other than those amounts subject to the payment of the United States of America as rebate pursuant to section 148 of the Code. The term “*Gross Revenues*”, however, does not include refundable meter deposits, restricted gifts, grants in aid of construction or “transition charges” or similar charges imposed pursuant to the V.T.C.A., Utilities Code, Subchapter G of Chapter 39 or similar law imposed for the payment of “transition bonds”.

“*Holder*” or “*Noteholder*” means the Registered Owner or any person, firm, association, or corporation who is in possession of any Commercial Paper Note issued to bearer or in blank.

“*Issuing and Paying Agent*” means with respect to the Commercial Paper Notes the agent appointed pursuant to **Section 2.05**, or any successor to such agent.

“*Issuing and Paying Agent Agreement*” means the agreement approved and authorized to be entered into by **Section 2.05**, as from time to time amended or supplemented or replaced.

“*Master Note*” has the meaning assigned to such term in **Section 2.07**.

“*Maximum Rate*” means the lesser of (i) the maximum net effective interest rate permitted by law to be paid on obligations issued or incurred by the City in the exercise of its borrowing powers (prescribed by Chapter 1204, Texas Government Code), or (ii) the assumed interest rate on Supported Notes used in the related Credit Facility or Credit Agreement for calculating the Commitment under the Credit Facility or related Credit Agreement.

“*Maximum Maturity Date*” means September 30, 2051.

“*Net Revenues*” means for any period of time the Gross Revenues of the System less the Operation and Maintenance Expenses incurred during such period.

“*No-Issuance Notice*” means a notice from a Bank, delivered in accordance with the terms of the Bank's Credit Facility or related Credit Agreement, instructing the Issuing and Paying Agent or the City not to issue, authenticate or deliver Supported Notes.

“*Note*” or “*Notes*” means the evidences of indebtedness authorized to be issued and at any time Outstanding pursuant to this Ordinance and shall include Commercial Paper Notes (including the Master Note) and Bank Notes as appropriate.

“*Note Construction Account*” means that account created pursuant to **Section 4.05**.

“*Note Date*” has the meaning assigned to such term in **Section 2.02**.

“*Note Purchase Agreement*” shall mean (i) the Note Purchase Agreement between Wells Fargo Bank, National Association and the City approved and authorized to be entered into by **Section 2.13(a)**, as from time to time amended or supplemented, or other note purchase agreement executed in substitution or replacement thereof, and (ii) each other note purchase agreement, loan agreement, revolving credit agreement, agreement establishing a line of credit or

other agreement between a Bank and the City pursuant to which a Bank commits to purchase Notes, as from time to time amended or supplemented.

“Note Repayment Fund” means that fund created pursuant to **Section 4.05**.

“Operation and Maintenance Expense” means the expenses of operation and maintenance of the System, including all salaries, labor, material, repairs, and extensions necessary to render efficient service, provided, however, that only such repairs and extensions, as in the judgment of the City, reasonably and fairly exercised by the passage of appropriate ordinances are necessary to render adequate service, or such as might be necessary to meet some physical accident or condition which would otherwise impair any Prior Lien Bonds, Senior Lien Obligations or Subordinate Lien Obligation. Operation and Maintenance Expenses shall include the purchase of power. Depreciation shall not be considered as an expense of operation and maintenance.

“Ordinance” means this ordinance and all amendments hereof and supplements hereto.

“Outstanding” means when used with respect to the Notes, as of the date of determination, all Notes theretofore delivered under this Ordinance, except:

(1) Notes theretofore cancelled and delivered to the City or delivered to the Issuing and Paying Agent for cancellation;

(2) Notes deemed paid pursuant to the provisions of Chapter 1207, Texas Government Code; and

(3) Notes upon transfer of or in exchange for or in lieu of which other Notes have been authenticated and delivered pursuant to this Ordinance;

provided, that in determining whether the Holder of the requisite principal amount of Outstanding Notes have given any request, demand, authorization, direction, notice, consent, or waiver hereunder, Notes owned by the City shall be deemed to be Outstanding as though they were owned by any other Holder.

“Paying Agent” means the Issuing and Paying Agent.

“Prior Lien Bonds” means the City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, Series 2013, dated May 1, 2013.

“Rating Agencies” means the nationally recognized municipal credit rating agencies then maintaining a rating on the Commercial Paper Notes or who are being asked by the City to rate the Commercial Paper Notes.

“Registered Owner” means the person or entity in whose name any Note is registered in the Registration Books.

“Registration Books” means the books or records relating to the registration, payment, and

transfer or exchange of the Commercial Paper Notes maintained by the Issuing and Paying Agent pursuant to **Section 2.06**.

“*Rule*” has the meaning assigned to such term in **Section 4.18**.

“*Senior Lien Obligations*” includes the outstanding (i) City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2014, dated June 1, 2014, (ii) City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2015, dated February 1, 2015, (iii) City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2016A, dated November 15, 2016, (iv) City of Garland, Texas Electric Utility System Revenue Refunding Bonds, New Series 2016B, dated November 15, 2016, (v) City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2018, dated May 15, 2018, (vi) City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2019, dated February 15, 2019, (vii) City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, New Series 2019A dated December 1, 2019, (viii) City of Garland, Texas Electric Utility System Revenue Refunding Bonds, New Series 2020, dated June 1, 2020, (ix) City of Garland, Texas Electric Utility System Revenue Refunding Bonds, New Series 2021 dated January 15, 2021 (the “Series 2021 Bonds”), and (x) and any other bonds, notes, contractual or other obligations or other indebtedness issued or incurred by the City in the future that are secured by a lien on and pledge of the Net Revenues on a parity with the Series 2021 Bonds.

“*Stated Termination Date*” means the date on which a Credit Facility expires or terminates by its terms, as such date may be extended pursuant to the terms of such Credit Facility or related Credit Agreement.

“*Subordinate Lien Obligations*” means the Commercial Paper Notes, any Bank Note, obligations of the City under the Issuing and Paying Agent Agreement, any Dealer Agreement, any Credit Agreement and any Note Purchase Agreement, and any bonds, notes, contractual obligations or other obligation or indebtedness of the City secured by a lien on and pledge of Net Revenues on parity with the Commercial Paper Notes, such pledge being subordinate and inferior to the lien on and pledge of Net Revenues that are or will be pledged to the payment of Senior Lien Obligations and the Prior Lien Bonds.

“*Substitute Credit Facility*” means any substitute or replacement irrevocable letter of credit, surety bond, insurance policy or similar instrument securing the payment of the principal of, premium, if any, and interest on, Supported Notes, delivered in accordance with **Section 4.13** in substitution and replacement for a then-existing Credit Facility.

“*Supported Note Payment Fund*” means that fund created pursuant to **Section 4.05**.

“*Supported Notes*” means Notes supported and secured by a Credit Facility.

“*System*” means the City's Electric Utility System, including all present and future extensions, additions, replacements and improvements thereto.

“*Tax Exempt Notes*” means any Commercial Paper Note, the interest on which is excludable from gross income for federal income tax purposes.

“*Taxable Notes*” has the meaning assigned to such term in **Section 4.12**.

“*Transmitted by electronic means*” means sent in the form of a facsimile or sent via the internet as a “pdf” (portable document format) or other replicating image attached to an e-mail message.

EXHIBIT B

FORMS OF COMMERCIAL PAPER NOTES

A. Form of Tax Exempt Note that is a Supported Note

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF GARLAND, TEXAS ELECTRIC UTILITY SYSTEM
TAX EXEMPT COMMERCIAL PAPER NOTE,
SERIES A

No:	_____	Note Date:	_____
Principal Amount:	_____	Maturity Date:	_____
Interest to	_____	Number of Days:	_____
Maturity:	_____		
Due at Maturity:	_____	Interest Rate:	_____
Owner: _____			

The City of Garland, Texas (the “City”), FOR VALUE RECEIVED, hereby promises to pay, solely from the sources hereinafter identified and as hereinafter stated, to the order of the Owner specified above on the Maturity Date specified above, the Principal Amount specified above and to pay interest, if any, on said Principal Amount at said Maturity Date, from the above specified Note Date to said Maturity Date at the per annum Interest Rate shown above (computed on the basis of actual days elapsed and a 365-day or 366-day year, as may be applicable); both principal of and interest on this Note being payable in lawful money of the United States of America at the designated corporate trust office of the Issuing and Paying Agent executing the “Certificate of Authentication” endorsed hereon and appearing below, or its successor. No interest will accrue on the Principal Amount hereof after said Maturity Date.

This Tax Exempt Note is one of an issue of commercial paper notes (the “*Commercial Paper Notes*”) which, together with the below referenced Bank Note, has been duly authorized and issued in accordance with the provisions of an Ordinance (the “*Ordinance*”) passed by the City Council of the City (the “*City Council*”) for the purpose of financing Costs of Eligible Projects (as defined in the Ordinance) for the City’s Electric Utility System (the “*System*”) and to refinance, renew or refund Notes, bonds and other obligations of the System, including interest thereon, in accordance with the provisions of the Ordinance, all in accordance and in strict conformity with the provisions of Chapters 1502 and 1371, Texas Government Code, as amended (the “*Acts*”). Terms used in this Commercial Paper Note and not otherwise defined have the meaning given in the Ordinance.

This Tax Exempt Note, together with the Bank Note, is a Subordinate Lien Obligation payable from and secured by a lien on and a pledge of the Net Revenues of the System, on the

basis and in the priority as described in the Ordinance. Reference is hereby made to the Ordinance for provisions thereof relating to this Tax Exempt Note, including the collection and disposition of revenues, the special funds and accounts charged with and pledged to the payment of the interest on and the principal of this Tax Exempt Note, the nature and extent of the security, the terms and conditions on which this Tax Exempt Note is issued, the rights, duties, and obligations of the City, the Issuing and Paying Agent and the rights of the owner of this Tax Exempt Note, and, by the acceptance of this Tax Exempt Note, the owner hereof assents to all of the provisions of the Ordinance.

The City has covenanted in the Ordinance to maintain at all times while Commercial Paper Notes constituting Supported Notes remain Outstanding a Credit Facility in an amount such that, assuming that this Tax Exempt Note and all other then Outstanding Supported Notes were to become due and payable immediately, the amount available for borrowing under such Credit Facility will be sufficient at that time to pay the principal of and interest on this Tax Exempt Note and all other Commercial Paper Notes secured by such Credit Facility. Under the terms of any Credit Facility, borrowings thereunder to provide payment for the Supported Notes may be subject to certain conditions precedent to the exercise of such borrowings.

This Tax Exempt Note and the other Commercial Paper Notes together with the Bank Note are payable solely from the sources hereinabove identified, and the Commercial Paper Notes do not constitute a legal or equitable pledge, charge, lien, or encumbrance upon any other property of the City or the System. The holder hereof shall never have the right to demand payment of this obligation from any sources or properties of the City except as identified above. The Commercial Paper Notes are secured by a lien on and pledge of the Net Revenues that is junior and subordinate to the lien and pledge securing the payment of the Prior Lien Bonds and Senior Lien Obligations and the funding of the funds and accounts established by or confirmed in the Ordinance.

This Tax Exempt Note and the interest hereon do not constitute a debt of the State of Texas or a pledge of the faith and credit of the State of Texas or the City. Neither the State of Texas nor the City are obligated to pay this Tax Exempt Note or the interest on this Tax Exempt Note from a source other than as provided in the Ordinance, and neither the faith and credit nor the taxing power of the State of Texas or the City are pledged to the payment of the principal of or the interest on this Tax Exempt Note.

It is hereby certified and recited that all acts, conditions, and things required by law and the Ordinance to exist, to have happened, and to have been performed precedent to and in the issuance of this Tax Exempt Note, do exist, have happened, and have been performed in regular and in due time, form and manner as required by law and that the issuance of this Tax Exempt Note, together with all other Commercial Paper Notes, is not in excess of the principal amount of Commercial Paper Notes permitted to be issued under the Ordinance.

This Tax Exempt Note has all the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

This Tax Exempt Note shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Tax Exempt Note shall have been authenticated by the execution by the Issuing and Paying Agent of the Certificate of Authentication hereon.

IN TESTIMONY WHEREOF, the City Council has authorized and caused this Tax Exempt Note to be executed on behalf of the City by the manual or facsimile signature of the Mayor of the City and countersigned by the manual or facsimile signature of the City Secretary and the official seal of the City to be impressed or a facsimile thereof to be printed hereon.

COUNTERSIGNED:

City Secretary, City of Garland, Texas

Mayor, City of Garland, Texas

(SEAL)

ISSUING AND PAYING AGENT'S
CERTIFICATE OF AUTHENTICATION

This Tax Exempt Note is one of the Commercial Paper Notes delivered pursuant to the within mentioned Ordinance.

as Issuing and Paying Agent

By: _____
Authorized Signatory

B. Form of Taxable Note that is a Supported Note

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF GARLAND, TEXAS ELECTRIC UTILITY SYSTEM
TAXABLE COMMERCIAL PAPER NOTE,
SERIES A

No:	_____	Note Date:	_____
Principal Amount:	_____	Maturity Date:	_____
Interest to	_____	Number of Days:	_____
Maturity:	_____		
Due at Maturity:	_____	Interest Rate:	_____
Owner: _____			

The City of Garland, Texas (the “City”), FOR VALUE RECEIVED, hereby promises to pay, solely from the sources hereinafter identified and as hereinafter stated, to the order of the Owner specified above on the Maturity Date specified above, the Principal Amount specified above and to pay interest, if any, on said Principal Amount at said Maturity Date, from the above specified Note Date to said Maturity Date at the per annum Interest Rate shown above (computed on the basis of actual days elapsed and a 365-day or 366-day year, as may be applicable); both principal of and interest on this Note being payable in lawful money of the United States of America at the designated corporate trust office of the Issuing and Paying Agent executing the “Certificate of Authentication” endorsed hereon and appearing below, or its successor. No interest will accrue on the Principal Amount hereof after said Maturity Date.

This Taxable Note is one of an issue of commercial paper notes (the “*Commercial Paper Notes*”) which, together with the below referenced Bank Note, has been duly authorized and issued in accordance with the provisions of an Ordinance (the “*Ordinance*”) passed by the City Council of the City (the “*City Council*”) for the purpose of financing Costs of Eligible Projects (as defined in the Ordinance) for the City’s Electric Utility System (the “*System*”) and to refinance, renew or refund Notes, bonds and other obligations of the System, including interest thereon, in accordance with the provisions of the Ordinance, all in accordance and in strict conformity with the provisions of Chapters 1502 and 1371, Texas Government Code, as amended (the “*Acts*”). Terms used in this Commercial Paper Note and not otherwise defined have the meaning given in the Ordinance.

This Taxable Note, together with the Bank Note, is a Subordinate Lien Obligation payable from and secured by a lien on and a pledge of the Net Revenues of the System, on the basis and in the priority as described in the Ordinance. Reference is hereby made to the Ordinance for provisions thereof relating to this Taxable Note, including the collection and disposition of revenues, the special funds and accounts charged with and pledged to the payment of the interest on and the principal of this Taxable Note, the nature and extent of the security, the terms and conditions on which this Taxable Note is issued, the rights, duties, and obligations of

the City, the Issuing and Paying Agent and the rights of the owner of this Taxable Note, and, by the acceptance of this Taxable Note, the owner hereof assents to all of the provisions of the Ordinance.

The City has covenanted in the Ordinance to maintain at all times while Commercial Paper Notes constituting Supported Notes remain Outstanding a Credit Facility in an amount such that, assuming that this Taxable Note and all other then Outstanding Supported Notes were to become due and payable immediately, the amount available for borrowing under such Credit Facility will be sufficient at that time to pay the principal of and interest on this Taxable Note and all other Commercial Paper Notes secured by such Credit Facility. Under the terms of any Credit Facility, borrowings thereunder to provide payment for the Supported Notes may be subject to certain conditions precedent to the exercise of such borrowings.

This Taxable Note and the other Commercial Paper Notes together with the Bank Note are payable solely from the sources hereinabove identified, and the Commercial Paper Notes do not constitute a legal or equitable pledge, charge, lien, or encumbrance upon any other property of the City or the System. The holder hereof shall never have the right to demand payment of this obligation from any sources or properties of the City except as identified above. The Commercial Paper Notes are secured by a lien on and pledge of the Net Revenues that is junior and subordinate to the lien and pledge securing the payment of the Prior Lien Bonds and Senior Lien Obligations and the funding of the funds and accounts established by or confirmed in the Ordinance.

This Taxable Note and the interest hereon do not constitute a debt of the State of Texas or a pledge of the faith and credit of the State of Texas or the City. Neither the State of Texas nor the City are obligated to pay this Taxable Note or the interest on this Taxable Note from a source other than as provided in the Ordinance, and neither the faith and credit nor the taxing power of the State of Texas or the City are pledged to the payment of the principal of or the interest on this Taxable Note.

It is hereby certified and recited that all acts, conditions, and things required by law and the Ordinance to exist, to have happened, and to have been performed precedent to and in the issuance of this Taxable Note, do exist, have happened, and have been performed in regular and in due time, form and manner as required by law and that the issuance of this Taxable Note, together with all other Commercial Paper Notes, is not in excess of the principal amount of Commercial Paper Notes permitted to be issued under the Ordinance.

This Taxable Note has all the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

This Taxable Note shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Taxable Note shall have been authenticated by the execution by the Issuing and Paying Agent of the Certificate of Authentication hereon.

IN TESTIMONY WHEREOF, the City Council has authorized and caused this Taxable Note to be executed on behalf of the City by the manual or facsimile signature of the Mayor of the City and countersigned by the manual or facsimile signature of the City Secretary and the official seal of the City to be impressed or a facsimile thereof to be printed hereon.

COUNTERSIGNED:

City Secretary, City of Garland, Texas

Mayor, City of Garland, Texas

(SEAL)

ISSUING AND PAYING AGENT'S
CERTIFICATE OF AUTHENTICATION

This Taxable Note is one of the Commercial Paper Notes delivered pursuant to the within mentioned Ordinance.

as Issuing and Paying Agent

By: _____
Authorized Signatory

C. Form of Tax Exempt Note that is a Direct Purchase Note

**THE TRANSFERABILITY OF THIS NOTE IS RESTRICTED
AS DESCRIBED IN THE ORDINANCE**

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF GARLAND, TEXAS ELECTRIC UTILITY SYSTEM
TAX EXEMPT COMMERCIAL PAPER NOTE,
SERIES A

No:	_____	Note Date:	_____
Principal Amount:	_____	Maturity Date:	_____
Interest to	_____	Number of Days:	_____
Maturity:	_____		
Due at Maturity:	_____	Interest Rate:	_____
Owner: _____			

The City of Garland, Texas (the “City”), FOR VALUE RECEIVED, hereby promises to pay, solely from the sources hereinafter identified and as hereinafter stated, to the order of the Owner specified above on the Maturity Date specified above, the Principal Amount specified above and to pay interest, if any, on said Principal Amount on [_____, 20___, and on each _____] thereafter until the maturity date, from the above specified Note Date to said maturity date [at the per annum interest rate shown above][at the [_____] Rate as determined pursuant to the Note Purchase Agreement pursuant to which this Tax Exempt Note was originally purchased] (computed on the basis of [a 360-day year and actual days elapsed][a year of 365 or 366 days, as applicable, and actual days elapsed]); both principal of and interest on this Tax Exempt Note being payable in lawful money of the United States of America at the designated corporate trust office of the Issuing and Paying Agent executing the “Certificate of Authentication” endorsed hereon and appearing below, or its successor. The payment of interest on this Tax Exempt Note shall be made by the Issuing and Paying Agent to the Registered Owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Issuing and Paying Agent on, and payable solely from, funds of the City required by ordinance (the “Ordinance”) authorizing the issuance of this Tax Exempt Note passed by the City Council of the City (the “City Council”) to be on deposit with the Issuing and Paying Agent for such purpose as hereinafter provided; and such check or draft shall be sent by the Issuing and Paying Agent 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 day next preceding each such interest payment date (the “Record Date”) on the Registration Books kept by the Issuing and Paying Agent. The payment of principal of this Tax Exempt Note, and any accrued interest due at maturity or prior redemption of this Tax Exempt Note, shall be paid to the Registered Owner upon presentation and surrender of this Tax Exempt Note for payment

at the designated corporate trust office of the Issuing and Paying Agent. No interest will accrue on the Principal Amount hereof after said Maturity Date.

Notwithstanding the foregoing, in the event the principal of this Tax Exempt Note is not paid on the Maturity Date specified above, the principal of this Tax Exempt Note shall be payable in installments in the amounts, on the dates, and in the manner set forth in the Note Purchase Agreement pursuant to which this Tax Exempt Note was originally purchased, and interest shall continue to accrue on such principal amount at such rates, and be payable on the dates, and in the manner set forth in such Note Purchase Agreement.

This Tax Exempt Note may be redeemed prior to maturity, at the option of the City, with funds derived from any available and lawful source, as a whole, or in part, at a redemption price, on the dates and in the manner set forth in the Note Purchase Agreement pursuant to which this Tax Exempt Note was originally purchased.

This Tax Exempt Note is one of an issue of commercial paper notes (the “*Commercial Paper Notes*”) which has been duly authorized and issued in accordance with the provisions of the Ordinance for the purpose of financing Costs of Eligible Projects (as defined in the Ordinance) for the City’s Electric Utility System (the “*System*”) and to refinance, renew or refund Notes, bonds and other obligations of the System, including interest thereon, in accordance with the provisions of the Ordinance, all in accordance and in strict conformity with the provisions of Chapters 1502 and 1371, Texas Government Code, as amended (the “*Acts*”). Terms used in this Commercial Paper Note and not otherwise defined have the meaning given in the Ordinance.

This Tax Exempt Note is a Subordinate Lien Obligation payable from and secured by a lien on and a pledge of the Net Revenues of the System, on the basis and in the priority as described in the Ordinance. Reference is hereby made to the Ordinance for provisions thereof relating to this Tax Exempt Note, including the collection and disposition of revenues, the special funds and accounts charged with and pledged to the payment of the interest on and the principal of this Tax Exempt Note, the nature and extent of the security, the terms and conditions on which this Taxable Note is issued, the rights, duties, and obligations of the City, the Issuing and Paying Agent and the rights of the owner of this Tax Exempt Note, and, by the acceptance of this Tax Exempt Note, the owner hereof assents to all of the provisions of the Ordinance.

This Tax Exempt Note and the other Commercial Paper Notes together with any Bank Note are payable solely from the sources hereinabove identified, and the Commercial Paper Notes do not constitute a legal or equitable pledge, charge, lien, or encumbrance upon any other property of the City or the System. The holder hereof shall never have the right to demand payment of this obligation from any sources or properties of the City except as identified above. The Commercial Paper Notes are secured by a lien on and pledge of the Net Revenues that is junior and subordinate to the lien and pledge securing the payment of the Prior Lien Bonds and Senior Lien Obligations and the funding of the funds and accounts established by or confirmed in the Ordinance.

This Tax Exempt Note and the interest hereon do not constitute a debt of the State of Texas or a pledge of the faith and credit of the State of Texas or the City. Neither the State of Texas nor the City are obligated to pay this Tax Exempt Note or the interest on this Tax Exempt Note from a source other than as provided in the Ordinance, and neither the faith and credit nor the taxing power of the State of Texas or the City are pledged to the payment of the principal of or the interest on this Tax Exempt Note.

It is hereby certified and recited that all acts, conditions, and things required by law and the Ordinance to exist, to have happened, and to have been performed precedent to and in the issuance of this Tax Exempt Note, do exist, have happened, and have been performed in regular and in due time, form and manner as required by law and that the issuance of this Tax Exempt Note, together with all other Commercial Paper Notes, is not in excess of the principal amount of Commercial Paper Notes permitted to be issued under the Ordinance.

This Tax Exempt Note has all the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

This Tax Exempt Note shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Tax Exempt Note shall have been authenticated by the execution by the Issuing and Paying Agent of the Certificate of Authentication hereon.

IN TESTIMONY WHEREOF, the City Council has authorized and caused this Tax Exempt Note to be executed on behalf of the City by the manual or facsimile signature of the Mayor of the City and countersigned by the manual or facsimile signature of the City Secretary and the official seal of the City to be impressed or a facsimile thereof to be printed hereon.

