



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
Tuesday, June 18, 2019
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.

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.**



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.

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.

1. Consider approval of the minutes of the June 4, 2019 Regular Meeting.
2. Consider approval of the following bids:
 - a. Substation Connectors and Fittings Bid No. 0775-19

DMC Power, Inc. \$170,000.00

This request is to purchase bus, cable, ground grid fittings, and tools on an as-needed basis for Substation construction and maintenance. This is a Term Agreement with four optional renewals.

b. Dump Trucks **Bid No. 0986-19**

VED Heritage Properties, LTD **\$562,136.00**

This request is to purchase four replacement dump trucks to be used by the Street and Stormwater Departments in their daily operations.

c. GP&L King Mountain Switch Station Civil Site Grading and Fencing **Bid No. 0801-19**

DynaGrid Construction Group, LLC **\$4,714,350.50**
Optional Contingency **471,435.00**
TOTAL: **\$5,185,785.50**

This request is for the civil site grading and fencing at the GP&L King Mountain Switch Station. Due to the complex nature of the project, an Optional Contingency is included for any additional work that may be required.

d. Winters Park / Spring Creek Greenbelt Trail - Project Management **Bid No. 1004-19**

BW2 Engineers, Inc. **\$128,500.00**

This request is to approve Changer Order #1 to perform project management and construction administration services for the trail project which is currently under construction in Winters Park and Spring Creek Greenbelt.

e. Ambulances for Garland Fire Department **Bid No. 0988-19**

Mac Haik Dodge Chrysler Jeep **\$528,800.00**

This request is to purchase two replacement ambulances to be used by the Garland Fire Department in their daily operations.

f. Street Sweeper **Bid No. 0989-19**

TYMCO, Inc. **\$244,335.00**

This request is to purchase a new street sweeper to be used by the Hinton Landfill in their daily operations.

g. New Home Construction - 540 N. Fourth Street Bid No. 0897-19

Lyon Construction Company	\$184,000.00
Optional Contingency	<u>5,000.00</u>
TOTAL:	\$189,000.00

This request is for the construction of a new single-family home using the HOME Infill Federal grant-funding. Due to the complex nature of the project, an Optional Contingency is included for any additional work that may be required.

h. GP&L Emergency Management System and SCADA Upgrades Bid No. 0993-19

Open Systems International	\$210,