COUNTERSIGNED:

City Secretary, City of Garland, Texas

Mayor, City of Garland, Texas

(SEAL)

ISSUING AND PAYING AGENT'S
CERTIFICATE OF AUTHENTICATION

This Tax Exempt Note is one of the Commercial Paper Notes delivered pursuant to the within mentioned Ordinance.

as Issuing and Paying Agent

By: _____
Authorized Signatory

D. Form of Taxable Note that is a Direct Purchase Note

**THE TRANSFERABILITY OF THIS NOTE IS RESTRICTED
AS DESCRIBED IN THE ORDINANCE**

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF GARLAND, TEXAS ELECTRIC UTILITY SYSTEM
TAXABLE COMMERCIAL PAPER NOTE,
SERIES A

No:	_____	Note Date:	_____
Principal Amount:	_____	Maturity Date:	_____
Interest to Maturity:	_____	Number of Days:	_____
Due at Maturity:	_____	Interest Rate:	_____
Initial Interest	_____		
Period:	_____		

Owner: _____

The City of Garland, Texas (the “City”), FOR VALUE RECEIVED, hereby promises to pay, solely from the sources hereinafter identified and as hereinafter stated, to the order of the Owner specified above on the Maturity Date specified above, the Principal Amount specified above and to pay interest, if any, on said Principal Amount on [_____, 20___, and on each _____] thereafter until the maturity date, from the above specified Note Date to said maturity date [at the per annum interest rate shown above][at the [_____] Rate as determined pursuant to the Note Purchase Agreement pursuant to which this Taxable Note was originally purchased] (computed on the basis of [a 360-day year and actual days elapsed][a year of 365 or 366 days, as applicable, and actual days elapsed]); both principal of and interest on this Taxable Note being payable in lawful money of the United States of America at the designated corporate trust office of the Issuing and Paying Agent executing the “Certificate of Authentication” endorsed hereon and appearing below, or its successor. The payment of interest on this Taxable Note shall be made by the Issuing and Paying Agent to the Registered Owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Issuing and Paying Agent on, and payable solely from, funds of the City required by ordinance (the “*Ordinance*”) authorizing the issuance of this Taxable Note passed by the City Council of the City (the “*City Council*”) to be on deposit with the Issuing and Paying Agent for such purpose as hereinafter provided; and such check or draft shall be sent by the Issuing and Paying Agent 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 day next preceding each such interest payment date (the “*Record Date*”) on the Registration Books kept by the Issuing and Paying Agent. The payment of principal of this Taxable Note, and any accrued interest due at maturity or prior redemption of this Taxable Note, shall be paid to the Registered Owner upon presentation and surrender of this Taxable Note for payment at the designated corporate trust office of the Issuing

and Paying Agent. No interest will accrue on the Principal Amount hereof after said Maturity Date.

Notwithstanding the foregoing, in the event the principal of this Taxable Note is not paid on the Maturity Date specified above, the principal of this Taxable Note shall be payable in installments in the amounts, on the dates, and in the manner set forth in the Note Purchase Agreement pursuant to which this Taxable Note was originally purchased, and interest shall continue to accrue on such principal amount at such rates, and be payable on the dates, and in the manner set forth in such Note Purchase Agreement.

This Taxable Note may be redeemed prior to maturity, at the option of the City, with funds derived from any available and lawful source, as a whole, or in part, at a redemption price, on the dates and in the manner set forth in the Note Purchase Agreement pursuant to which this Taxable Note was originally purchased.

This Taxable Note is one of an issue of commercial paper notes (the “*Commercial Paper Notes*”) which has been duly authorized and issued in accordance with the provisions of the Ordinance for the purpose of financing Costs of Eligible Projects (as defined in the Ordinance) for the City’s Electric Utility System (the “*System*”) and to refinance, renew or refund Notes, bonds and other obligations of the System, including interest thereon, in accordance with the provisions of the Ordinance, all in accordance and in strict conformity with the provisions of Chapters 1502 and 1371, Texas Government Code, as amended (the “*Acts*”). Terms used in this Commercial Paper Note and not otherwise defined have the meaning given in the Ordinance.

This Taxable Note is a Subordinate Lien Obligation payable from and secured by a lien on and a pledge of the Net Revenues of the System, on the basis and in the priority as described in the Ordinance. Reference is hereby made to the Ordinance for provisions thereof relating to this Taxable Note, including the collection and disposition of revenues, the special funds and accounts charged with and pledged to the payment of the interest on and the principal of this Taxable Note, the nature and extent of the security, the terms and conditions on which this Taxable Note is issued, the rights, duties, and obligations of the City, the Issuing and Paying Agent and the rights of the owner of this Taxable Note, and, by the acceptance of this Taxable Note, the owner hereof assents to all of the provisions of the Ordinance.

This Taxable Note and the other Commercial Paper Notes together with any Bank Note are payable solely from the sources hereinabove identified, and the Commercial Paper Notes do not constitute a legal or equitable pledge, charge, lien, or encumbrance upon any other property of the City or the System. The holder hereof shall never have the right to demand payment of this obligation from any sources or properties of the City except as identified above. The Commercial Paper Notes are secured by a lien on and pledge of the Net Revenues that is junior and subordinate to the lien and pledge securing the payment of the Prior Lien Bonds and Senior Lien Obligations and the funding of the funds and accounts established by or confirmed in the Ordinance.

This Taxable Note and the interest hereon do not constitute a debt of the State of Texas or a pledge of the faith and credit of the State of Texas or the City. Neither the State of Texas nor the City are obligated to pay this Taxable Note or the interest on this Taxable Note from a source other than as provided in the Ordinance, and neither the faith and credit nor the taxing power of the State of Texas or the City are pledged to the payment of the principal of or the interest on this Taxable Note.

It is hereby certified and recited that all acts, conditions, and things required by law and the Ordinance to exist, to have happened, and to have been performed precedent to and in the issuance of this Taxable Note, do exist, have happened, and have been performed in regular and in due time, form and manner as required by law and that the issuance of this Taxable Note, together with all other Commercial Paper Notes, is not in excess of the principal amount of Commercial Paper Notes permitted to be issued under the Ordinance.

This Taxable Note has all the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

This Taxable Note shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Taxable Note shall have been authenticated by the execution by the Issuing and Paying Agent of the Certificate of Authentication hereon.

IN TESTIMONY WHEREOF, the City Council has authorized and caused this Taxable Note to be executed on behalf of the City by the manual or facsimile signature of the Mayor of the City and countersigned by the manual or facsimile signature of the City Secretary and the official seal of the City to be impressed or a facsimile thereof to be printed hereon.

COUNTERSIGNED:

City Secretary, City of Garland, Texas

Mayor, City of Garland, Texas

(SEAL)

ISSUING AND PAYING AGENT'S
CERTIFICATE OF AUTHENTICATION

This Taxable Note is one of the Commercial Paper Notes delivered pursuant to the within mentioned Ordinance.

as Issuing and Paying Agent

By: _____
Authorized Signatory

EXHIBIT C

FORM OF TECP MASTER NOTE

The Depository Trust Company

A subsidiary of The Depository Trust & Clearing Corporation

MUNICIPAL COMMERCIAL PAPER — [TE]CP MASTER NOTE

[(Tax Exempt)][(Taxable)]

[Date of Issuance]

THE CITY OF GARLAND, TEXAS (“Issuer”), for value received, hereby promises to pay to Cede & Co., as nominee of The Depository Trust Company, or to registered assigns: (i) the principal amount, together with unpaid accrued interest thereon, if any, on the maturity date of each obligation identified on the records of Issuer (the “Underlying Records”) as being evidenced by this Master Note, which Underlying Records are maintained by [ISSUING AND PAYING AGENT] (“Paying Agent”); (ii) interest on the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records; and (iii) the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records. Interest shall be calculated at the rate and according to the calculation convention specified on the Underlying Records. Payments shall be made solely from the sources stated on the Underlying Records by wire transfer to the registered owner from Paying Agent without the necessity of presentation and surrender of this Master Note.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS MASTER NOTE SET FORTH ON THE REVERSE HEREOF.

This Master Note is a valid and binding obligation of Issuer.

Not Valid Unless Countersigned for Authentication by Paying Agent.

[ISSUING AND PAYING AGENT]

CITY OF GARLAND, TEXAS

By: _____
(Authorized Countersignature)

By: _____
(Authorized Signature)

The provisions of the City of Garland, Texas Electric Utility System [Tax Exempt][Taxable] Commercial Paper Note, Series A, a form of which is attached hereto, are incorporated herein and made a part hereof for all purposes. The aggregate principal amount of Commercial Paper Notes at any one time Outstanding shall not exceed the amount authorized in Section 2.01 of the Ordinance authorizing the issuance of the Commercial Paper Notes, as amended, (the “Ordinance”) as such authorized amount may be limited by Section 3.03 of the Ordinance.

At the request of the registered owner, Issuer shall promptly issue and deliver one or more separate note certificates evidencing each obligation evidenced by this Master Note. As of the date any such note certificate or certificates are issued, the obligations which are evidenced thereby shall no longer be evidenced by this Master Note.

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto

(Name, Address, and Taxpayer Identification Number of Assignee)

the Master Note and all rights thereunder, hereby irrevocably constituting and appointing attorney to transfer said Master Note on the books of Issuer with full power of substitution in the premises.

Date:

Signature(s) Guaranteed:

(Signature)

Notice: The signature on this assignment must correspond with the name as written upon the face of this Master Note, in every particular, without alteration or enlargement or any change whatsoever.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

EXHIBIT D

WRITTEN PROCEDURES RELATING TO CONTINUING COMPLIANCE WITH FEDERAL TAX COVENANTS

These procedures, together with any federal tax certifications, provisions included in the Ordinance with respect to the issuance and sale of Notes, letters of instructions and/or memoranda from bond counsel (the “*Closing Documents*”), are intended to assist the City in complying with federal guidelines related to the issuance of any tax-exempt debt such as the Tax Exempt Notes.

A. ***Arbitrage Compliance.*** Federal income tax laws generally restrict the ability to earn arbitrage in connection with the Tax Exempt Notes. The Responsible Person (as defined below) will review the Closing Documents periodically (at least once a year) to ascertain if an exception to arbitrage compliance applies.

Procedures applicable to Tax Exempt Notes issued for construction and acquisition purposes. With respect to the investment and expenditure of the proceeds of the Tax Exempt Notes that are issued to finance public improvements or to acquire land or personal property, the City's Chief Financial Officer (such officer, together with other employees of the City who report to such officer, is collectively, the “*Responsible Person*”) will:

1. Instruct the appropriate person who is primarily responsible for the acquisition, construction, renovation or equipping of the Eligible Projects financed with Tax Exempt Notes (for purposes of this Exhibit D, a “*Project*”) that (i) binding contracts for the expenditure of at least 5% of the proceeds of the Tax Exempt Notes are entered into within 6 months of the date of issuance of a Tax Exempt Note (the “*Issue Date*”) and that (ii) a Project must proceed with due diligence;
2. Monitor that at least 85% of the proceeds of the Tax Exempt Notes to be used for the construction, renovation or acquisition of a Project are expended within three years of the Issue Date;
3. Monitor the yield on the investments purchased with proceeds of the Tax Exempt Notes and restrict the yield of such investments to the yield on the Tax Exempt Notes after three years of the Issue Date;
4. Monitor all amounts deposited into a sinking fund or funds pledged (directly or indirectly) to the payment of the Tax Exempt Notes, such as the Second Tier Sinking Fund, to assure that the maximum amount invested within such applicable fund at a yield higher than yield on the Tax Exempt Notes does not exceed an amount equal to the debt service on the Tax Exempt Notes in the succeeding 12-month period plus a carryover amount equal to one-twelfth of the principal and interest payable on the Tax Exempt Notes for the immediately preceding 12-month period; and

5. Ensure that no more than 50% of the proceeds of the Tax Exempt Notes are invested in an investment with a guaranteed yield for four years or more.

Procedures applicable to Escrow Accounts for Refunding Issues. In addition to the foregoing, if the City issues Tax Exempt Notes and proceeds are deposited to an escrow fund to be administered pursuant to the terms of an escrow agreement, the Responsible Person will:

1. Monitor the actions of the escrow agent to ensure compliance with the applicable provisions of the escrow agreement, including with respect to reinvestment of cash balances;
2. Contact the escrow agent on the date of redemption of obligations being refunded to ensure that they were redeemed; and
3. Monitor any unspent proceeds of the refunded obligations to ensure that the yield on any investments applicable to such proceeds are invested at the yield on the applicable obligations or otherwise applied (see Closing Documents).

Procedures applicable to all Tax-exempt Tax Exempt Note Issues. For all issuances of Tax Exempt Notes, the Responsible Person will:

1. Maintain any official action of the City (such as a reimbursement resolution) stating the City's intent to reimburse with the proceeds of the Tax Exempt Notes any amount expended prior to the Issue Date for the acquisition, renovation or construction of the facilities;
2. Ensure that the applicable information return (e.g., IRS Form 8038-G, 8038-GC, or any successor forms) is timely filed with the IRS; and
3. Assure that, unless excepted from rebate and yield restriction under section 148(f) of the Code, excess investment earnings are computed and paid to the U.S. government at such time and in such manner as directed by the IRS (i) at least every five years after the Issue Date and (ii) within 30 days after the date the Tax Exempt Notes are retired.

B. ***Private Business Use.*** Generally, to be tax-exempt, only an insignificant amount of the proceeds of each issue of Tax Exempt Notes can benefit (directly or indirectly) private businesses. The Responsible Persons will review the Closing Documents periodically (at least once a year) for the purpose of determining that the use of a Project financed or refinanced with the proceeds of the Tax Exempt Notes do not violate provisions of federal tax law that pertain to private business use. In addition, the Responsible Persons will:

1. Develop procedures or a “tracking system” to identify all property financed with tax-exempt debt;

2. Monitor and record the date on which a Project is substantially complete and available to be used for the purpose intended;
3. Monitor and record whether, at any time Tax Exempt Notes are outstanding, any person, other than the City, the employees of the City, the agents of the City or members of the general public has any contractual right (such as a lease, purchase, management or other service agreement) with respect to any portion of a Project financed or refinanced with Tax Exempt Notes;
4. Monitor and record whether, at any time the Tax Exempt Notes are outstanding, any person, other than the City, the employees of the City, the agents of the City or members of the general public has a right to use the output of a Project financed or refinanced with Tax Exempt Notes;
5. Monitor and record whether, at any time the Tax Exempt Notes are outstanding, any person, other than the City, the employees of the City, the agents of the City or members of the general public has a right to use a Project financed or refinanced with Tax Exempt Notes to conduct or to direct the conduct of research;
6. Monitor and record whether, at any time the Tax Exempt Notes are outstanding, any person, other than the City, has a naming right for a Project financed or refinanced with Tax Exempt Notes or any other contractual right granting an intangible benefit;
7. Monitor and record whether, at any time the Tax Exempt Notes are outstanding, a Project financed or refinanced with Tax Exempt Notes are sold or otherwise disposed of; and
8. Take such action as is necessary to remediate any failure to maintain compliance with the covenants contained in the Ordinance related to the public use of the Project.

C. **Record Retention.** The Responsible Person will maintain or cause to be maintained all records relating to the investment and expenditure of the proceeds of Tax Exempt Notes and the use of a Project financed or refinanced thereby for a period ending three years after the complete extinguishment of the Tax Exempt Notes. If any portion of Tax Exempt Notes is refunded with the proceeds of Tax Exempt Notes or other tax-exempt obligations, such records shall be maintained until the three years after the refunding Tax Exempt Notes or other tax exempt obligations are completely extinguished. Such records can be maintained in paper or electronic format.

D. **Responsible Persons.** Each Responsible Person shall receive appropriate training regarding the City's accounting system, contract intake system, facilities management and other systems necessary to track the investment and expenditure of the proceeds and the use of a Project financed or refinanced with the proceeds of the Tax Exempt Notes. The foregoing

notwithstanding, each Responsible Person shall report to the City Council whenever experienced advisors and agents may be necessary to carry out the purposes of these instructions for the purpose of seeking City Council approval to engage or utilize existing advisors and agents for such purposes.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

8.

Meeting Date: 08/03/2021

Item Title: Presentation of the 2021-22 Proposed Budget

Submitted By: Allyson Bell Steadman, Budget Director

Summary of Request/Problem

In accordance with the City Charter and state law, the City Manager shall submit to the City Council a Proposed Budget for the coming fiscal year. The City Manager will formally present his Proposed Budget for FY 2021-22. Following the presentation to Council, copies of the Proposed Budget which will be placed in each City Library, in the Office of the City Secretary, and on the City's website for public review and inspection.

Recommendation/Action Requested and Justification

City Manager's presentation of the FY 2021-22 Proposed Budget.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

9.

Meeting Date: 08/03/2021

Item Title: Submission of Appraisal Roll and Rates for FY 2021-2022

Submitted By: Corey Worsham, Tax Administrator

Summary of Request/Problem

State law mandates an explicit, detailed and complex process for the adoption of municipal budgets and the setting of the tax rates by local governments. Those laws (as well as the City Charter) require a series of notices to the public and at least one public hearing for the adoption of the budget and tax rate. The tax rate setting and budget approval processes (the two being both legally and practically intertwined) are triggered by the receipt of appraisal rolls from County Central Appraisal Districts.

There are two key deadlines involved in the tax rate process: August 1 for the submission of the appraisal roll and August 7 for the submission of the rates. The appraisal rolls, together with a certification of a collection rate and a calculation of the "no new tax rate" and "voter approval rate" are being submitted to the City Council (notice of tax rates attached). The City Council must now establish dates for public hearings. Notices of the public hearing must be published and posted in the manner and form required by law and within certain windows of time. It is critical that the dates of the events match the timeframes provided by law and are properly noticed (including publication).

Recommendation/Action Requested and Justification

The City Council is being provided the attached tax rates, notice and appraisal certifications as required by law. Council is requested to provide a proposed tax rate and hearing dates in accordance with state law. Motions containing the public hearing dates and tax rates are attached.

Attachments

Wording for Proposed Tax Rate
2021 TAX Calculation Worksheets
2021 Proposed Tax Notice
2021 Certified Values



Date: July 29, 2021

Subject: Council action to schedule tax hearing dates and a proposed tax rate

Proposed Tax Rate

	<i>2020-2021</i>	<i>2021-2022</i>	
	Current	Proposed	Change
<i>O&M</i>	39.40	38.1365	-3.3 %
<i>Debt Service</i>	37.56	37.56	0%
<i>Total Tax Rate</i>	76.96	75.6965	-1.6%

Mayor should read the following statement:

I move that the proposed 2021 tax rate of 75.6965 cents per \$100 of valuation be discussed at two public hearings. The public is encouraged to provide comment at the first public hearing to be held on August 26, 2021 at 7:00 PM at the Garland City Hall located at 200 N. Fifth St. in Garland.

An additional opportunity for public comment will be scheduled at a public hearing to adopt the 2021 tax rate. The second hearing and rate adoption will be held on September 14, 2021 at 7:00 PM at the Garland City Hall located at 200 N. Fifth St. in Garland.

2021 Tax Rate Calculation Worksheet

Date: 07/23/2021 10:47 AM

Taxing Units Other Than School Districts or Water Districts**City of Garland****972-205-2829**

Taxing Unit Name

Phone (area code and number)

217 N Fifth St. Garland, TX 75040**www.garlandtx.gov**

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the No-New-Revenue tax rate and Voter-Approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School Districts without Chapter 313 Agreements* or or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet*.

This worksheet is provided to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate (No New Taxes)

The No-New-Revenue tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the No-New-Revenue tax rate should decrease.

The No-New-Revenue tax rate for a county is the sum of the No-New-Revenue tax rates calculated for each type of tax the county levies.

No-New-Revenue Tax Rate Activity	Amount/Rate
1. 2020 total taxable value. Enter the amount of 2020 taxable value on the 2020 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 17). ¹	\$16,125,213,750
2. 2020 tax ceilings. Counties, cities and junior college districts. Enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$0
3. Preliminary 2020 adjusted taxable value. Subtract Line 2 from Line 1.	\$16,125,213,750
4. 2020 total adopted tax rate.	\$0.769600/\$100
5. 2020 taxable value lost because court appeals of ARB decisions reduced 2020 appraised value.	
A. Original 2020 ARB values:	\$739,334,410
B. 2020 values resulting from final court decisions:	\$676,861,600
C. 2020 value loss. Subtract B from A. ³	\$62,472,810
6. 2020 taxable value subject to an appeal under Chapter 42, as of July 25.	
A. 2020 ARB certified value:	

	\$1,184,938,690
B. 2020 disputed value:	\$564,080,804
C. 2020 undisputed value. Subtract B from A.⁴	\$620,857,886
7. 2020 Chapter 42 related adjusted values Add Line 5C and Line 6C.	\$683,330,696
8. 2020 taxable value, adjusted for actual and potential court-ordered reductions. Add Line 3 and Line 7.	\$16,808,544,446
9. 2020 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2020. Enter the 2020 value of property in deannexed territory.⁵	\$0
10. 2020 taxable value lost because property first qualified for an exemption in 2021. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2020 does not create a new exemption or reduce taxable value.	
A. Absolute exemptions. Use 2020 market value:	\$1,230,331
B. Partial exemptions. 2021 exemption amount or 2021 percentage exemption times 2020 value:	\$51,642,424
C. Value loss. Add A and B.⁵	\$52,872,755
11. 2020 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2021. Use only properties that qualified in 2021 for the first time; do not use properties that qualified in 2020.	
A. 2020 market value:	\$987,250
B. 2021 productivity or special appraised value:	\$3,017
C. Value loss. Subtract B from A.⁷	\$984,233
12. Total adjustments for lost value. Add lines 9, 10C and 11C.	\$53,856,988
13. 2020 adjusted taxable value. Subtract Line 12 from Line 8.	\$16,754,687,458
14. Adjusted 2020 total levy. Multiply Line 4 by Line 13 and divide by \$100.	\$128,944,074
15. Taxes refunded for years preceding tax year 2020. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2020. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020.⁸	\$1,430,804
16. Taxes in tax increment financing (TIF) for tax year 2020. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2021 captured appraised value in Line 16D, enter 0.⁹	\$2,362,132
17. Adjusted 2020 levy with refunds and TIF adjustment. Add Lines 14 and 15, subtract Line 16.¹⁰	\$128,012,746

18. Total 2021 taxable value on the 2021 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled. ¹¹	
A. Certified values:	\$17,994,951,417
B. Counties: Include railroad rolling stock values certified by the Comptroller's office:	\$0
C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property:	\$0
D. Tax increment financing: Deduct the 2021 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2021 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹²	\$259,117,419
E. Total 2021 value. Add A and B, then subtract C and D.	\$17,735,833,998
19. Total value of properties under protest or not included on certified appraisal roll. ¹³ A. 2021 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴	\$385,034,520
B. 2021 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵	\$0
C. Total value under protest or not certified: Add A and B.	\$385,034,520
20. 2021 tax ceilings. Counties, cities and junior colleges enter 2021 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$0
21. 2021 total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$18,120,868,518
22. Total 2021 taxable value of properties in territory annexed after Jan. 1, 2020. Include both real and personal property. Enter the 2021 value of property in territory annexed. ¹⁸	\$0
23. Total 2021 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2020. An improvement is a building, structure, fixture or fence erected on or affixed to land. New	\$277,089,305

additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2020, and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2021. ¹⁹	
24. Total adjustments to the 2021 taxable value. Add Lines 22 and 23.	\$277,089,305
25. 2021 adjusted taxable value. Subtract Line 24 from Line 21.	\$17,843,779,213
26. 2021 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$0.717408/\$100
27. COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2021 county NNR tax rate. ²¹	

¹Tex. Tax Code Section 26.012(14)

²Tex. Tax Code Section 26.012(14)

³Tex. Tax Code Section 26.012(13)

⁴Tex. Tax Code Section 26.012(13)

⁵Tex. Tax Code Section 26.012(15)

⁶Tex. Tax Code Section 26.012(15)

⁷Tex. Tax Code Section 26.012(13)

⁸Tex. Tax Code Section 26.012(13)

⁹Tex. Tax Code Section 26.03(c)

¹⁰Tex. Tax Code Section 26.012(13)

¹¹Tex. Tax Code Section 26.012,26.04(c-2)

¹²Tex. Tax Code Section 26.03(c)

¹³Tex. Tax Code Section 26.01(c) and (d)

¹⁴Tex. Tax Code Section 26.01(c)

¹⁵Tex. Tax Code Section 26.01(d)

¹⁶Tex. Tax Code Section 26.012(6)(b)

¹⁷Tex. Tax Code Section 26.012(6)

¹⁸Tex. Tax Code Section 26.012(17)

¹⁹Tex. Tax Code Section 26.012(17)

²⁰Tex. Tax Code Section 26.04(c)

²¹Tex. Tax Code Section 26.04(d)

²²Reserved for expansion

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The Voter-Approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O):** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations
2. **Debt:** The debt tax rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The Voter-Approval tax rate for a county is the sum of the Voter-Approval tax rates calculated for each type of tax the county levies. In most cases the Voter-Approval tax rate exceeds the No-New-Revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Voter-Approval Tax Rate Worksheet	Amount/Rate
28. 2020 M&O tax rate. Enter the 2020 M&O tax rate.	\$0.394000/\$100
29. 2020 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$16,808,544,446
30. Total 2020 M&O levy. Multiply Line 28 by Line 29 and divide by \$100.	\$66,225,665
31. Adjusted 2020 levy for calculating NNR M&O rate.	
A. 2020 sales tax specifically to reduce property taxes. For cities, counties and hospital districts, enter the amount of additional sales tax collected and spent on M&O expenses in 2020, if any. Other taxing units, enter 0. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent: Amount of additional sales tax collected and spent on M&O expenses in 2020. Enter amount from full year's sales tax revenue spent for M&O in 2020 fiscal year, if any. Other taxing units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$0
B. M&O taxes refunded for years preceding tax year 2020 Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020.	\$732,506
C. 2020 taxes in TIF Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2021 captured appraised value in Line 18D, enter 0.	\$1,209,303
D. 2020 transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in E below. The taxing unit receiving the function will add this amount in E below. Other taxing units enter 0.	\$0
E. 2020 M&O levy adjustments. Add A and B, then subtract C. For taxing unit with D, subtract if discontinuing function and add if receiving function.	\$-476,797
F. Add Line 30 to 31E.	\$65,748,868

32. Adjusted 2020 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$17,843,779,213
33. 2020 NNR maintenance and operations rate (unadjusted). Divide Line 31F by Line 32 and multiply by \$100.	\$0.368469/\$100
34. Rate adjustment for state criminal justice mandate.²³ A. 2021 State Criminal Justice Mandate: Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	\$0
B. 2020 State Criminal Justice Mandate: Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.	\$0
C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$0
D. Enter the rate calculated in C. If not applicable, enter 0.	\$0
35. Rate adjustment for indigent health care expenditures.²⁴ A. 2021 indigent health care expenditures: Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2020 and ending on June 30, 2010, less any state assistance received for the same purpose.	\$0
B. 2020 indigent health care expenditures: Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose.	\$0
C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$0
D. Enter the rate calculated in C. If not applicable, enter 0.	\$0
36. Rate adjustment for county indigent defense compensation.²⁵ A. 2021 indigent defense compensation expenditures: Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state grants received by the county for the same purpose.	\$0
B. 2020 indigent defense compensation expenditures: Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose.	\$0
C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$0
D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100.	\$0

E. Enter the lessor of C and D. If not applicable, enter 0.	\$0
37. Rate adjustment for county hospital expenditures.²⁶ A. 2021 county hospital expenditures: Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2020 and ending on June 30, 2021.	\$0
B. 2020 county hospital expenditures: Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020.	\$0
C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$0
D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100.	\$0
E. Enter the lessor of C and D. If not applicable, enter 0.	\$0
38. Adjusted 2021 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E.	\$0.368469/\$100
39. 2021 voter-approval M&O rate. Enter the rates as calculated by the scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 38 by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 38 by 1.035. - or - Taxing unit affected by disaster declaration. If the taxing unit is located in an area declared as disaster area, the governing body may direct the person calculating the voter-approval rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval rate in this manner until the earlier of 1) the second year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, and 2) the third tax year after the tax year in which the disaster occurred. If the taxing unit qualifies under this scenario, multiply Line 38 by 1.08. ²⁷	\$0.381365/\$100
40. Total 2020 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year and (4) are not classified in the taxing unit's budget as M&O expenses A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. Enter debt amount.	\$70,350,967
B. Subtract unencumbered fund amount used to reduce total debt.	\$895,331
C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none)	\$0
D. Subtract amount paid from other resources.	\$1,992,599

E. Adjusted debt. Subtract B, C, and D from A.	\$67,463,037
41. Certified 2020 excess debt collections. Enter the amount certified by the collector. ²⁸	\$0
42. Adjusted 2021 debt. Subtract Line 41 from Line 40E.	\$67,463,037
43. 2021 anticipated collection rate. A. Enter the 2021 anticipated collection rate certified by the collector: ²⁹ B. Enter the 2020 actual collection rate C. Enter the 2019 actual collection rate D. Enter the 2018 actual collection rate E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ³⁰	99.12% 98.63% 99.12% 99.15% 99.12%
44. 2021 debt adjusted for collections. Divide Line 42 by Line 43E	\$68,061,982
45. 2021 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$18,120,868,518
46. 2021 debt tax rate. Divide Line 44 by Line 45 and multiply by \$100.	\$0.375600/\$100
47. 2021 voter-approval tax rate. Add Lines 39 and 46.	\$0.756965/\$100
48. COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2021 county voter-approval tax rate.	

²³Tex. Tax Code Section 26.044

²⁴Tex. Tax Code Section 26.0442

²⁵Tex. Tax Code Section 26.0442

²⁶Tex. Tax Code Section 26.0443

²⁷Tex. Tax Code Section 26.04(c-1)

²⁸Tex. Tax Code Section 26.012(10) and 26.04(b)

²⁹Tex. Tax Code Section 26.04(b)

³⁰Tex. Tax Code Section 26.04(b)

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes/strong>

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its No-New-Revenue and Voter-Approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its No-New-Revenue tax rate and/or Voter-Approval tax rate because it adopted the additional sales tax.

Sales and Use Tax Worksheet	Amount/Rate
49. Taxable Sales. For taxing units that adopted the sales tax in November 2020 or May 2021, enter the Comptroller's estimate of taxable sales for the previous four quarters. ²⁰ Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2020, skip this line.	\$0
50. Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November 2020 or in May 2021. Multiply the amount on Line 49 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November 2020. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$0
51. 2021 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$18,120,868,518
52. Sales tax adjustment rate. Divide Line 50 by Line 51 and multiply by \$100.	\$0/\$100
53. 2021 No-New-Revenue tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$0.717408/\$100
54. 2021 No-New-Revenue tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2020 or in May 2021. Subtract Line 52 from Line 53. Skip to Line 55 if you adopted the additional sales tax before November 2020.	\$0.717408/\$100
55. 2021 Voter-Approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 47 or 48, as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$0.756965/\$100
56. 2021 Voter-Approval tax rate, adjusted for sales tax. Subtract Line 52 from Line 55.	\$0.756965/\$100

³¹Reserved for expansion

³⁴Tex. Tax Code Section 26.041(d)

³²Tex. Tax Code Section 26.041(d)

³⁵Tex. Tax Code Section 26.04(c)

³³Tex. Tax Code Section 26.041(i)

³⁶Tex. Tax Code Section 26.04(c)

SECTION 4: Voter-Approval Protection for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Voter-Approval Protection for Pollution Control Worksheet	Amount/Rate
57. Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$0
58. 2021 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$18,120,868,518
59. Additional rate for pollution control. Divide Line 57 by Line 58 and multiply by \$100.	\$0/\$100
60. 2021 Voter-Approval tax rate, adjusted for pollution control. Add Line 59 to one of the following lines (as applicable): Line 47, Line 48 (counties) or Line 56 (taxing units with the additional sales tax).	\$0.756965/\$100

³⁷Tex. Tax Code Section 26.045(d)

³⁸Tex. Tax Code Section 26.045(i)

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years.³⁹ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

For each tax year before 2020, the difference between the adopted tax rate and voter-approval rate is considered zero, therefore the unused increment rate for 2020 is zero.⁴⁰

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴¹

Unused Increment Rate Worksheet	Amount/Rate
61. 2020 unused increment rate. Subtract the 2020 actual tax rate and the 2018 unused increment rate from the 2020 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0.017585
62. 2019 unused increment rate. Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero	\$0
63. 2018 unused increment rate. Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0.000000
64. 2021 unused increment rate. Add Lines 61, 62 and 63.	\$0.017585/\$100
65. 2021 voter-approval tax rate, adjusted for unused increment rate. ²³ Add Line 64 to one of the following lines (as applicable): Line 47, Line 48 (counties), Line 56 (taxing units with the additional sales tax) or Line 60 (taxing units with pollution control).	\$0.774550/\$100

³⁹Tex. Tax Code Section 26.013(a)

⁴⁰Tex. Tax Code Section 26.013(c)

⁴¹Tex. Tax Code Section 26.063(a)(1)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴²

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴³

De Minimis Rate Worksheet	Amount/Rate
66. Adjusted 2021 NNR M&O tax rate. Enter the rate from Line 38 of the <i>Voter-Approval Tax Rate Worksheet</i>	\$0.368469/\$100
67. 2021 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$18,120,868,518
68. Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 67 and multiply by \$100.	\$0.002759
69. 2021 debt rate. Enter the rate from Line 46 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$0.375600/\$100
70. De minimis rate. ²³ Add Lines 66, 68 and 69.	\$0/\$100

⁴²Tex. Tax Code Section 26.012(8-a)

⁴³Tex. Tax Code Section 26.063(a)(1)

⁴⁴Tex. Tax Code Section 26.04(c)

SECTION 7: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-New-Revenue tax rate As applicable, enter the 2021 NNR tax rate from: Line 26, Line 27 (counties), or Line 54 (adjusted for sales tax). \$0.717408/\$100

Voter-Approval tax rate As applicable, enter the 2021 voter-approval tax rate from: Line 47, Line 48 (counties), Line 56 (adjusted for sales tax), Line 60 (adjusted for pollution control), or Line 65 (adjusted for unused increment). \$0.774550/\$100

De minimis rate If applicable, enter the de minimis rate from Line 70. \$0/\$100

SECTION 8: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have calculated the tax rates in accordance with requirements in Tax Code.⁴⁴

print here Corey Worsham, RTA

Printed Name of Taxing Unit Representative

sign here

Taxing Unit Representative

Date

7-23-2021

NOTICE OF PUBLIC HEARING ON INCREASE

A tax rate of \$0.756965 per \$100 valuation has been proposed by the governing body of City of Garland.

PROPOSED TAX RATE	\$0.756965 per \$100
NO-NEW-REVENUE TAX RATE	\$0.717408 per \$100
VOTER-APPROVAL TAX RATE	\$0.774550 per \$100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for City of Garland from the same properties in both the 2020 tax year and the 2021 tax year.

The voter-approval rate is the highest tax rate that City of Garland may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Garland is proposing to increase property taxes for the 2021 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON August 26, 2021 AT 7:00 PM AT Garland City Hall 200 N. Fifth St. Garland, TX 75040.

A PUBLIC HEARING TO ADOPT THE TAX RATE WILL BE HELD ON September 14, 2021 AT 7:00 PM AT Garland City Hall 200 N. Fifth St. Garland, TX 75040

The proposed tax rate is not greater than the voter-approval tax rate. As a result, City of Garland is not required to hold an election to seek voter approval of the rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the of City of Garland at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

FOR the proposal:

AGAINST the proposal:

PRESENT and not voting:

ABSENT:

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Garland last year to the taxes proposed to be imposed on the average residence homestead by City of Garland this year.

	2020	2021	Change
Total tax rate (per \$100 of value)	\$0.769600	\$0.756965	decrease of -0.012635, or -1.64%
Average homestead taxable value	\$207,809	\$216,173	increase of 8,364, or 4.02%
Tax on average homestead	\$1,599.30	\$1,636.35	increase of 37.05, or 2.32%
Total tax levy on all properties	\$128,427,230	\$137,168,632	increase of 8,741,402, or 6.81%

For assistance with tax calculations, please contact the tax assessor for City of Garland at 972-205-2410 or email cworsham@garlandtx.gov .



**DALLAS CENTRAL APPRAISAL DISTRICT
CERTIFICATION OF APPRAISAL ROLL**

Year: 2021

Jurisdiction: City of GARLAND

In accordance with the requirements of the Texas Property Tax Code, Chapter 26, Section 26.01, paragraphs (A) and (B), the following values are hereby certified:

Market Value of all Real & Business Personal Property Before Qualified Exemptions*	\$22,074,482,200
Taxable Value of all Real & Business Personal Property	\$17,965,406,000

In accordance with the requirements of the Texas Property Tax Code, Chapter 26, Section 26.01, paragraph (C), the following values are hereby certified as disputed values and are not included in the above totals:

	Market Value	Taxable Value
Values under protest as determined by the Appraisal District**	\$571,113,200	\$549,484,667
Values under protest as claimed by property owner or estimated by Appraisal District in event property owner's claim is upheld	\$415,912,631	\$384,639,267
Freeport Estimated Loss		\$0
Estimated Net Taxable		\$384,639,267

I, W. Kenneth Nolan, Executive Director/Chief Appraiser of the Dallas Central Appraisal District, do hereby certify the aforementioned values and totals to the taxing jurisdiction indicated above, in accordance with the requirements of the laws of the State of Texas on this 22nd day of July, 2021 .

Dallas Central Appraisal District

W. Kenneth Nolan
Executive Director/Chief Appraiser

*Total Value of New Construction in Certified Market Value above	\$274,571,715
**Value of Disputed New Construction in Protested Market Value Above	\$2,517,590

Rockwall

Central Appraisal District

July 14, 2021

CITY OF GARLAND
BRYAN BRADFORD
P O BOX 469002
GARLAND, TX 75046

RE: 2021 Certified Totals

Greetings,

The 2021 Certified Property Values and supporting reports, including the Top Ten Property Owners, are enclosed.

No-New-Revenue (previously Effective) and Voter-Approval (previously Rollback) tax rates are being calculated at this time, and you may be contacted if additional information is needed. Completed calculations will be sent as soon as possible. If Rockwall Central Appraisal District does not calculate your tax rates, the information has been sent to the office that calculates for you.

If you have any questions, please contact me at kpassons@rockwallcad.com and cc Hannah at hcope@rockwallcad.com.

Sincerely,

Kevin R. Passons, RPA RTA RTC CCA

STATE OF TEXAS §
COUNTY OF ROCKWALL §

CERTIFICATION OF 2021 APPRAISAL ROLL FOR CITY OF GARLAND

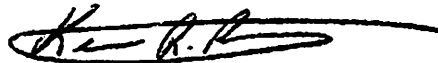
I, Kevin R. Passons, Chief Appraiser for the Rockwall Central Appraisal District, do solemnly swear the attached is the portion of the approved Appraisal Records of the Rockwall Central Appraisal District which lists property taxable by City of Garland and constitutes the appraisal roll for City of Garland with the amounts listed on the attached totals pages, with the heading "Certified Totals".

I, Kevin R. Passons, do hereby certify that the sum of appraised values of all properties on which protests have been filed but not determined by the Appraisal Review Board, is five percent or less of the total appraised value of all other taxable properties, and that the following values are true and correct to the best of my knowledge:

NET TAXABLE VALUE	\$	100
TAXABLE VALUE UNDER PROTEST	\$	-0-
CERTIFIED TAXABLE VALUE	\$	100
LESS FZ TAXABLE	\$	-0-
FREEZE ADJUSTED TAXABLE	\$	-0-

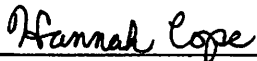
The value to be used in the tax rate calculation is the **CERTIFIED TAXABLE VALUE** shown above. The **TAXABLE VALUE UNDER PROTEST** is the sum total of value under protest for those properties shown on the attached list.

Approval of the appraisal records by the Rockwall County Appraisal District Board of Review occurred on the 12th day of July, 2021.



Kevin R. Passons
Chief Appraiser

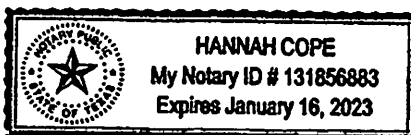
Sworn and Subscribed before me this day 13th of July, 2021.



Notary Public

01/16/2023

Commissions Expires





Collin Central Appraisal District

2021 APPRAISAL ROLL CERTIFICATION

PROPERTY TAX CODE, SECTION 26.01(a) CERTIFICATION OF APPRAISAL ROLL

I, Bo Daffin, Chief Appraiser for the Collin Central Appraisal District, solemnly swear that the attached is that portion of the approved Appraisal Records of the Collin Central Appraisal District which lists taxable property in Collin County and constitutes the Certified Appraisal Roll with values listed on the attached totals pages, with the heading "Certified Totals".

Bo Daffin
Signature of Chief Appraiser

07/15/2021
Date

Note: The Collin Appraisal Review Board approved the appraisal records on July 9, 2021.

PROPERTY TAX CODE, SECTION 26.01(c) CERTIFICATION OF PROPERTIES UNDER PROTEST AND NOT INCLUDED IN CERTIFIED ROLL ABOVE

I, Bo Daffin, Chief Appraiser for the Collin Central Appraisal District, solemnly swear that the attached is that portion of the Appraisal Records of the Collin Central Appraisal District which lists taxable property in Collin County but NOT included on the Certified Appraisal Roll, since these properties are currently under Protest. The protested property values are listed on the attached totals pages, with the subheading "Under ARB Review Totals".

If there are no attached pages labeled with the subheading "Under ARB Review Totals" then all protests were completed by ARB approval date listed above and included in the Certified Roll listed above.

Bo Daffin
Signature of Chief Appraiser

07/15/2021
Date

**NOTE: Please be advised that the property values appearing on the 'Under ARB Review Totals' page in your certified totals packet reflect the current Market and Taxable Values for the properties Under ARB Review without any Section 26.01(c) adjustments. In order to arrive at the taxable value to use for the effective tax rate calculations for your entity, you will need to use the taxable value from the 'ARB Approved Totals' page, along with the 'Total Value Used' that appears in the Lower Value Used section on the Effective Rate Assumption page. The Total Value Used on the Effective Rate Assumption page is the assessed value Under ARB Review that has been calculated in accordance with Property Tax Code, Section 26.01(c). The 'Grand Totals' page is the combined 'ARB Approved Totals' plus the 'Under ARB Review Totals' – which have not been adjusted. (The formula for calculating the total taxable remaining under protest is as follows: Taxable Value from "ARB Approved Totals" plus Total Value Used from the "Effective Rate Assumptions" Lower Value Used section minus Total Exemptions amount from the "Under ARB Review Totals".)*

Rev. 2020.09

2021 CERTIFIED TOTALS

Property Count: 120

CGA - GARLAND CITY
ARB Approved Totals

7/19/2021

4:49:50PM

Land		Value			
Homesite:		8,470,850			
Non Homesite:		715,888			
Ag Market:		0			
Timber Market:		0	Total Land	(+)	9,186,738
Improvement		Value			
Homesite:		25,407,616			
Non Homesite:		333,591	Total Improvements	(+)	25,741,207
Non Real		Count	Value		
Personal Property:	7		111,527		
Mineral Property:	0		0		
Autos:	0		0	Total Non Real	(+)
			Market Value	=	111,527
					35,039,472
Ag	Non Exempt	Exempt			
Total Productivity Market:	0	0			
Ag Use:	0	0	Productivity Loss	(-)	0
Timber Use:	0	0	Appraised Value	=	35,039,472
Productivity Loss:	0	0			
			Homestead Cap	(-)	1,037
			Assessed Value	=	35,038,435
			Total Exemptions Amount (Breakdown on Next Page)	(-)	5,493,118
			Net Taxable	=	29,545,317

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
 227.380.76 = 29,545,317 * (0.769600 / 100)

Calculated Estimate of Market Value: 35,039,472
 Calculated Estimate of Taxable Value: 29,545,317

2021 CERTIFIED TOTALS

Property Count: 120

CGA - GARLAND CITY
ARB Approved Totals

7/19/2021

4:49:52PM

Exemption Breakdown

Exemption	Count	Local	State	Total
DP	2	112,000	0	112,000
DV1	1	0	5,000	5,000
EX-XV	8	0	979,411	979,411
EX366	2	0	251	251
HS	82	3,035,365	0	3,035,365
OV65	26	1,361,091	0	1,361,091
Totals		4,508,456	984,662	5,493,118

2021 CERTIFIED TOTALS

Property Count: 1

CGA - GARLAND CITY
Under ARB Review Totals

7/19/2021

4:49:50PM

Land		Value			
Homesite:		100,000			
Non Homesite:		0			
Ag Market:		0			
Timber Market:		0	Total Land	(+)	100,000
Improvement		Value			
Homesite:		339,170			
Non Homesite:		0	Total Improvements	(+)	339,170
Non Real	Count	Value			
Personal Property:	0	0			
Mineral Property:	0	0			
Autos:	0	0	Total Non Real	(+)	0
			Market Value	=	439,170
Ag	Non Exempt	Exempt			
Total Productivity Market:	0	0			
Ag Use:	0	0	Productivity Loss	(-)	0
Timber Use:	0	0	Appraised Value	=	439,170
Productivity Loss:	0	0			
			Homestead Cap	(-)	0
			Assessed Value	=	439,170
			Total Exemptions Amount (Breakdown on Next Page)	(-)	43,917
			Net Taxable	=	395,253

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
 3,041.87 = 395,253 * (0.769600 / 100)

Calculated Estimate of Market Value: 350,000
 Calculated Estimate of Taxable Value: 350,000

Collin CAD

2021 CERTIFIED TOTALS

As of Certification

Property Count: 1

CGA - GARLAND CITY
Under ARB Review Totals

7/19/2021

4:49:52PM

Exemption Breakdown

Exemption	Count	Local	State	Total
HS	1	43,917	0	43,917
	Totals	43,917	0	43,917

2021 CERTIFIED TOTALS

Property Count: 121

CGA - GARLAND CITY
Grand Totals

7/19/2021

4:49:50PM

Land		Value			
Homesite:		8,570,850			
Non Homesite:		715,888			
Ag Market:		0			
Timber Market:		0	Total Land	(+)	9,286,738
Improvement		Value			
Homesite:		25,746,786			
Non Homesite:		333,591	Total Improvements	(+)	26,080,377
Non Real		Count	Value		
Personal Property:	7		111,527		
Mineral Property:	0		0		
Autos:	0		0	Total Non Real	(+)
			Market Value	=	111,527
					35,478,642
Ag	Non Exempt	Exempt			
Total Productivity Market:	0	0			
Ag Use:	0	0	Productivity Loss	(-)	0
Timber Use:	0	0	Appraised Value	=	35,478,642
Productivity Loss:	0	0			
			Homestead Cap	(-)	1,037
			Assessed Value	=	35,477,605
			Total Exemptions Amount (Breakdown on Next Page)	(-)	5,537,035
			Net Taxable	=	29,940,570

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
 230,422.63 = 29,940,570 * (0.769600 / 100)

Calculated Estimate of Market Value: 35,389,472
 Calculated Estimate of Taxable Value: 29,895,317

2021 CERTIFIED TOTALS

Property Count: 121

CGA - GARLAND CITY

Grand Totals

7/19/2021

4:49:52PM

Exemption Breakdown

Exemption	Count	Local	State	Total
DP	2	112,000	0	112,000
DV1	1	0	5,000	5,000
EX-XV	8	0	979,411	979,411
EX366	2	0	251	251
HS	83	3,079,282	0	3,079,282
OV65	26	1,361,091	0	1,361,091
Totals		4,552,373	984,662	5,537,035

2021 CERTIFIED TOTALS

Property Count: 120

CGA - GARLAND CITY
ARB Approved Totals

7/19/2021 4:49:52PM

State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	Single-Family Residential	95	1.2841	\$90,426	\$33,811,204	\$29,296,711
C1	Vacant Lots and Tracts	10	6.7797	\$0	\$137,330	\$137,330
J3	Electric Companies and Co-Ops	1		\$0	\$25,200	\$25,200
J4	Telephone Companies and Co-Ops	1		\$0	\$6,163	\$6,163
L1	Commercial Personal Property	3		\$0	\$79,913	\$79,913
X	Totally Exempt Property	10	461.9272	\$0	\$979,662	\$0
Totals			469.9910	\$90,426	\$35,039,472	\$29,545,317

Collin CAD

2021 CERTIFIED TOTALS

As of Certification

Property Count: 1

CGA - GARLAND CITY
Under ARB Review Totals

7/19/2021 4:49:52PM

State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	Single-Family Residential	1		\$0	\$439,170	\$395,253
	Totals		0.0000	\$0	\$439,170	\$395,253

2021 CERTIFIED TOTALS

Property Count: 121

CGA - GARLAND CITY

Grand Totals

7/19/2021

4:49:52PM

State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	Single-Family Residential	96	1.2841	\$90,426	\$34,250,374	\$29,691,964
C1	Vacant Lots and Tracts	10	6.7797	\$0	\$137,330	\$137,330
J3	Electric Companies and Co-Ops	1		\$0	\$25,200	\$25,200
J4	Telephone Companies and Co-Ops	1		\$0	\$6,163	\$6,163
L1	Commercial Personal Property	3		\$0	\$79,913	\$79,913
X	Totally Exempt Property	10	461.9272	\$0	\$979,662	\$0
Totals			469.9910	\$90,426	\$35,478,642	\$29,940,570

2021 CERTIFIED TOTALS

Property Count: 121

CGA - GARLAND CITY
Effective Rate Assumption

7/19/2021

4:49:52PM

New ValueTOTAL NEW VALUE MARKET:
TOTAL NEW VALUE TAXABLE:\$90,426
\$87,522**New Exemptions**

Exemption	Description	Count
-----------	-------------	-------

ABSOLUTE EXEMPTIONS VALUE LOSS

Exemption	Description	Count	Exemption Amount
HS	General Homestead	2	\$99,464
OV65	Age 65 or Older	1	\$56,000
PARTIAL EXEMPTIONS VALUE LOSS		3	\$155,464
NEW EXEMPTIONS VALUE LOSS			\$155,464

Increased Exemptions

Exemption	Description	Count	Increased Exemption Amount
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INCREASED EXEMPTIONS VALUE LOSS**TOTAL EXEMPTIONS VALUE LOSS** **\$155,464****New Ag / Timber Exemptions****New Annexations****New Deannexations****Average Homestead Value****Category A and E**

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
83	\$370,843	\$37,112	\$333,731

Category A Only

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
83	\$370,843	\$37,112	\$333,731

Lower Value Used

Count of Protested Properties	Total Market Value	Total Value Used
1	\$439,170.00	\$350,000



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. a.

Meeting Date: 08/03/2021

Item Title: Z 21-15 Tewelde Abreham - Plan (District 6)

Submitted By: Nabiha Ahmed, Development Planner

REQUEST

Approval of a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck/Bus Storage.

Approval of a Plan for Truck/Bus Storage Use.

LOCATION

3877 Miller Park Drive

OWNER

Tewelde Abreham

PLAN COMMISSION RECOMMENDATION

On July 12, 2021 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck/Bus Storage.

The Plan Commission, by a vote of nine (9) to zero (0), also recommended approval of a Plan for Truck/Bus Storage Use.

STAFF RECOMMENDATION

Approval of a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck/Bus Storage.

Approval of a Plan for Truck/Bus Storage Use.

BACKGROUND

In 2018, the City Council approved a Specific Use Provision for Truck/Bus Storage [S 18-43]. The request was to allow twenty-six (26) parking spaces for semi-truck trailers. The applicant requests to revise the Specific Use Provision to allow an additional thirty-three (33) parking spaces for semi-truck trailers.

The Garland Development Code defines Truck/Bus Storage as an area for the temporary parking or long-term storage of operable (that is, no junked, wrecked, or inoperable) trucks, buses, RVs, trailers, boats, and other types of special and heavy load vehicles, owned by others, for a fee.

SITE DATA

The subject property contains approximately 3.42 acres with 305 lineal feet of frontage along Miller Park Drive. The site is accessed from Miller Park Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The, property currently has a Specific Use Provision [S 18-43] for a Truck/Bus Storage use that was approved in 2018. However, the Truck/Bus Storage use has not been constructed and the subject property is currently unimproved.

The Industrial (IN) District is intended to provide for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial (IN) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities.

CONSIDERATIONS

1. The subject property is currently undeveloped. The applicant requests to build a 900 square-foot, 1-story building to use as a general office, and fifty-nine (59) parking spaces for semi-truck trailers. The site plan approved in 2018 reflected twenty-six (26) parking spaces for semi-truck trailers and the proposed site plan (Exhibit C) shows an additional thirty-three (33) parking spaces for semi-truck trailers, making it a total of fifty-nine (59) parking spaces for semi-truck trailers. The semi-truck trailers will be moved in and out periodically. The office would operate Monday to Sunday from 7:00 a.m. to 5:00 p.m.

The building area approved in 2018 for the office was 689 square feet and the site plan (Exhibit C) shows the building area to be 900 square feet.

Additionally, the paving approved in 2018 was concrete and the remaining portion was identified as “future paving.” The proposed site plan (Exhibit C) shows concrete and Eco Stone pavers. The Eco Paver was selected in response to the downstream drainage constraints to mitigate stormwater runoff. The porous pavers have been reviewed and approved by the Engineering Department.

Development Standard	S 18-43	Proposed (Z 21-15)
---------------------------------	----------------	---------------------------

Parking Spaces (Truck/Bus)	26 spaces approved	33 additional spaces proposed (total of 59 spaces)
Office Building Area	689 Square Feet	900 Square Feet

2. The proposed use requires a minimum of three (3) parking spaces for the office building. The subject property will provide three (3) parking spaces for the office.
3. The Landscape Plan (Exhibit D) will comply with the applicable screening and landscaping standards per the GDC.
4. The Building Elevations (Exhibit E) will comply with the Building Design standards per the GDC.
5. The applicant requests the Specific Use Provision for a period of twenty-five (25) years, which aligns with the SUP Time Period Guide.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

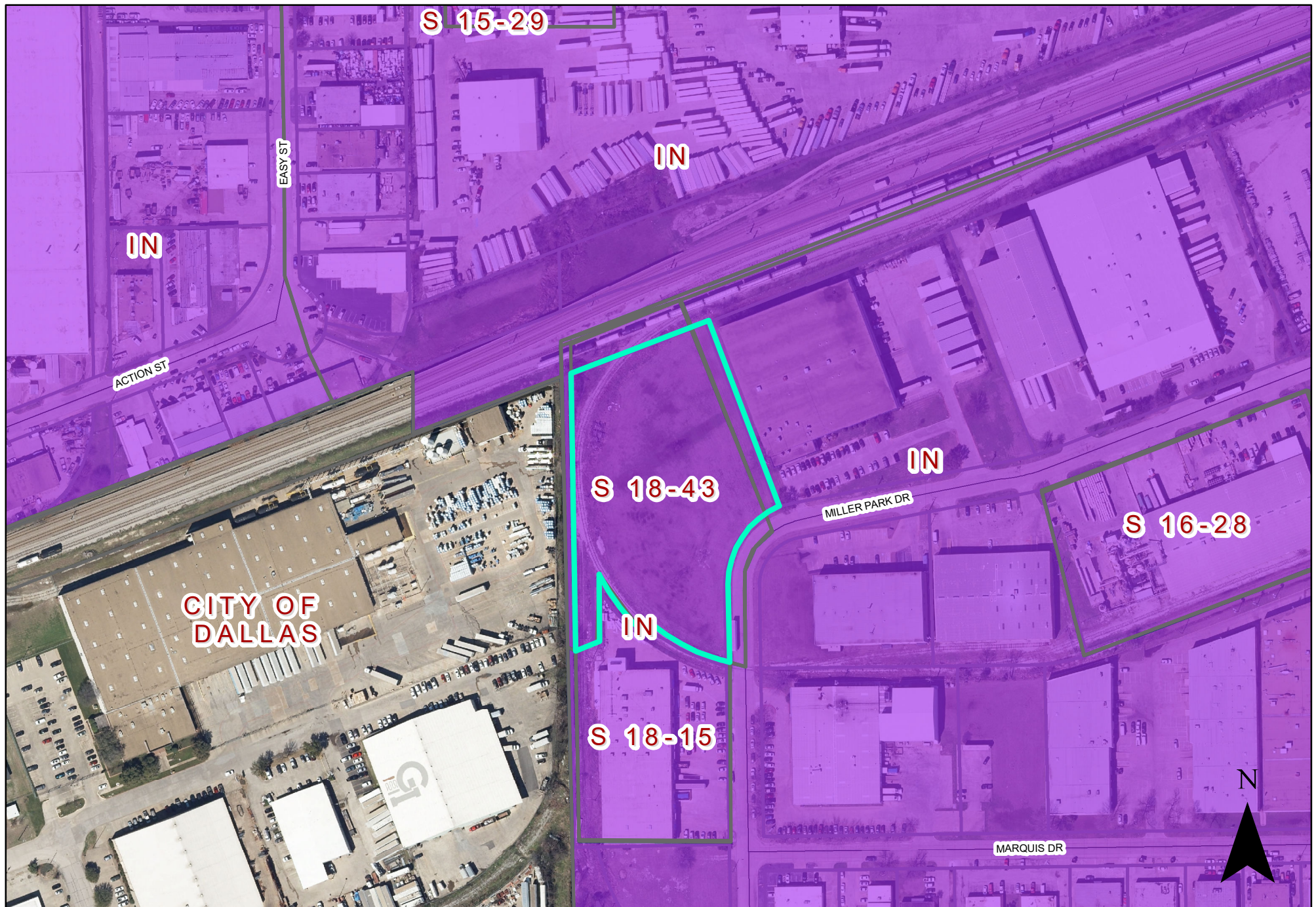
This proposal offers a supportive use to the industry employment sector.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within an area that is primarily zoned Industrial (IN) District and developed with buildings that are currently utilized for manufacturing, light industrial and heavy commercial uses.

Attachments

Z 21-15 Tewelde Abreham (Plan) Attachments
Z-21-15 Tewelde Abreham Responses
Z 21-15 Tewelde Abreham Staff Presentation

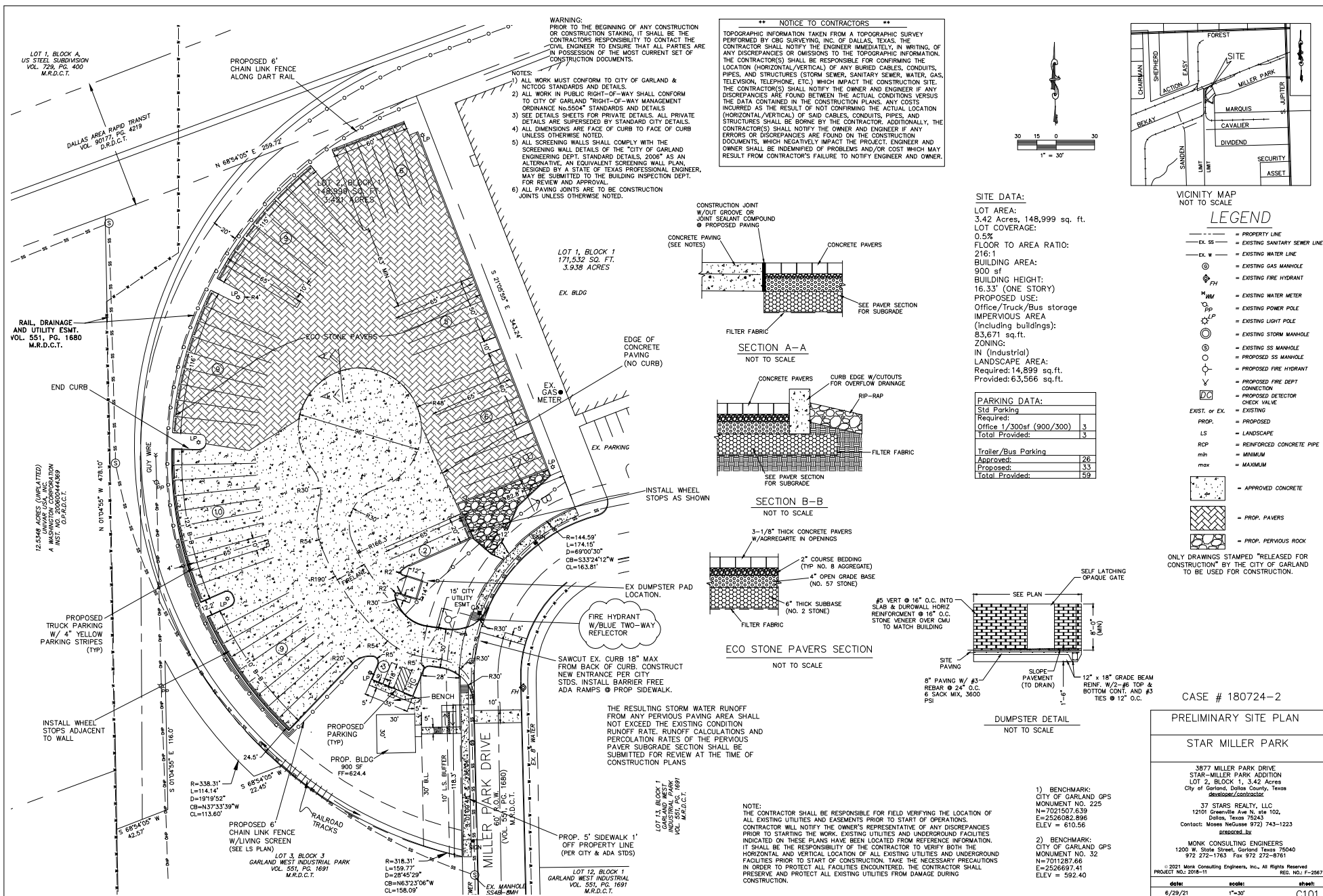


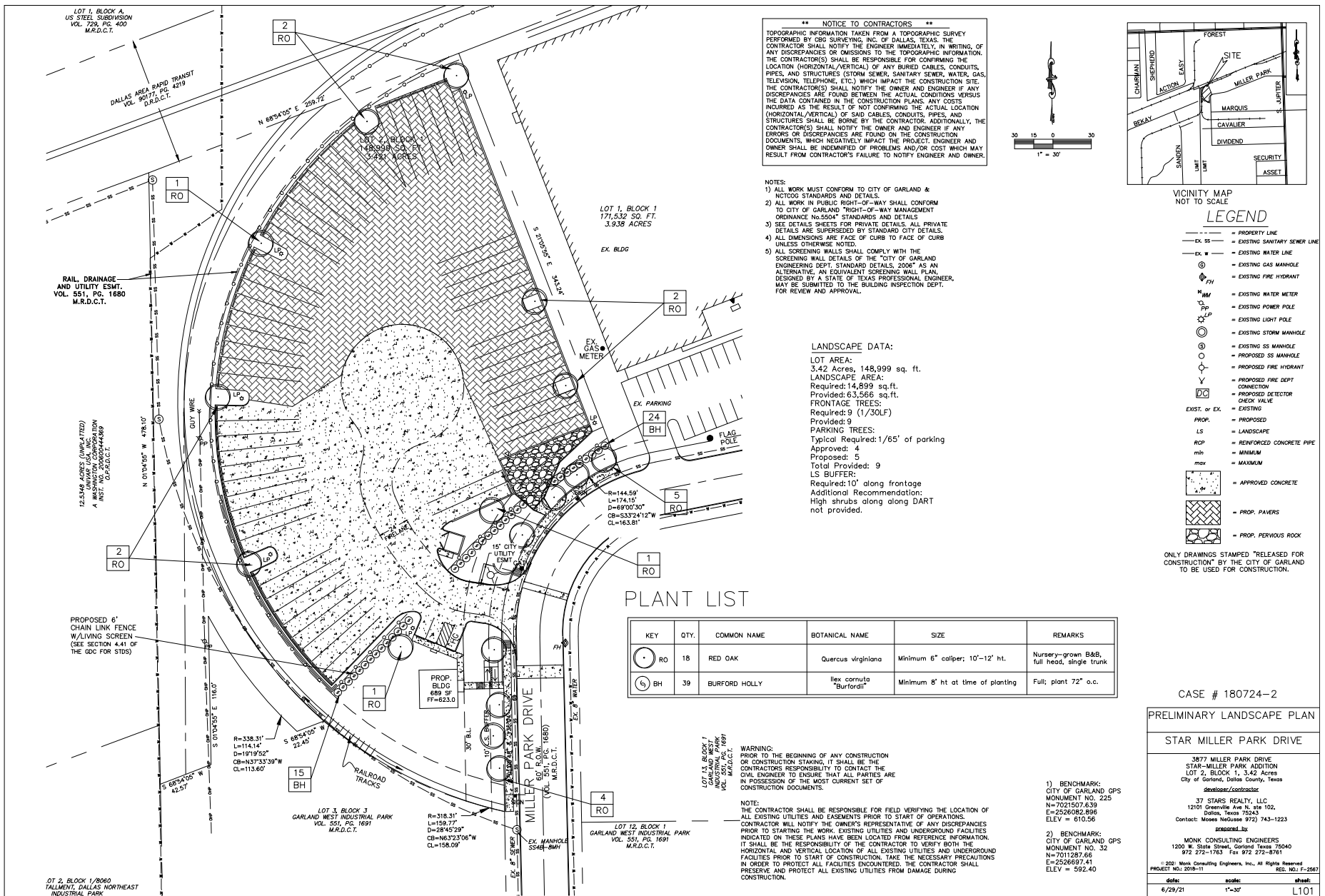
0 110 220 Feet
1 inch = 218 feet

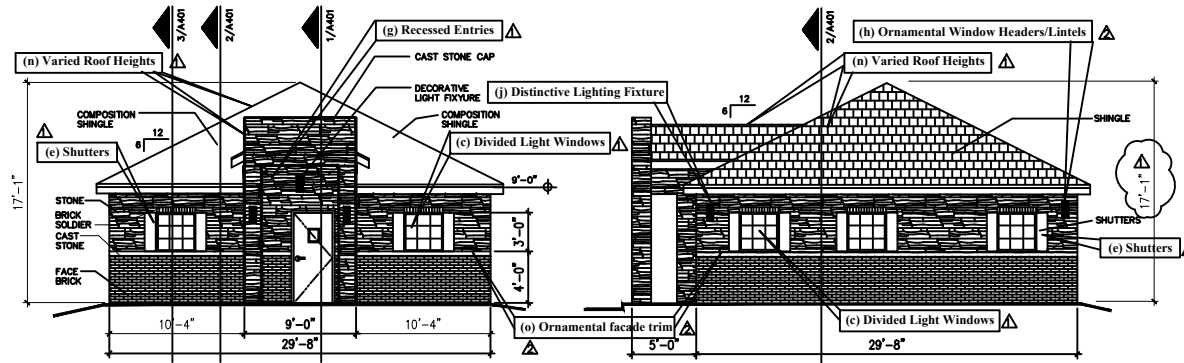
Zoning Map Z 21-15



INDICATES AREA
OF REQUEST

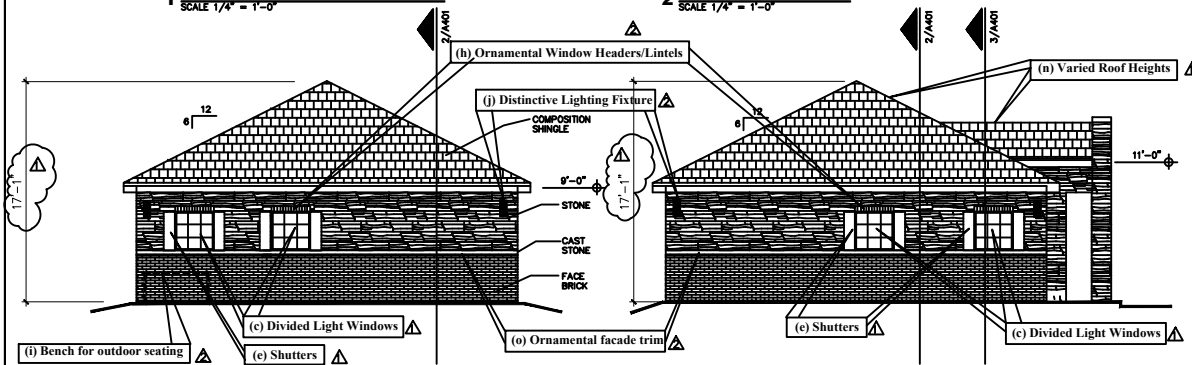






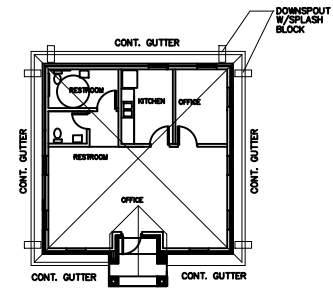
1 East Elevation (Miller Park)
SCALE 1/4" = 1'-0"

2 North Elevation



3 West Elevation

4 South Elevation



5 Roof Plan
SCALE 1/8" = 1'-0"

Park Bench (Located on North Side of building)
Refer to site Plan for location



- 4.83(A) Architectural Elements** 
1. (c) Divided Light Windows
 2. (e) Shutters
 3. (g) Recessed Entries
 4. (l) Benches
 5. (j) Distinctive Lighting Fixture
 6. (n) Varied Roof Heights
 7. (o) Ornamental Window Headers/Lintels
 8. (a) Ornamental facade trims

Material Information	
East Elevation	
Brick	45 %
Stone	55 %
Masonry %	100 %
North Elevation	
Brick	54 %
Stone	46 %
Masonry %	100 %
West Elevation	
Brick	54 %
Stone	46 %
Masonry %	100 %
South Elevation	
Brick	60 %
Stone	40 %
Masonry %	100 %

Articulations
Not required under 30'

Architectural Elements

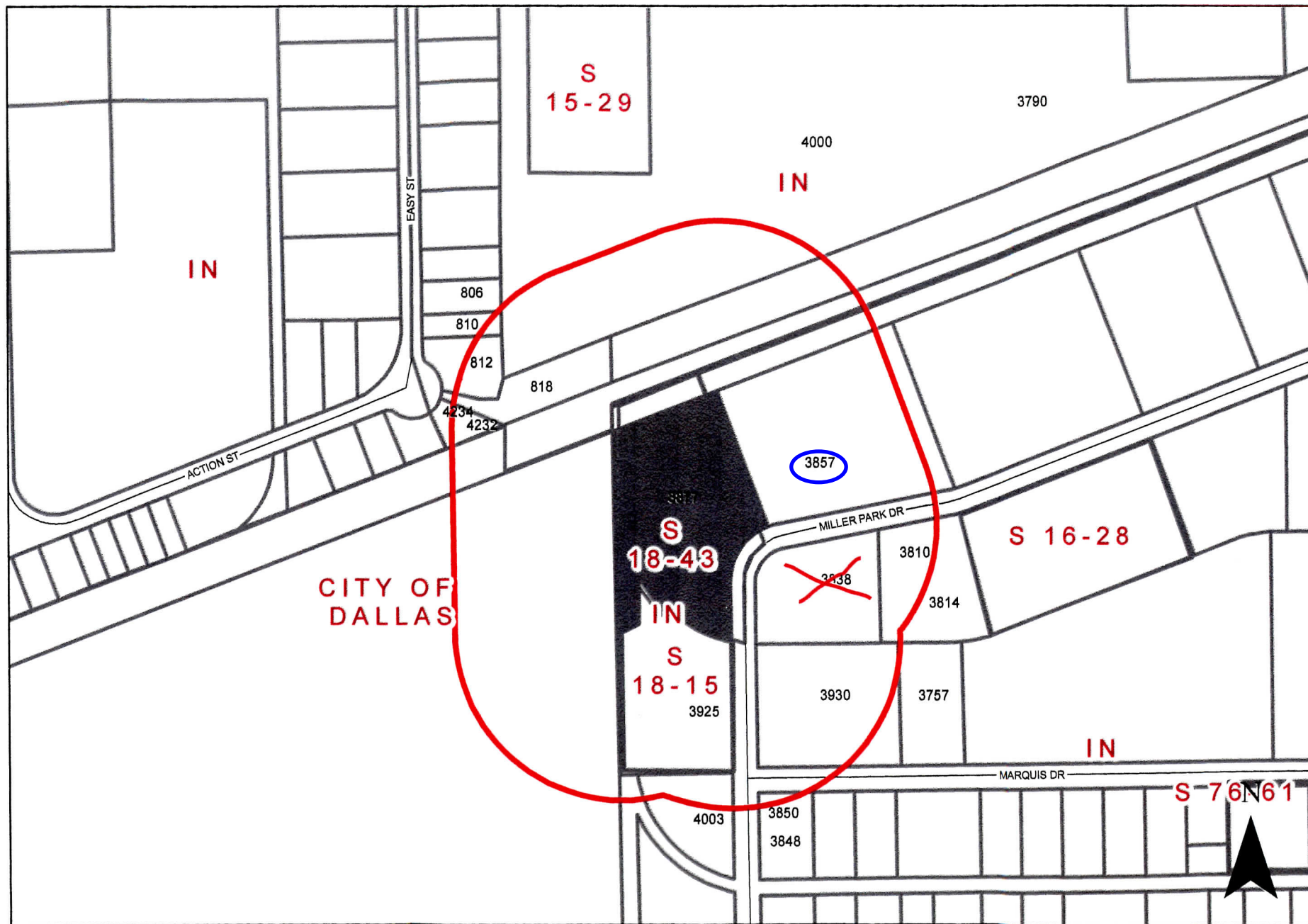
- (c) Divided Light Windows
- (g) Recessed Entries
- (e) Shutters
- (i) Bench for outdoor seating
- (n) Varied Roof Heights
- (j) Distinctive Lighting Fixture

REPORT & MINUTES

P.C. Meeting, July 12, 2021

Consideration of the application of **Tewelde Abreham**, requesting approval of a Plan for Truck/Bus Storage Use. This property is located at 3877 Miller Park Drive. (District 6) (File Z 21-15 - Plan)

Motion was made by Commissioner Edwards to **approve** the request per staff recommendation. Seconded by Commissioner Williams. **Motion carried: 9 Ayes, 0 Nays.**



0 150 300 Feet
1 inch = 303 feet

Zoning Map Z 21-15

3877 Miller Park Drive

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

Comment Form

Case Z 21-15

Z 21-15 Tewelde Abreham. The applicant proposes to add parking spaces for semi-truck trailers. This application is a revision to the Specific Use Provision approved in 2018. This site is located at 3877 Miller Park Drive. (District 6)

Z 21-15 Tewelde Abreham. El solicitante propone añadir plazas de aparcamiento para semirremolques. Esta solicitud es una revisión de la Disposición de uso específico aprobada en 2018. Este sitio está ubicado en 3877 Miller Park Drive. (Distrito 6)

Z 21-15 Tewelde Abreham. Người nộp đơn đề xuất bổ sung chỗ đậu cho xe sơ mi rơ moóc. Ứng dụng này là bản sửa đổi của Điều khoản Sử dụng Cụ thể đã được phê duyệt vào năm 2018. Trang web này nằm ở 3877 Miller Park Drive. (Quận 6)

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.

Jen Michoski - Sales & Mktg Mgr.

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.)

3838 Miller Park Dr.

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

Jen Michoski

Signature / Firma / Chữ ký

7/2/21

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 21-15

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 don't support a zoning change. A parking lot for semis will increase traffic on a street that is already in poor condition. Additionally, we have a concern about security due to addition truck and foot traffic.

Comment Form

Case Z 21-15

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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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Cavalier Partners LLC Janet Rickett ~~CEO~~ Member
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.)

3838 Miller Park Dr.
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75042
City, State / Estado de la Ciudad / Thành bang

75042
Zip Code / Código postal / Mã Bưu Chính

Janet Rickett 4/9/21
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 21-15

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

The road is not well maintained now
and truck traffic is heavy. This would only
create more issues.

Comment Form

Case Z 21-15

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For / A Favor / Đúng



Against / En Contra / Không

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Doug Kercher

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.)

3857 Miller Park Dr. Garland, TX 75042

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

D. G. Kercher

Signature / Firma / Chữ ký

7/23/2021

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.)

Z 21-15

The applicant proposes to add parking spaces for semi-truck trailers. This application is a revision to the Specific Use Provision approved in 2018.

[Specific Use Provision amendment and Plan for a Truck/Bus Storage on a property zoned Industrial (IN) District.]

**City Council Meeting
August 3, 2021**



GARLAND

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CASE INFORMATION

Location: 3877 Miller Park Drive

Applicant: Tewelde Abreham

Owner: Tewelde Abreham

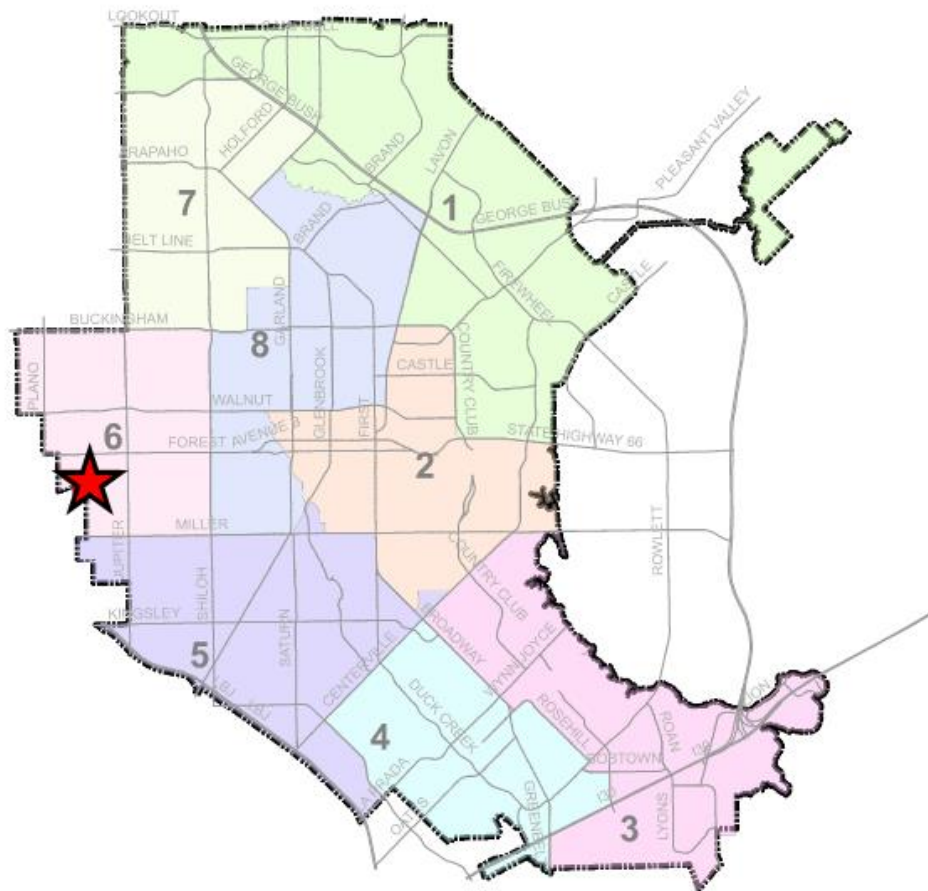
Acreage: 3.42 acres

Zoning: Industrial (IN) District



GARLAND
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CITYWIDE LOCATION MAP



0 1 2 Miles
1 in = 2 miles

Zoning Map Z 21-15

★ INDICATES AREA
OF REQUEST

Z 21-15



City of Dallas

S 15-29

IN

S 18-43

IN

S 18-15

S 16-28

East St

Action St

Miller Park Dr

Marquis Dr

0 110 220 Feet

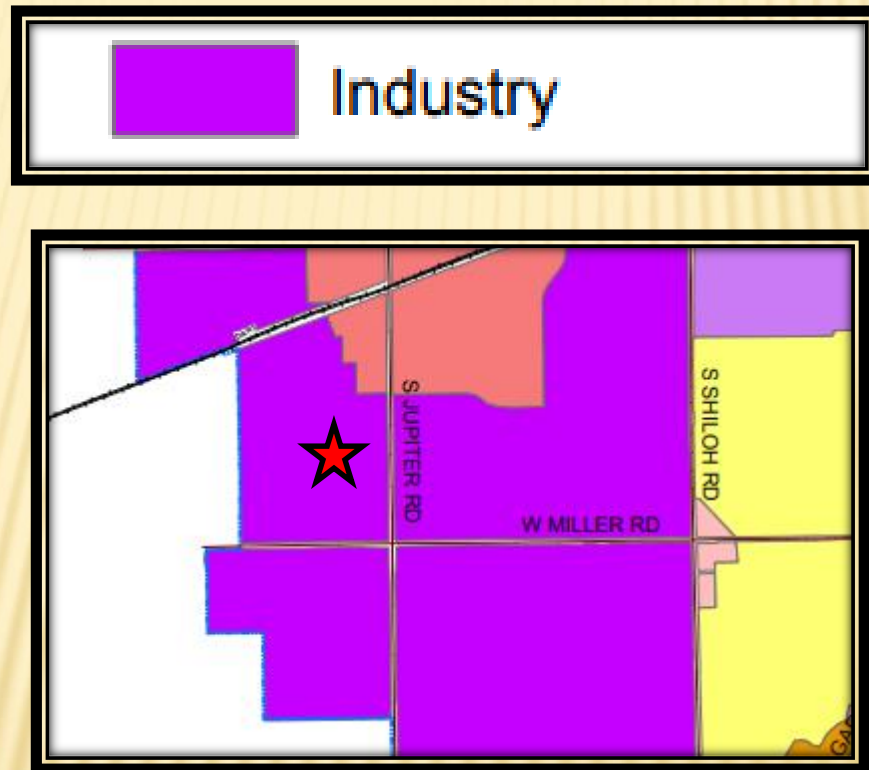
1 inch = 218 feet

Zoning Map Z 21-15

INDICATES AREA OF REQUEST

Z 21-15

COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

- The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.
- The proposal offers a supportive use to the industrial employment sector.



PHOTOS



Looking at the subject property from Miller Park Drive.



Looking east of subject site from Miller Park Drive.



Looking south of the subject property

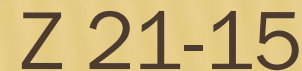


COMPARISON TABLE

Development Standard	S 18-43	Proposed (Z 21-15)
Parking Spaces (Truck/Bus)	26 spaces approved	33 additional spaces proposed (total of 59 spaces)
Office Building Area	689 Square Feet	900 Square Feet

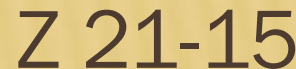


APPROVED SITE PLAN





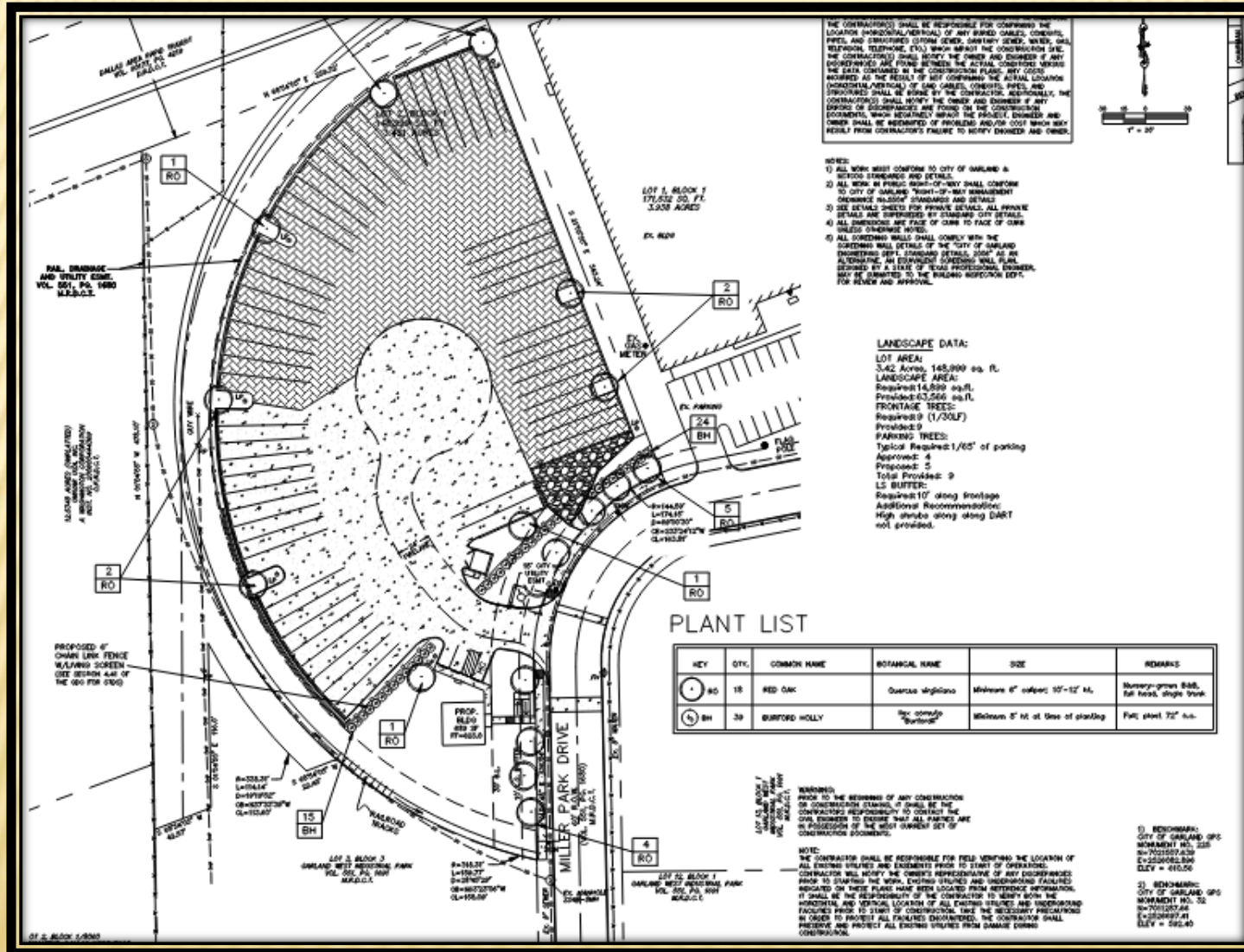
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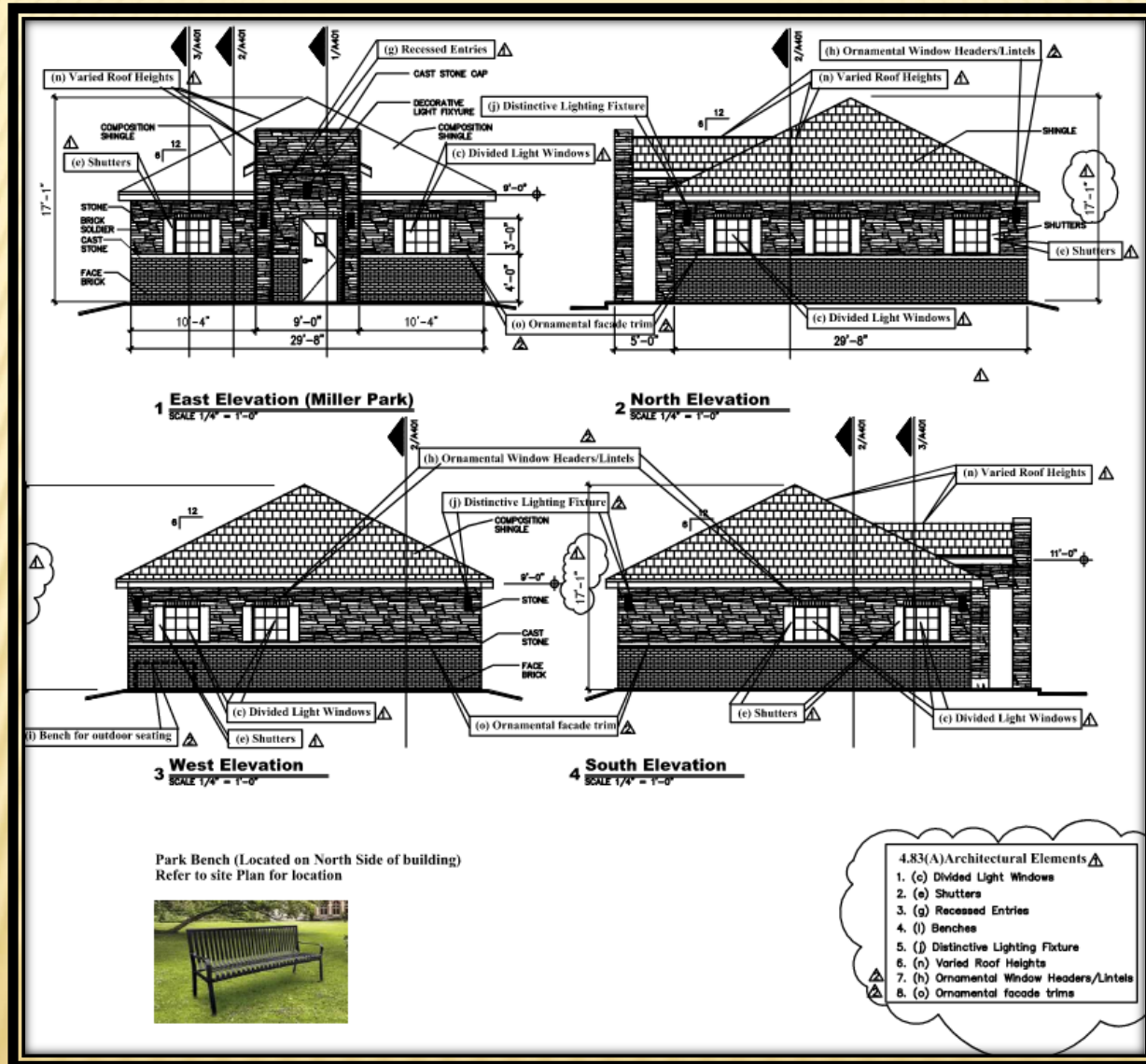
LANDSCAPE PLAN





GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



CONSIDERATION

The applicant requests the Specific Use Provision to be in effect for 25 years. No GDC deviations are being requested by the applicant.

STAFF RECOMMENDATION

Approval of a Specific Use Provision amendment for a Truck/Bus Storage Use on a property zoned Industrial (IN) District

Approval of a Plan for Truck/Bus Storage on a property zoned Industrial (IN) District



PLAN COMMISSION RECOMMENDATION

On July 12, 2021 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Provision amendment for a Truck/Bus Storage Use on a property zoned Industrial (IN) District

The Plan Commission, by a vote of nine (9) to zero (0), also recommended approval of a Plan for Truck/Bus Storage on a property zoned Industrial (IN) District



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. b.

Meeting Date: 08/03/2021

Item Title: Z 21-15 Tewelde Abreham - Specific Use Provision (District 6)

Submitted By: Nabiha Ahmed, Development Planner

REQUEST

Approval of a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck/Bus Storage.

Approval of a Plan for Truck/Bus Storage Use.

LOCATION

3877 Miller Park Drive

OWNER

Tewelde Abreham

PLAN COMMISSION RECOMMENDATION

On July 12, 2021 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck/Bus Storage.

The Plan Commission, by a vote of nine (9) to zero (0), also recommended approval of a Plan for Truck/Bus Storage Use.

STAFF RECOMMENDATION

Approval of a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck/Bus Storage.

Approval of a Plan for Truck/Bus Storage Use.

BACKGROUND

In 2018, the City Council approved a Specific Use Provision for Truck/Bus Storage [S 18-43]. The request was to allow twenty-six (26) parking spaces for semi-truck trailers. The applicant requests to revise the Specific Use Provision to allow an additional thirty-three (33) parking spaces for semi-truck trailers.

The Garland Development Code defines Truck/Bus Storage as an area for the temporary parking or long-term storage of operable (that is, no junked, wrecked, or inoperable) trucks, buses, RVs, trailers, boats, and other types of special and heavy load vehicles, owned by others, for a fee.

SITE DATA

The subject property contains approximately 3.42 acres with 305 lineal feet of frontage along Miller Park Drive. The site is accessed from Miller Park Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The, property currently has a Specific Use Provision [S 18-43] for a Truck/Bus Storage use that was approved in 2018. However, the Truck/Bus Storage use has not been constructed and the subject property is currently unimproved.

The Industrial (IN) District is intended to provide for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial (IN) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities.

CONSIDERATIONS

1. The subject property is currently undeveloped. The applicant requests to build a 900 square-foot, 1-story building to use as a general office, and fifty-nine (59) parking spaces for semi-truck trailers. The site plan approved in 2018 reflected twenty-six (26) parking spaces for semi-truck trailers and the proposed site plan (Exhibit C) shows an additional thirty-three (33) parking spaces for semi-truck trailers, making it a total of fifty-nine (59) parking spaces for semi-truck trailers. The semi-truck trailers will be moved in and out periodically. The office would operate Monday to Sunday from 7:00 a.m. to 5:00 p.m.

The building area approved in 2018 for the office was 689 square feet and the site plan (Exhibit C) shows the building area to be 900 square feet.

Additionally, the paving approved in 2018 was concrete and the remaining portion was identified as “future paving.” The proposed site plan (Exhibit C) shows concrete and Eco Stone pavers. The Eco Paver was selected in response to the downstream drainage constraints to mitigate stormwater runoff. The porous pavers have been reviewed and approved by the Engineering Department.

Development Standard	S 18-43	Proposed (Z 21-15)
---------------------------------	----------------	---------------------------

Parking Spaces (Truck/Bus)	26 spaces approved	33 additional spaces proposed (total of 59 spaces)
Office Building Area	689 Square Feet	900 Square Feet

2. The proposed use requires a minimum of three (3) parking spaces for the office building. The subject property will provide three (3) parking spaces for the office.
3. The Landscape Plan (Exhibit D) will comply with the applicable screening and landscaping standards per the GDC.
4. The Building Elevations (Exhibit E) will comply with the Building Design standards per the GDC.
5. The applicant requests the Specific Use Provision for a period of twenty-five (25) years, which aligns with the SUP Time Period Guide.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

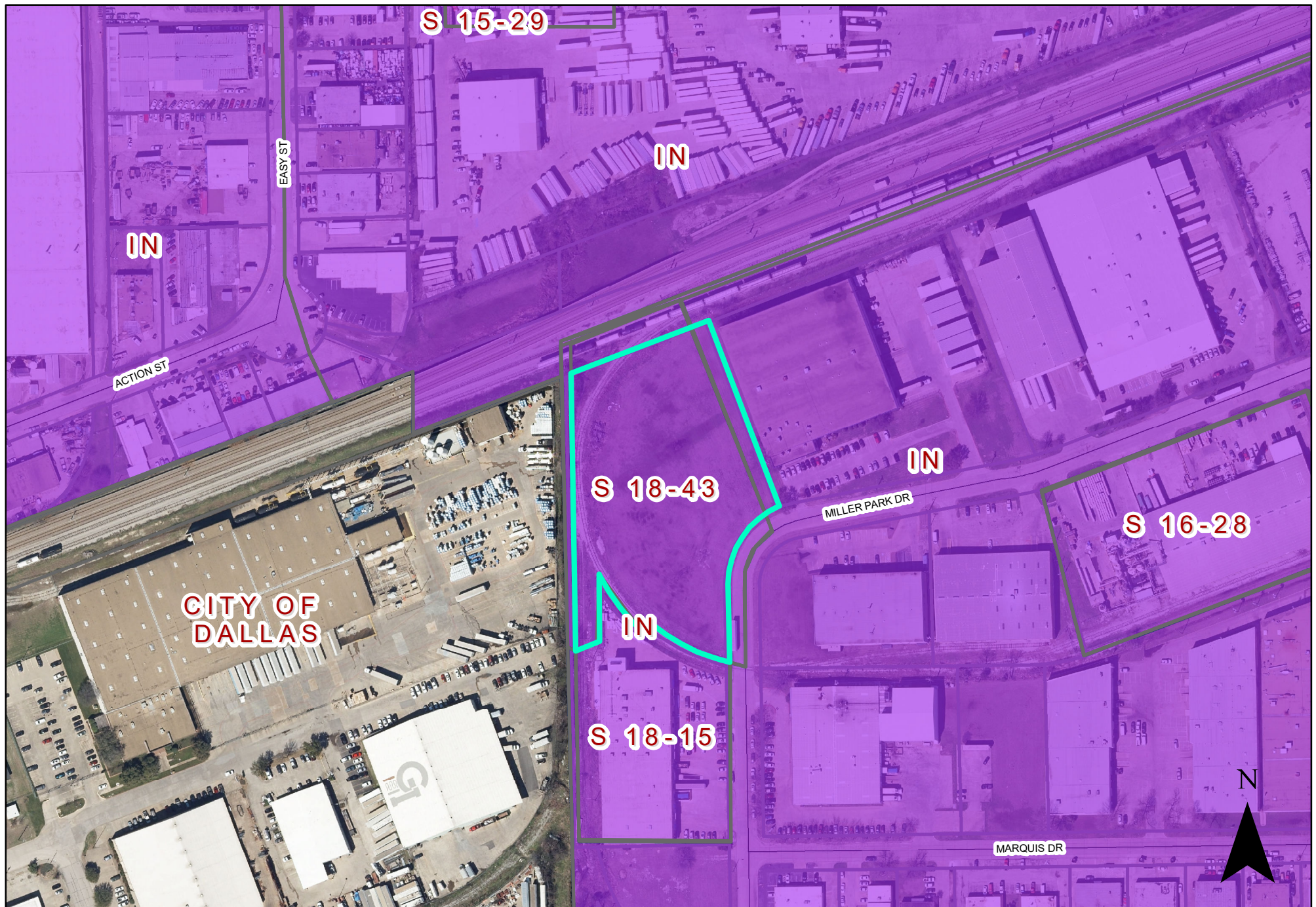
This proposal offers a supportive use to the industry employment sector.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within an area that is primarily zoned Industrial (IN) District and developed with buildings that are currently utilized for manufacturing, light industrial and heavy commercial uses.

Attachments

Z 21-15 Tewelde Abreham (Specific Use Provision) Attachments
Z 21-15 Responses updated
Z 21-15 Tewelde Abreham Staff Presentation



0 110 220 Feet
1 inch = 218 feet

Zoning Map Z 21-15



INDICATES AREA
OF REQUEST

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE 21-15

3877 Miller Park Drive

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Truck/Bus Storage Use subject to conditions.
- 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 Industrial (IN) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
 - A. Time Period:** The Specific Use Provision shall be in effect for period of twenty-five (25) years.
 - B. Site Plan:** Development shall be in general conformance with the site plan labeled Exhibit C.
 - C. Screening and Landscaping:** Screening and Landscaping shall conform to the layout reflected in Exhibit D.
 - D. Building Elevations:** Building elevations shall conform to the elevations reflected on Exhibit E.
 - E. Parking:** At least three (3) parking spaces shall be provided for the office building and a maximum of fifty-nine (59) parking spaces shall be provided for Truck/Bus Storage.

REPORT & MINUTES

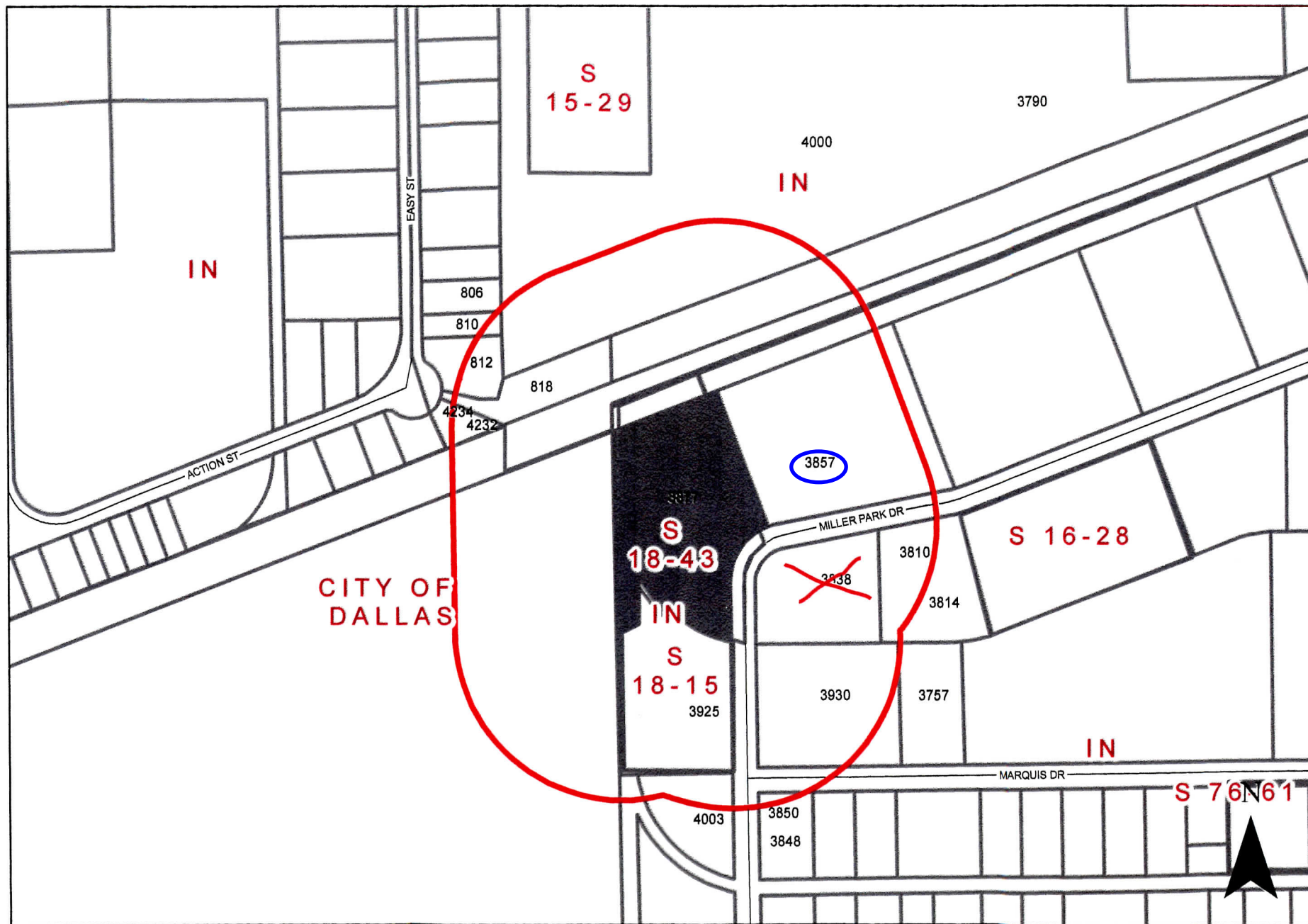
P.C. Meeting, July 12, 2021

Consideration of the application of **Tewelde Abreham**, requesting approval of a Specific Use Provision amendment to allow a Truck/Bus Storage Use on a property zoned Industrial (IN) District with a Specific Use Provision [S 18-43] for Truck / Bus Storage. This property is located at 3877 Miller Park Drive. (District 6) (File Z 21-15 - Specific Use Provision)

The applicant, Mehari Abraha, 7308 Willow Wood Street, Rowlett, Texas 75089, was available for questions.

There was discussion between Mr. Abraha and the Plan Commission.

Motion was made by Commissioner Edwards to close the public hearing and approve the request per staff recommendation. Seconded by Commissioner Williams. **Motion carried: 9 Ayes, 0 Nays.**



0 150 300 Feet
1 inch = 303 feet

Zoning Map Z 21-15

3877 Miller Park Drive

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

Comment Form

Case Z 21-15

Z 21-15 Tewelde Abreham. The applicant proposes to add parking spaces for semi-truck trailers. This application is a revision to the Specific Use Provision approved in 2018. This site is located at 3877 Miller Park Drive. (District 6)

Z 21-15 Tewelde Abreham. El solicitante propone añadir plazas de aparcamiento para semirremolques. Esta solicitud es una revisión de la Disposición de uso específico aprobada en 2018. Este sitio está ubicado en 3877 Miller Park Drive. (Distrito 6)

Z 21-15 Tewelde Abreham. Người nộp đơn đề xuất bổ sung chỗ đậu cho xe sơ mi rơ moóc. Ứng dụng này là bản sửa đổi của Điều khoản Sử dụng Cụ thể đã được phê duyệt vào năm 2018. Trang web này nằm ở 3877 Miller Park Drive. (Quận 6)

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.

Jen Michoski - Sales & Mktg Mgr.

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.)

3838 Miller Park Dr.

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

Jen Michoski

Signature / Firma / Chữ ký

7/2/21

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 21-15

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 don't support a zoning change. A parking lot for semis will increase traffic on a street that is already in poor condition. Additionally, we have a concern about security due to addition truck and foot traffic.

Comment Form

Case Z 21-15

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Cavalier Partners LLC Janet Rickett ~~CEO~~ Member
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.)

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Garland, TX 75042
City, State / Estado de la Ciudad / Thành bang

75042
Zip Code / Código postal / Mã Bưu Chính

Janet Rickett 4/9/21
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.)

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Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

The road is not well maintained now
and truck traffic is heavy. This would only
create more issues.

Comment Form

Case Z 21-15

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For / A Favor / Đúng



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Doug Kercher

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3857 Miller Park Dr. Garland, TX 75042

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Zip Code / Código postal / Mã B u Chính

D. G. Kercher

Signature / Firma / Chữ ký

7/23/2021

Date / Fecha / Ngày

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[Specific Use Provision amendment and Plan for a Truck/Bus Storage on a property zoned Industrial (IN) District.]

**City Council Meeting
August 3, 2021**



GARLAND

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GARLAND
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CASE INFORMATION

Location: 3877 Miller Park Drive

Applicant: Tewelde Abreham

Owner: Tewelde Abreham

Acreage: 3.42 acres

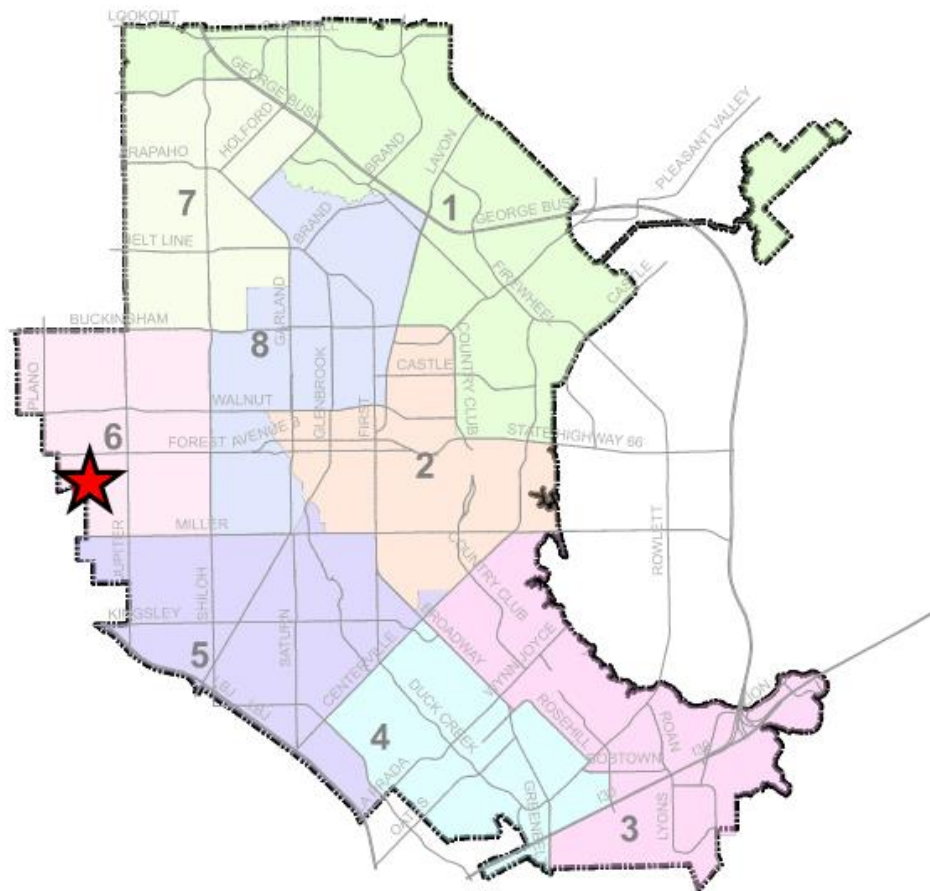
Zoning: Industrial (IN) District

Z 21-15



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CITYWIDE LOCATION MAP



0 1 2 Miles
1 in = 2 miles

Zoning Map Z 21-15

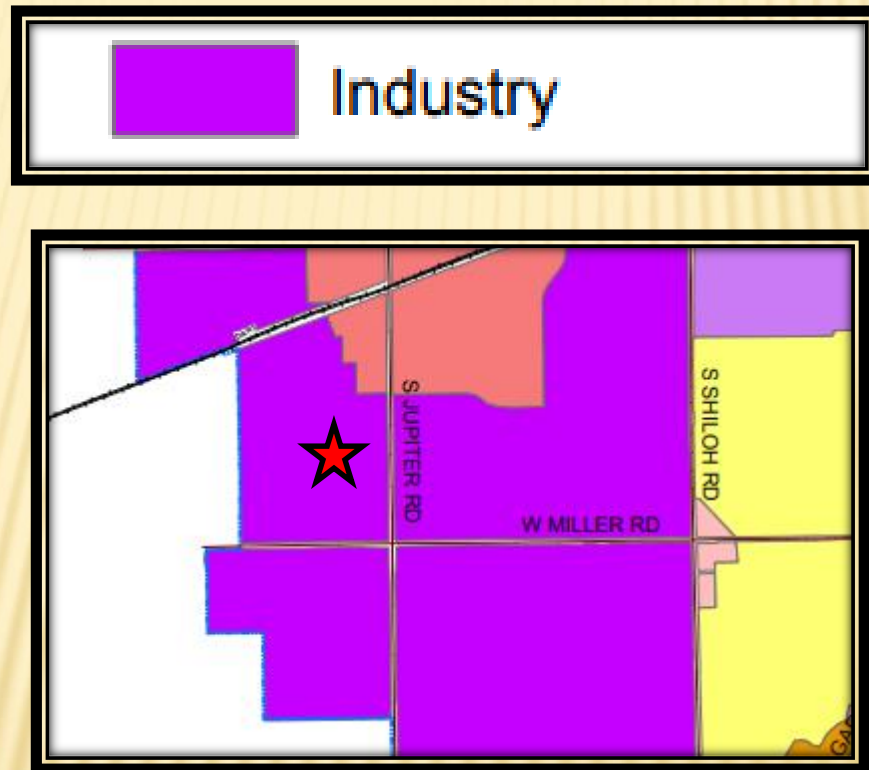
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Z 21-15

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Z 21-15

COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

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PHOTOS



Looking at the subject property from Miller Park Drive.



Looking east of subject site from Miller Park Drive.



Looking south of the subject property

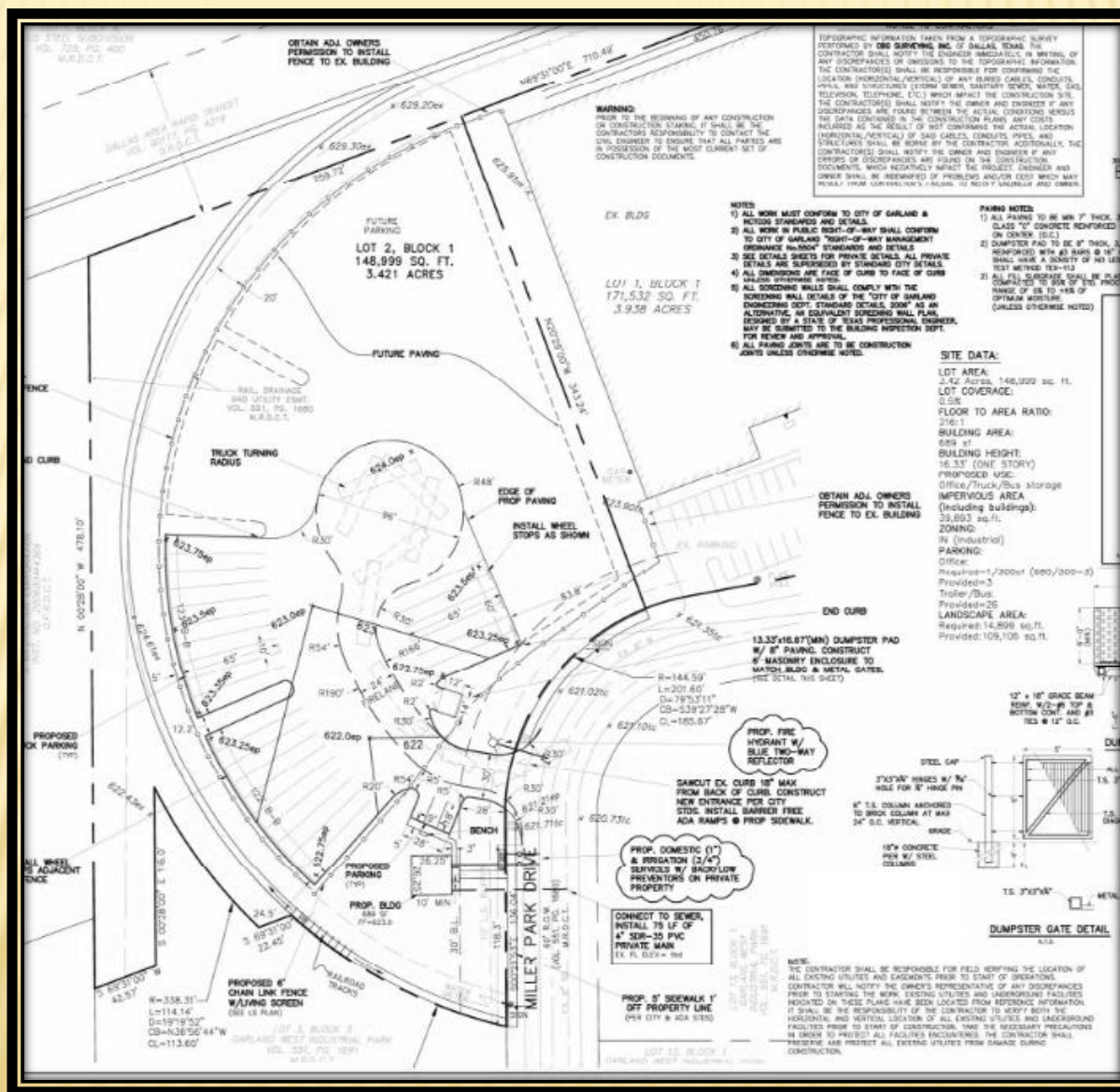


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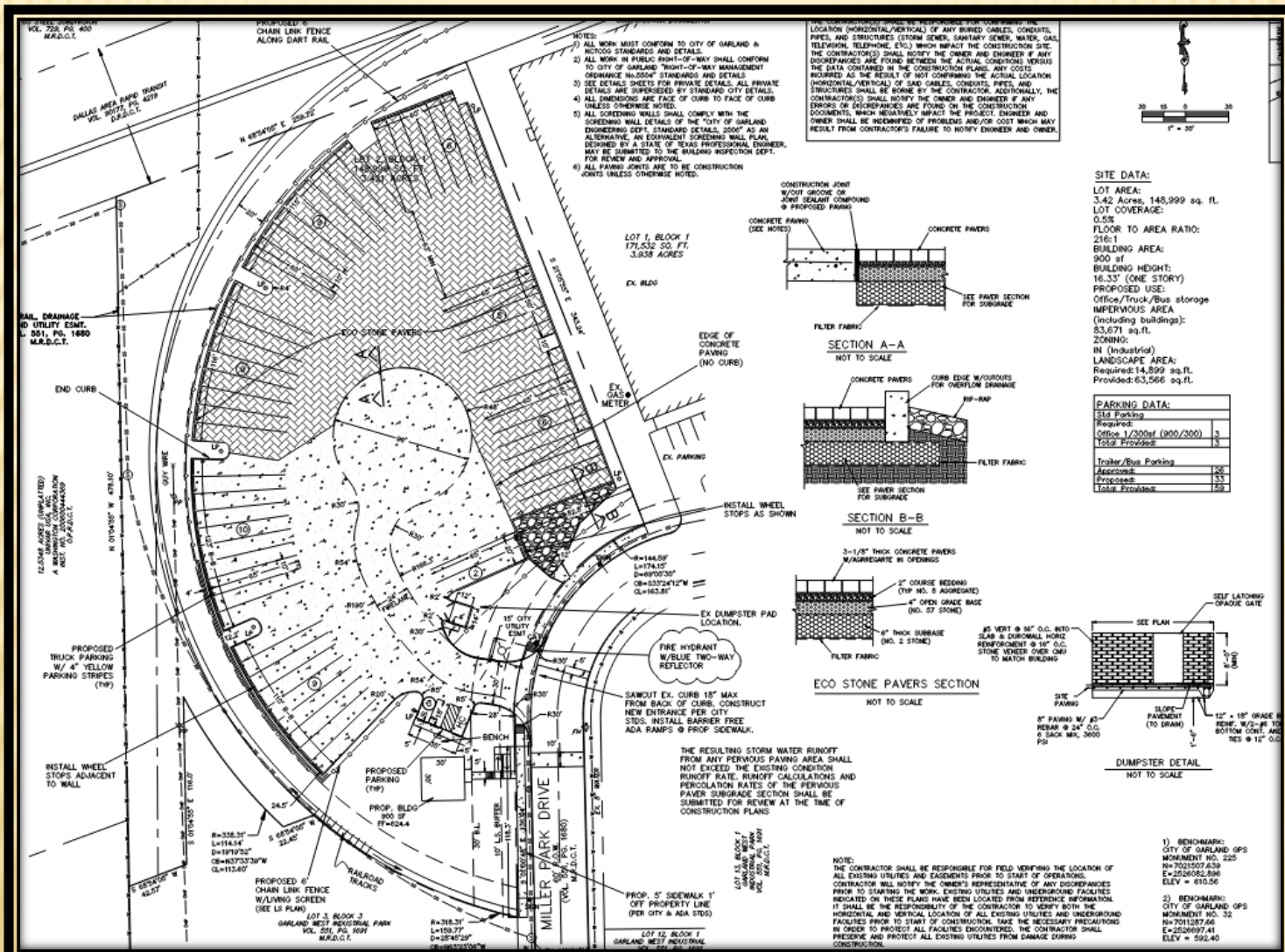
APPROVED SITE PLAN





GARLAND
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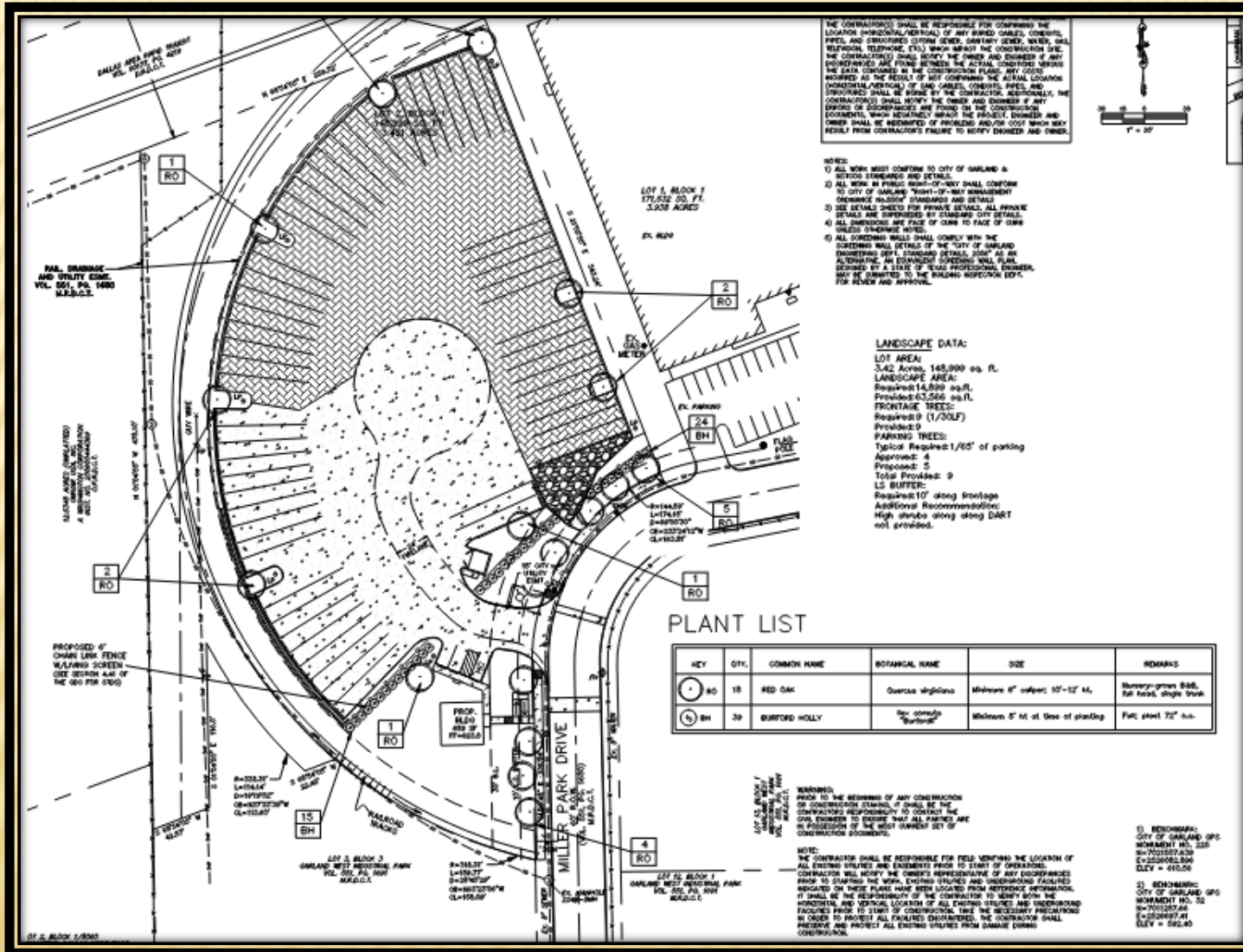
PROPOSED SITE PLAN





GARLAND
TEXAS MADE HERE

LANDSCAPE PLAN

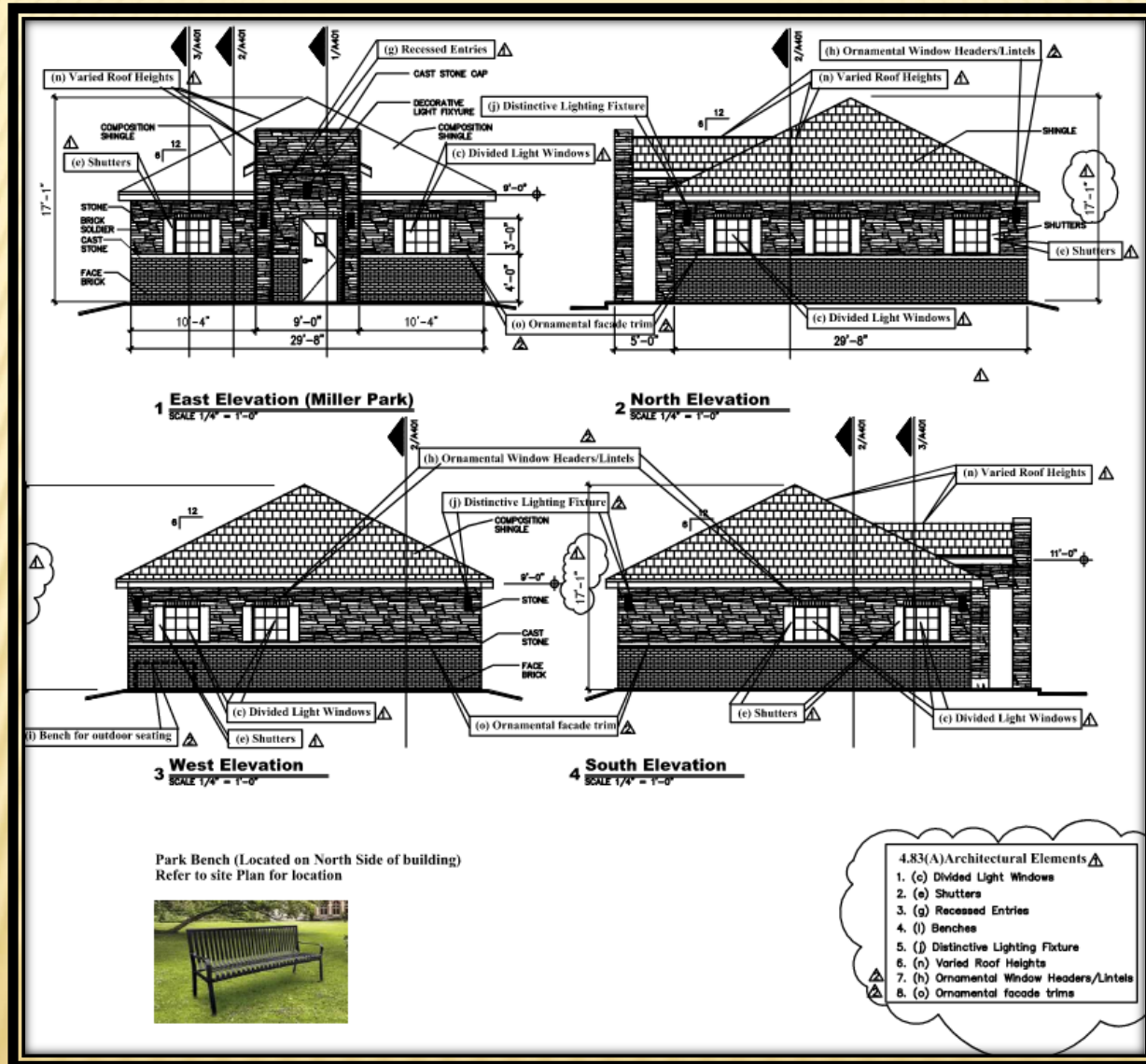


Z 21-15



GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



CONSIDERATION

The applicant requests the Specific Use Provision to be in effect for 25 years. No GDC deviations are being requested by the applicant.

STAFF RECOMMENDATION

Approval of a Specific Use Provision amendment for a Truck/Bus Storage Use on a property zoned Industrial (IN) District

Approval of a Plan for Truck/Bus Storage on a property zoned Industrial (IN) District



PLAN COMMISSION RECOMMENDATION

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GARLAND

City Council Regular Session Agenda

Meeting Date: 08/03/2021

Item Title: Board and Commission Appointment

Submitted By: Courtney Vanover, Department Coordinator I, City Secretary

Summary:

Mayor Scott LeMay

- John Kaiwi - Board of Adjustment
- Jennifer Nguyen - Community Multicultural Commission
- Charles Pickitt - Community Multicultural Commission
- Elvia Flores - Community Multicultural Commission
- Bashir Ashimi - Community Multicultural Commission
- Tiffany Lam - Community Multicultural Commission
- Trayc Claybrook - Cultural Arts Commission
- Ken Risser - Environmental Community Advisory Board
- Bettye Haynes - Library Board
- Don Koerner - Parks and Recreation Board
- Wayne Dalton - Plan Commission
- David Perry - Property Standards Board
- Shirley Robnett - Senior Citizens Advisory Board
- Allan Stafford - Tax Increment Finance #1 Downtown Board
- Patrick Abell - Tax Increment Finance #3 Board
- Mark Tyler - Unified Building Standards Board

Council Member Deborah Morris

- Isaac Abu - Community Multicultural Commission
 - Felecia Fuller - Cultural Arts Commission
 - Daphne Dean - Environmental Community Advisory Board
 - John Ball - Tax Increment Finance #2 South Board
-

Attachments

John Kaiwi - BOA

Jennifer Nguyen - CMC

Charles Pickitt - CMC

Elvia Flores - CMC

Bashir Ashimi - CMC
Tiffany Lam - CMC
Trayc Claybrook - Cultural Arts
Ken Risser - Environmental Community Advisory
Bettye Haynes - Library
Don Koerner - Parks
Wayne Dalton - Plan Commission
David Perry - Property Standards
Shirley Robnett - Senior Citizens Advisory
Allan Stafford - TIF Downtown
Patrick Abell - TIF 3
Mark Tyler - Unified Bldg.
Isaac Abu - CMC
Felecia Fuller - Cultural Arts
Daphne Dean - Environmental
John Ball - TIF 2



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
JUL 19 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowling@GarlandTX.gov

Please Type or Print Clearly:

Date: July 16, 2021

Name: John K. Kaiwi Phone: [REDACTED]

Address: 1505 Hawk Ct. Phone: [REDACTED]

City, State, Zip: Garland, TX 75040 Email: [REDACTED]

Resident of Garland for 26 years

Resident of Texas for 27 years

Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 2

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I have lived in Garland and served on and in school & city boards.

If you have previously served on a City Board or Commission, please specify and list dates of service.

I have served on this board for awhile - being appointed by Mayor Ron Jones. (Board of adjustments)

List civic or community endeavors with which you have been involved.

I currently am a member of LULAC and also serve on the Crimestoppers Board.

What is your educational background?

did 4 levels of elementary - middle & graduated from H.S. in Guam - College -

What is your occupational experience?

Retired from GUSD - currently working @ G'Beilly Auto Parts

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:

☒ Board of Adjustment

☐ Citizens Environmental and Neighborhood Advisory Committee

☐ Civil Service Commission

☐ Community Multicultural Commission

☐ Garland Cultural Arts Commission

☐ Garland Youth Council **

☒ Library Board

☐ Property Standards Board

☐ Parks and Recreation Board

☐ Plan Commission *

☐ Senior Citizens Advisory Committee

☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current ☒

Past Due ☐

Date Appointed _____

Utility Account Status

Current ☒

Past Due ☐

Appointed By _____

CSO Suit/Claim Filed

Yes ☐

No ☒

Date Notified _____

Clerk Signature & Date

Courtney Vannoy

Disclosure Form Filed _____

7.18.21

Revised 05/2021



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
JUL 12 2021

Application for City of Garland Boards/Commissions/Committees
Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

CITY SECRETARY

Please Type or Print Clearly:

Date: MAY 20, 2021

Name: JENNIFER NGUYEN

Phone:

Address: 3210 COUNTRY OAKS DR

Phone:

City, State, Zip: GARLAND TX 75040

Email:

☒ Resident of Garland for 3 1/2 years

Resident of Texas for 36 years

☒ Dallas County Voter Registration Number [REDACTED]

Garland City Council District Number 1

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

DFW ASIAN AMERICAN CITIZENS COUNCIL CHAIR EMERITUS,
VIETNAMESE COMMUNITY CENTER BOARD MEMBER,
VIET NETWORK DIRECTOR OF PUBLIC RELATIONS FOR TEXAS
If you have previously served on a City Board or Commission, please specify and list dates of service.
COMMUNITY MULTICULTURAL COMMISSION SINCE 2007

List civic or community endeavors with which you have been involved.

VOLUNTEER EDUCATION, ENGLISH AS A SECOND LANGUAGE CLASSES,
MOSAIC FEST, CHILDREN FESTIVAL,

What is your educational background?

BACHELOR IN BUSINESS ADMIN / ACCOUNTING

What is your occupational experience?

REGIONAL ACCOUNT EXECUTIVE - ZURICH NORTH AMERICA

I hereby affirm that all statements herein are true and correct.

Jennifer Nguyen

Board or Commission of first, second, and third choice:		
☐ Board of Adjustment	☐ Garland Youth Council	2 ☒ Parks and Recreation Board
☐ Citizens' Emergency and Nighttime Street Advisory Committee	☐ Property Standards Board	1 ☒ Paid Commissioners
5 ☒ Community Multicultural Commission	☐ Library Board	4 ☒ Police Officers Advisory Committee
☒ Garland Youth Council		☐ United Building Standards Commission

Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Values and Tax Status
Utility Account Status

Current ☒
Current ☒

Paid ☐
Paid ☐

Yes ☐ No ☒

CSO Sign/Claim Filed
Clerk Signature & Date

Courtney Vanover

Date Appointed: _____

Appointed By: _____

Date Notified: _____



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
 JUL 28 2021
CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N Fifth St., Garland, Texas 75040 | Email: RDowd@GarlandTX.gov

Please Type or Print Clearly:

Date: 7-8-2021

Name: Charles W Pickitt Phone: [REDACTED]

Address: 6513 Barclay Ln Phone: [REDACTED]

City, State, Zip: Garland, TX (75044) Email: [REDACTED]

✓ Resident of Garland for 50 years Resident of Texas for 73 years
 Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 1

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Currently member of CMC / HS Principal, Educator
serve many committees @ RFBC - still work w/ UTD

If you have previously served on a City Board or Commission, please specify and list dates of service.

CMC since 2014 - Currently -

List civic or community endeavors with which you have been involved.

Committee member Richardson FBC.

What is your educational background? Master's Ed. (UTU)

What is your occupational experience? Public School Principal - Teacher
Coach - Currently Consultant / Trainer for Ed.

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:		
☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Environmental & Community Advisory Board	☐ Garland Youth Council **	☐ Plan Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☒ Community Multicultural Commission	☐ Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
 Utility Account Status
 CSO Suit/Claim Filed

Current
 Yes ☒ No ☒

Past Due
 Past Due ☒

Date Appointed _____

Appointed By _____

Date Notified _____

Disclosure Form Filed _____

Clerk Signature & Date

Courtney Vanover
7.28.21



Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: 7-15-2021

Name: ELVIA P. FLORES Phone: [REDACTED]

Address: 1906 Melrose St Phone: [REDACTED]

City, State, Zip: Garland, Tx 75042 Email: [REDACTED]

Resident of Garland for 48 years Resident of Texas for 73 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 8

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

If you have previously served on a City Board or Commission, please specify and list dates of service.

List civic or community endeavors with which you have been involved.

What is your educational background?

What is your occupational experience?

I hereby affirm that all statements herein are true and correct.

Elvia P Flores

Board or Commission of first, second and third choice:

☐ Board of Adjustment

☐ Environmental & Community Advisory Board

☐ Civil Service Commission

☐ Community Multicultural Commission

☐ Garland Cultural Arts Commission

☐ Garland Youth Council **

☐ Library Board

☐ Property Standards Board

☐ Parks and Recreation Board

☐ Plan Commission *

☐ Senior Citizens Advisory Committee

☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Utility Account Status

CSO Suit/Claim Filed

Clerk Signature & Date

Current

Current

Yes

No

Past Due

Past Due

Date Appointed

Appointed By

Date Notified

Disclosure Form Filed

Revised 05/2021

Courtney Vanover
7.18.21



GARLAND

TEXAS MADE HERE



Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: July 5th 2021

Name: Bashir B. Ashimi

Phone

Address: 2613 Big Oaks Dr. Garland,

Phone

City, State, Zip: Garland, Tx. 75044

Email

Resident of Garland for 32 years

Resident of Texas for 43 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 7

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Current CMC member

If you have previously served on a City Board or Commission, please specify and list dates of service.

CMC member from 2019

List civic or community endeavors with which you have been involved.

What is your educational background?

BBA, MA

What is your occupational experience?

Retired Civil servant

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:		
☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Environmental & Community Advisory Board	☐ Garland Youth Council **	☐ Plan Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Community Multicultural Commission	☐ Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current

Past Due

Date Appointed

Utility Account Status

Current

Past Due

Appointed By

CSO Suit/Claim Filed

Yes

No

Date Notified

Clerk Signature & Date

Wendy Vanover
7-6-21

Disclosure Form Filed

Revised 05/2021



GARLAND

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CITY OF GARLAND
RECEIVED
JUN 28 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 300 N. Fifth St., Garland, Texas 75040 | Email: 2Dawley@GarlandTX.gov

Please Type or Print Clearly:

Date: 06/25/2021

Name: TIFFANY LAM

Phone: [REDACTED]

Address: 2529 ROCHDALE ST

Phone: [REDACTED]

City, State, Zip: GARLAND, TEXAS 75040

Email: [REDACTED]

✓ Resident of Garland for 6 years Resident of Texas for 14 years
✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 8

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I HAVE BEEN DOING REAL ESTATE AND INSURANCE FOR SEVEN YEARS SO I CAN HELP THE OLDER POPULATION WITH REAL ESTATE RELATED ISSUES. WITH PROPER TRAINING FROM OTHERS, I FEEL CONFIDENT THAT I CAN BE AT GREAT SERVICE TO THE COMMUNITY.

If you have previously served on a City Board or Commission, please specify and list dates of service.

List civic or community endeavors with which you have been involved.

I VOLUNTEERED TO HELP NON ENGLISH SPEAKING CITIZENS RESOLVED ISSUES WITH THEIR MEDICAL BILLS, INSURANCE OR HOUSING NEEDS.

What is your educational background?

TEXAS REAL ESTATE BROKER AND I AM CURRENTLY ATTENDING UNIVERSITY OF TEXAS AT DALLAS FOR MY BUSINESS MANAGEMENT DEGREE GRADUATING 2022.

What is your occupational experience?

TEXAS REAL ESTATE BROKER

I hereby affirm that all statements herein are true and correct.

[Signature] 06-25-21

Board or Commission of first, second and third choice:	
☐ Board of Adjustment	<u>4</u> ✓ ☒ Garland Cultural Arts Commission
☐ Economic Development Advisory Board	☐ Garland Youth Council **
☐ Civil Service Commission	<u>3</u> ☒ Library Board
☒ <u>5</u> ☒ Citizens and Neighborhood Commission	☐ Property Standards Board
	<u>2</u> ✓ ☒ Parks and Recreation Board
	☐ Plan Commission *
	<u>1</u> ✓ ☒ Senior Citizens Advisory Committee
	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status
CNU membership

Current
Current
Yes ☒ No ☒

Past Due
Past Due

Date Appointed

Appointed By

Date Notified

Disclosure Form Filed

Clerk Signature & Date

Courtney Vanover
7-6-21

Revised 05/2021



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
JUN 06 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDow1@GarlandTX.gov

Please Type or Print Clearly:

Date: 7/1/21

Name: TRAYC CLAYBROOK

Phone:

Address: 311 S. 11TH STREET

Phone:

City, State, Zip: GARLAND TX 75040

Email:

Resident of Garland for 2 1/2 years

Resident of Texas for 28 years

✓ Dallas County Voter Registration Number [REDACTED] and City Council District Number 2

Have you ever been convicted of a felony? Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I OWN A SMALL BUSINESS IN DOWNTOWN GARLAND,
I HAVE A PHD IN ART & TECHNOLOGY, AND I AM CURRENTLY A COLLEGE
If you have previously served on a City Board or Commission, please specify and list dates of service. ART PROF.

List civic or community endeavors with which you have been involved.

I AM THE TREASURER FOR THE GDBA, CURRENT MEMBER
OF THE GARLAND CHAMBER OF COMMERCE.

What is your educational background?

I HAVE A BFA, MFA, AA, PHD.

What is your occupational experience?

I AM A PROFESSIONAL PRACTICING ARTIST, CO-OWNER OF
THE ART LOUNGE IN DOWNTOWN GARLAND, I TEACH FINE ART AT

I hereby affirm that all statements herein are true and correct.

[Signature] Signature of Applicant

THE COLLEGE LEVEL

Board or Commission of first, second and third choice:

☐ Board of Adjustment

☒ Garland Cultural Arts Commission

☐ Parks and Recreation Board

☐ Citizens Environmental and Neighborhood Advisory Committee

☐ Garland Youth Council **

☐ Plan Commission *

☐ Civil Service Commission

☐ Library Board

☐ Senior Citizens Advisory Committee

☐ Community Multicultural Commission

☐ Property Standards Board

☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current ☒

Past Due ☐

Date Appointed

Utility Account Status

Current ☒

Past Due ☐

Appointed By

CSO Suit/Claim Filed

Yes ☐ No ☒

Date Notified

Clerk Signature & Date

Courtney Vannoy
7-6-21

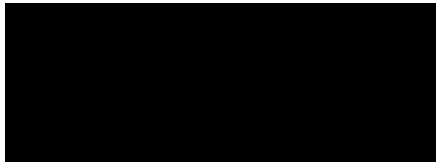
Disclosure Form Filed

Revised 05/2021

T R A Y C

C L A Y B R O O K , M F A

EDUCATOR, ENTREPRENEUR, CREATIVE



in

www.linkedin.com/in/traycclaybrook

www.traycclaybrook.com

SUMMARY

I am a creative, diligent Professor with experience and passion for teaching, managing the classroom, student instruction and projects. I am highly organized, very creative, detail-oriented, and enjoy bringing inspiration to a creative environment. I am versed in the art of managing curriculum, course content, and student needs and resources. The thing that sets me apart is my ingenuity, creativity, and the ability to quickly adapt to any situation. I have spent the last 20 years managing large major motion picture productions all the way down to small college classrooms. I have learned a lot of technology and people skills along the way. I just might be your missing link!

EDUCATION

PhD. Art & Technology
University of Dallas
2007 – 2011

M.F.A Painting & Graphic Design
Texas Woman's University
2000-2004

B.F.A. Painting & Printmaking
The Kansas City Art Institute
1987-1991

A.A. Computer Animation
The Art Institute of Dallas
1993-1995

WORK EXPERIENCE

Professor of Design, Drawing, Painting, Art Appreciation Richland College | 2018 – present

The mission of Richland College is teaching, learning, and community building. Richland College offers courses, programs, and services to empower students to achieve their educational goals and become lifelong learners and global citizens, building sustainable local and world community. I empower my students to model excellence in their education and chosen career path.

- Develop, update, and manage curriculum and rubrics.
- Collaborate with other departments to create more diverse and balanced learning opportunities for students by working with theories and methods outside of the traditional curriculum.
- Organize and develop new curriculum that utilizes the college's growing resources.
- Engage in scholarship/creative activities, provide service to the department, college and community.
- Facilitate interdisciplinary partnerships to provide students learning experiences across departments and platforms.
- Oversee, inspire and mentor students in the creation of portfolios and guide students on a journey to successfully graduate and enter four-year programs.
- Guide, teach and mentor students to create relevant, compelling and on-trend work for their graduating portfolios.

Owner/Operator,

The Frocksy Vintage Vogue | 2017 – present

Business owner, fashion curator, visuals and design

- Design and execute sales floor and window displays.
- Curate all merchandise and make any necessary repairs and cleaning.
- Manage all accounts including buying contracts, rent, utilities, etc.



GARLAND

TEXAS MADE HERE

**CITY OF GARLAND
RECEIVED
JUL 15 2021
CITY SECRETARY**

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: _____

Name: KEN RISSEUR

Phone: _____

Address: 4130 CARRINGTON DRIVE

Phone: _____

City, State, Zip: GARLAND TX 75043

Email: _____

Resident of Garland for 20 years

Resident of Texas for 36 years

✓ Dallas County Voter Registration Number _____ Garland City Council District Number 3

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☒ Yes ☐ No

Please list any experience that qualifies you to serve in the areas you have indicated.

HEAVILY INVESTED IN MY COMMUNITY, GREAT INTEREST & EXPERIENCE IN HELPING INVOLVED IN ENVIRONMENTAL ISSUES - RECYCLING/COMPOSTING/CONSERVING COMMUNITIES BOND & STRIVE TO IMPROVE

If you have previously served on a City Board or Commission, please specify and list dates of service.

CENAC/ECAB - MAYOR'S APPOINTEE SINCE 2009

List civic or community endeavors with which you have been involved. **2009 - PRESENT BOARDS MEMBER ECAB, KEEP GARLAND BEAUTIFUL, SHORES OF WELLINGTON HOA SPCA EVENT COMMITTEE 2010 - PRESENT**

What is your educational background?

B.A.S. - UNT (POLITICAL SCIENCE) MINORS: CRIMINOLOGY, SOCIOLOGY, JOURNALISM

What is your occupational experience?

13 YRS INFORMATION SPECIALIST - FDIC; 25 YRS IN TRAVEL/HOSPITALITY 12 YRS TRAVEL/HOSP. MGMT

I hereby affirm that all statements herein are true and correct.

Ken Risseur

Board or Commission of first, second and third choice:

☒ Board of Adjustment

☐ Environmental & Community Advisory Board

☐ Civil Service Commission

☐ Community Multicultural Commission

☐ Garland Cultural Arts Commission

☐ Garland Youth Council **

☐ Library Board

3 ☐ Property Standards Board

2 ☐ Parks and Recreation Board

☐ Plan Commission *

☐ Senior Citizens Advisory Committee

☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Utility Account Status

CSO Suit/Claim Filed

Clerk Signature & Date

Current

Current

Yes

No

Past Due

Past Due

Date Appointed

Appointed By

Date Notified

Disclosure Form Filed

Revised 05/2021

Courtney Vinaver
7.15.21



GARLAND

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CITY OF GARLAND
RECEIVED
MAY 19 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Please Type or Print Clearly:

Date

Name: Bettye Haynes Phone

Address: 213 Kingsbridge Dr. Phone

City, State, Zip: Garland Tx 75040 Email

Resident of Garland for 39 years

Resident of Texas for 58 years

Dallas County Voter Registration Number [REDACTED] Garland City Council District Number SV

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I presently serve on Library Board. Served on Library Board in McKinney Tx. Volunteered at Library in Paris Tx

If you have previously served on a City Board or Commission, please specify and list dates of service.

Library Board 1980-1983, ~~1983-1992~~ 1992-2002, 2003 to present

List civic or community endeavors with which you have been involved.

Star Spangled Fourth Volunteer, Central Area Plan Implementation Comm, Library Volunteer

What is your educational background?

BA in Eng. 12 hrs on Master of Library Science

What is your occupational experience?

Substitute teacher, Office manager, Admin. Asst

I hereby affirm that all statements herein are true and correct.

Bettye Haynes

Board or Commission of first, second, and third choice:

☐ Board of Adjustment	☐ Garland Youth Council **	☐ Parks and Recreation Board
☐ Citizens Environmental and Neighborhood Advisory Committee	☐ Property Standards Board	☐ Plan Commission
☐ Community Multicultural Commission	☒ Library Board	☐ Senior Citizens Advisory Committee
☐ Garland Cultural Arts Commission		☐ Unified Building Standards Commission

**Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status

Current ☒
Current ☒

Past Due ☐
Past Due ☐

Date Appointed _____

Appointed By _____

Date Notified _____

Disclosure Form Filed _____

CSO Suit/Claim Filed
Clerk Signature & Date

Yes ☐ No ☒
Courtney Vanover
5.19.21

Revised 03/2018



GARLAND

TEXAS MADE HERE

**CITY OF GARLAND
RECEIVED
APR 26 2021
CITY SECRETARY**

Application for City of Garland Boards/Commissions/Committees

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Please Type or Print Clearly:

Date: 4/26/2021

Name: Donald Koerner

Phone

Address: 7121 Wills drive

Phone

City, State, Zip: Garland, TX 75043

Email

Resident of Garland for 40 years

Resident of Texas for 40 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 3 ✓

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

37 years as a community officer at G.P.D. Kiwanis club, Working with Garland Yout sports 27 years

If you have previously served on a City Board or Commission, please specify and list dates of service.

Yes the past 2 years on the Parks Board.

List civic or community endeavors with which you have been involved.

Kiwanis K Kids, South Garland LL, Founder of the Garland Police Youth Program and SRO in 1989

What is your educational background?

High School and some college

What is your occupational experience?

Worked at the Garland Police Dept for 37 years

I hereby affirm that all statements herein are true and correct

Don Koerner

Board or Commission of first, second, and third choice:

☐ Board of Adjustment	☐ Garland Youth Council **	☒ Parks and Recreation Board
☐ Citizens Environmental and Neighborhood Advisory Committee	☐ Property Standards Board	☐ Plan Commission
☐ Community Multicultural Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Garland Cultural Arts Commission		☐ Unified Building Standards Commission

**Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status

Current ☒
Current ☒

Past Due ☐
Past Due ☐

Date Appointed _____

Appointed By _____

Courtney Vanover

4.27.21



CITY OF GARLAND
RECEIVED
JUN 22 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Please Type or Print Clearly:

Date: May 24, 2021

Name: Wayne Dalton

Phone: [REDACTED]

Address: 1309 Peaceway

Phone: [REDACTED]

City, State, Zip: Garland, Tx 75043

Email: [REDACTED]

✓ Resident of Garland for 17 years Resident of Texas for 74 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 3

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Background in construction, life safety, communications

If you have previously served on a City Board or Commission, please specify and list dates of service.

Yes. Current Plan Commission At Large, Former Plan Commission District 3, Former Utility Advisory Board

List civic or community endeavors with which you have been involved.

Garland Citizens Police Academy, Garland Citizens Fire Academy, Garland Amateur Radio Club, Garland RACES

What is your educational background?

Some College, Technical training, Multiple training certificates. NICET Level 3 in fire alarm. State licensed Alarm Planning Superintendent

What is your occupational experience?

Involved in company that services and installs fire alarm, sprinkler, audio and video systems.X

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:

☐ Board of Adjustment

☐ Electrical Board

☐ Parks and Recreation Board

☒ 2 Building and Fire Codes Board

☐ Garland Cultural Arts Commission

☒ 1 Plan Commission *

☐ Citizens Environmental and Neighborhood Advisory Committee

☐ Garland Youth Council **

☐ Plumbing and Mechanical Codes Board

☐ Civil Service Commission

☒ 3 Property Standards Board

☐ Senior Citizens Advisory Committee

☐ Community Multicultural Commission

☐ Library Board

* Plan Commission members must live in district

** Garland Youth Council has a separate application

Return completed application to:

City Secretary's Office
200 N. Fifth St.
Garland, TX 75040
Fax: 972-205-2504
Email: RDowl@GarlandTX.gov

Courtney Vanover
6.22.21

Revised 05/2021

CITY OF GARLAND
RECEIVED
MAY 19 2021

CITY SECRETARY



GARLAND
TEXAS MADE HERE

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: _____ Date: May 19, 2021

Name: David Perry _____ Phone: _____ (Home)

Address: 4010 Wallingford Drive _____ Phone: _____ (Cell)

City, State, Zip: Garland, Texas 75043

Resident of Garland for 24 years Resident of Texas for 57 years

✓ Dallas County Voter Registration Number _____ Garland City Council District Number 3 ✓

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated. **Leadership Garland Graduate (Class XVIII); Board Member-Garland's Property Standards Board (Chairman); City of Garland 2018 Bond Study Committee Member; City of Garland TIF Board #3 (Medical District); Board Member -Union Gospel Mission; Internal Auditor (20 plus years); DART Bus Operations Department – Program Manager (Currently).**

If you have previously served on a City Board or Commission, please specify and list dates of service. **7/98 – 12/08 (South Area Implementation Committee). Board Member-Garland's Property Standards Board (Chairman) 1999-Present; City of Garland 2018 Bond Study Committee Member; City of Garland TIF Board #3 (Medical District) 2019-Current.**

List civic or community endeavors with which you have been involved. **Leadership Garland Graduate (Class XVIII); Board Member -Union Gospel Mission-Dallas; Deacon- North Dallas Community Bible Fellowship**

What is your educational background? **(BS) Accounting**

What is your occupational experience? **Internal Auditor (20 plus years); Business/Program Manager (12 years)**

I hereby affirm that all statements herein are true and correct.
Applicant

David Perry _____ Signature of

Board or Commission of first, second and third choice:		
☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Citizens Environmental and Neighborhood Advisory Committee	☐ Garland Youth Council **	☐ 2 Plan Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Community Multicultural Commission	☐ 1 Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status ☒ Current ☐ Past Due ☐ Date Appointed ☐

Utility Account Status CSO Sui ☐ Claim Filed ☒ Cur Yes ☐ rent ☐ No ☐ Past Due ☐ Date Notified ☐

Appointed By Courtney Vanover 5.19.21

Clerk Signature & Date Courtney Vanover 5.19.21

Disclosure Form Filed

Revised 05/2021

Democracy in Action

The American democratic experience is built upon the foundation of concerned and caring residents becoming actively involved in local government. Consistent with this principle, Garland's Charter provides for the City Council to utilize resident volunteers to assist in carrying out the many functions of municipal government by serving on the City's Advisory Boards and Commissions. Please give serious consideration to becoming more involved in helping make Garland the best city possible by applying to serve on a board or commission of your choice. For further information, call 972-205-2404.

Process For Selection

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience.

All applicants and incumbents must submit a Board and Commission Application form by July 1. Members of some boards must possess certain technical skills as specified by ordinance. All board and commission members must file a Code of Ethics Disclosure Form with the City Secretary.

Applicants will be notified of acceptance by mail after their appointment. Because vacancies may arise during the year, all applications are kept on file for one year.

Qualifications

The Garland Charter and Code of Ordinances establish certain qualifications that must be met by members of boards and commissions. In addition to special

qualifications for service, a board member must:

- have been a resident of the state of Texas for one year and of Garland for six months prior to the date of appointment;
- be a qualified voter at time of appointment;
- not be in arrears on City taxes, utility service charges or other obligations owed the City;
- have not been convicted of a felony;
- have not been convicted of a Class A misdemeanor;
- not be an adversary party to pending litigation against the City.

Boards and Commissions

Board of Adjustment

- Consists of nine members
- Meets third Wednesday of every month
- Considers applications for variances to zoning ordinance regulation, hears appeals regarding determinations of the Zoning Administrator, and considers action concerning non-conforming uses

Citizens Environmental and Neighborhood Advisory Committee

- Consists of nine members
- Meets second Wednesday of each month
- Reviews, develops and recommends new and expanded projects to the City Council

Civil Service Commission

- Reviews policy and procedures of the Police and Fire departments with primary focus on disciplinary, testing, hiring and promotional procedures

Community Multicultural Commission

- Consists of 13 members
- Meets third Thursday of each month
- Researches issues and makes recommendations to Council concerning the City's changing demographic composition and diverse needs

Garland Cultural Arts Commission

- Consists of nine members
- Meets quarterly
- Advises on policies of the Arts Center, negotiates contracts for usage of Heritage Park, awards grants to arts groups, and promotes the arts in general

Garland Youth Council

- Consists of 20 members; all high school age
- One-year terms
- Meets second Tuesday of every month
- Advises Council of wants and needs of Garland youth and acts as ambassadors for the City of Garland

Library Board

- Consists of nine members
- Meets second Monday of every month
- Advises Council on library services and programs

Property Standards Board

- Consists of nine members
- Meets as needed
- Reviews staff recommendations and issues orders requiring repair/demolition and/or civil penalties

Parks and Recreation Board

- Consists of nine members



GARLAND

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CITY OF GARLAND
RECEIVED
MAY 18 2021
CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Please Type or Print Clearly:

Date: 05-01-2021

Name: ROBNETT, SHIRLEY Phone: [REDACTED]

Address: 1713 RUSSELL Phone: [REDACTED]

City, State, Zip: GARLAND, TX 75040 Email: [REDACTED]

Resident of Garland for 55 years

Resident of Texas for 86 years DOB [REDACTED]

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 2 ✓

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

SENIOR ADVISORY COMMISSION SINCE 2010. ACTING AS CHAIR OR VICE CHAIR MOST OF TIME

If you have previously served on a City Board or Commission, please specify and list dates of service.

SENIOR ADVISORY COMMISSION SINCE MARCH, 2010 SERVING AS EITHER CHAIR OR VICE CHAIR MOST OF THE TIME

List civic or community endeavors with which you have been involved.

CITIZENS FIRE CLUB - TREASURER, CITIZENS POLICE CLUB, CITIZENS DPS CLUB, PRIME WATCH (COPRIID)

What is your educational background?

MASTERS DEGREE IN BUSINESS MANAGEMENT

What is your occupational experience?

PRESIDENT/MANAGER OF FINANCIAL INSTITUTIONS, ACCOUNTANT FOR U.S. TRUSTEE

I hereby affirm that all statements herein are true and correct.

Board or Commission of first (1st), second (2nd), and third (3rd) choice:

☐ Board of Adjustment

☐ Community Multicultural Commission

☐ Environmental and Community Advisory Board

☐ Garland Cultural Arts Commission

☐ Garland Youth Council **

☐ Library Board

☐ Parks and Recreation Board

☐ Plan Commission *

☐ Property Standard Board

☒ Senior Citizens Advisory Committee

☐ TIF Downtown

☐ TIF Medical District

☐ TIF South

☐ Unified Building Standards Commission

Return completed application to:

Courtney Vanover
5-18-21

City Secretary's Office
200 North Fifth Street
Garland, TX 75040
Fax: 972-205-2504
Email: rdowl@GarlandTx.gov

*Plan Commission members must live in district

** Garland Youth Council has a separate application

Revised 02/2020



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
JUL 12 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: July 12, 2021

Name: Allan M. Stafford

Phone

Address: 120 W Ave D

Phone

City, State, Zip: Garland, TX 75040

Email

Resident of Garland for 71 years Resident of Texas for 72 years

✓ Dallas County Voter Registration Number [REDACTED] and City Council District Number 2

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

PAST SERVICE ON TIF

If you have previously served on a City Board or Commission, please specify and list dates of service.

Downtown Tiff

Community Development

List civic or community endeavors with which you have been involved.

Downtown Tiff

What is your educational background?

Garland High School 1966

Dallas Baptist College BA 1970 Southern Methodist University JD 1973

What is your occupational experience?

Attorney

I hereby affirm that all statements herein are true and correct.

[Signature]

Board or Commission of first, second and third choice:

___ Board of Adjustment

___ Environmental & Community Advisory Board

___ Civil Service Commission

___ Community Multicultural Commission

___ Garland Cultural Arts Commission

___ Garland Youth Council **

___ Library Board

___ Property Standards Board

___ Parks and Recreation Board

___ Plan Commission *

___ Senior Citizens Advisory Committee

___ Unified Building Standards Commission

** Garland Youth Council has a separate application

TIF Downtown

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Utility Account Status

CSO Suit/Claim Filed

Clerk Signature & Date

Current

Current

Yes

No

Past Due

Past Due

Date Appointed

Appointed By

Date Notified

Disclosure Form Filed

[Signature: Courtney Vanover]
7.12.21

Revised 05/2021



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
JUL 12 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowling@GarlandTX.gov

Please Type or Print Clearly:

Date: 7-12-21

Name: Patrick Abell Phone: _____

Address: 4005 Princeton Dr Phone: _____

City, State, Zip: Garland TX 75042 Email: _____

Resident of Garland for 23 years Resident of Texas for 43 years

✓ Dallas County Voter Registration Number _____ and City Council District Number 6

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☐ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Real Estate Agent, Community Banking and Volunteer work

If you have previously served on a City Board or Commission, please specify and list dates of service.

Bass Pro T.I.F., Current Chair of T.I.F. 3

List civic or community endeavors with which you have been involved.

Storm recovery, Neighborhood Clean Up, Repair request Coordination.

What is your educational background?

High School Diploma. 500+ hours of Professional Development

What is your occupational experience?

Realtor, Branch Management in Banking, Sales

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:		
☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Environmental & Community Advisory Board	☐ Garland Youth Council **	☐ Planning Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Community Multicultural Commission	☐ Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status	Current ☒	Past Due	Date Appointed
Utility Account Status	Current ☒	Past Due	Appointed By
CSO Suit/Claim Filed	Yes ☒ No ☒		Date Notified
Clerk Signature & Date	 <u>7.12.21</u>		
		Disclosure Form Filed	

Revised 05/2021



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
MAY 20 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Please Type or Print Clearly:

Date: 5-19-21

Name: Mark E. Tyler

Phone:

Address: 5809 Harbor Town Drive

Phone:

City, State, Zip: Garland, TX 75044

Email:

Resident of Garland for 52 years

Resident of Texas for 59 years

Dallas County Voter Registration Number

Garland City Council District Number 1

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Custom Home Builder, Home Inspector, Firefighter

If you have previously served on a City Board or Commission, please specify and list dates of service.

Property Standards Board

Unified Building Standards Commission

Aug. 2018 - Aug. 2019

Aug. 2019 - present

List civic or community endeavors with which you have been involved.

Dallas Co. Republican Party Executive Committee, Precinct 2708 Chairman (R), Dallas

Co. Election Judge, Dallas Co. Election Clerk, Dallas Christian Firefighters Association,

Texas Baptist Men Disaster Relief

What is your educational background?

South Garland High School - 1980

Tyler Junior College - 1982

What is your occupational experience?

Home Builder - 25 years.

Home Inspector - 23 years.

Dallas Firefighter - 36 years.

I hereby affirm that all statements herein are true and correct.

Mark E. Tyler

Board or Commission of first, second and third choice:

☐ Board of Adjustment

☐ Electrical Board

☐ Parks and Recreation Board

☐ Building and Fire Codes Board

☐ Garland Cultural Arts Commission

☐ Plan Commission *

☐ Citizens Environmental and Neighborhood Advisory Committee

☐ Garland Youth Council **

☐ Plumbing and Mechanical Codes Board

☐ Civil Service Commission

☒ 1 Property Standards Board

☐ Senior Citizens Advisory Committee

☐ Community Multicultural Commission

☐ Library Board

☒ 2 Unified Building Standards Commission

* Plan Commission members must live in district

** Garland Youth Council has a separate application

Return completed application to:

City Secretary's Office

200 N. Fifth St.

Garland, TX 75040

Fax: 972-205-2504

Email: RDowla@GarlandTX.gov

Courtney Vanover
5-20-21

Revised 05/2021



Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowling@GarlandTX.gov

Please Type or Print Clearly:

Date: 6/23/2021

Name: Isaac Abu

Phone

(Home)

Address: 809 Mill Branch Dr

Phone

(Other)

City, State, Zip: Garland Tx 75040

Email

Resident of Garland for 20 years

Resident of Texas for 20 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 1709-2

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Learned a lot growing up in a civil service household. My late father was an accomplished civil servant and took time to teach me on procedures in civil service. I understand the importance of the service and the important roles it plays in the lives of residents.

If you have previously served on a City Board or Commission, please specify and list dates of service.

N/A

List civic or community endeavors with which you have been involved.

Participated in the annual back to school events run by the Garland local chapter of the NAACP.

What is your educational background?

College educated as well as a training specialist

What is your occupational experience?

An educator and mentor to young men and women seeking a second chance.

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:

☐ Board of Adjustment

☐ Garland Cultural Arts Commission

3 Parks and Recreation Board

☐ Citizens Environmental and Neighborhood Advisory Committee

☐ Garland Youth Council **

☐ Plan Commission *

☒ Civil Service Commission

☐ Library Board

☐ Senior Citizens Advisory Committee

2 Community Multicultural Commission

☐ Property Standards Board

☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current

Past Due

Date Appointed

Utility Account Status

Current

Past Due

Appointed By

CSO Suit/Claim Filed

Yes

No

Date Notified

Clerk Signature & Date

Courtney Valover
6.23.21

Date Notified

Disclosure Form Filed

Revised 05/2021



Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: June 30, 2021

Name: Felicia Fuller

Phone

(Home)

Address: 2013 Novel Dr

Phone

(Other)

City, State, Zip: Garland, TX 75040

Email

☒ Resident of Garland for 11 years ☐ Resident of Texas for 23 years

☒ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 2

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I have experience in organizing projects, coordinating activities across multiple teams both domestic and international and effective in crisis management. I'm a member of a non-profit organization who's purpose is to provide assistance and support through established programs in the Dallas County Community. The programs

If you have previously served on a City Board or Commission, please specify and list dates of service.

NA

List civic or community endeavors with which you have been involved.

PTA Coyle Middle School, Non-Profit Participation(Voters Registration Drives, Deputy Registrar for area Elections Departments, Letter Writing Campaign, Thanksgiving Food Pantry, Christmas Toy Drive, Back To School Drive)

What is your educational background?

B.S. Computer Information Systems

What is your occupational experience?

I've worked in Information Technology for 23 years and during that time i've held several positions such as software engineer, business analyst and project manager.

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:		
☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Citizens Environmental and Neighborhood Advisory Committee	☐ Garland Youth Council **	☐ Plan Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Community Multicultural Commission	☐ Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current ☒

Past Due ☐

Date Appointed

Utility Account Status

Current ☐

Past Due ☐

Appointed By

CSO Suit/Claim Filed

Yes ☐

No ☒

Date Notified

Clerk Signature & Date

Courtney Vanover
7.26.21

Disclosure Form Filed

Revised 05/2021



GARLAND

TEXAS MADE HERE

Application for City of Garland Boards/Commissions/Committees

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Please Type or Print Clearly:

Date: 7/15/2021

Name: Daphne Dean

Phone

Address: 1957 Garrison Way

Phone

City, State, Zip: Garland, Texas 75040

Email

Resident of Garland for 14 year years

Resident of Texas for About 20 years

Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 2

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I have been involved in the following projects: recycling, community engagement and beautification

If you have previously served on a City Board or Commission, please specify and list dates of service.

No

List civic or community endeavors with which you have been involved.

Garland NAACP, Kimberlin Academy PTA, Mt. Hebron Academy PTF, Delta Sigma Theta, church

What is your educational background?

I hold a M.S. degree (University of North Texas) and a B.A. from (Southern University A&M University).

What is your occupational experience?

I have been an educator and consultant for over 20 years.

I hereby affirm that all statements herein are true and correct.

Daphne Dean
Signature of Applicant

Board or Commission of first, second, and third choice:

☐ Board of Adjustment

☐ Garland Youth Council **

☐ Parks and Recreation Board

☒ Citizens Environmental and Neighborhood Advisory Committee

☐ Property Standards Board

☐ Plan Commission

☐ Community Multicultural Commission

☐ Library Board

☐ Senior Citizens Advisory Committee

☐ Garland Cultural Arts Commission

☐ Unified Building Standards Commission

**Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current ☒

Past Due ☐

Utility Account Status

Current ☒

Past Due ☐

CSO Suit/Claim Filed

Yes ☐ No ☒

Clerk Signature & Date

Courtney Vanover 7/15/21

Date Appointed _____

Appointed By _____

Date Notified _____

Disclosure Form Filed _____



Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: 17 July 2021

Name: John Ball

Phone: [REDACTED]

(home)

Address: 1121 Shorecrest

Phone: [REDACTED]

Other

City, State, Zip: Garland, Tx. 75040

Email: [REDACTED]

✓ Resident of Garland for 50+ years Resident of Texas for 70+ years

Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 2

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I have been a business owner. Previously served on Code Compliance Board and Citizens Environmental Advisory Board.

If you have previously served on a City Board or Commission, please specify and list dates of service.

Code Compliance Board 2002-2015

Citizens Environmental Advisory Board 2015- Present

List civic or community endeavors with which you have been involved.

I have served as a Cub Scout leader, Boy Scout Leader for over 20 years, Sunday School Teacher, Substitute School Teacher

What is your educational background?

BA University of Plano, BA University of Dallas, Trinity International University Post graduate studies, Independent Electrical Contractors Dallas, Texas, Electrical studies, Licensed Electrician, Pilot

What is your occupational experience?

Teacher, Electrician, Welder

I hereby affirm that all statements herein are true and correct.

John Ball

Board or Commission of first, second and third choice:		
☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Citizens Environmental and Neighborhood Advisory Committee	☐ Garland Youth Council **	☐ Plan Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Community Multicultural Commission	☐ Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

TIF#3

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status
CSO Suit/Claim Filed

Current ☒
Current ☒
Yes ☒ No ☒

Past Due ☐
Past Due ☐

Date Appointed ☐
Appointed By ☐

Date Notified ☐

Clerk Signature & Date

Courtney Vanover
7.19.21

Disclosure Form Filed ☐

Revised 05/2021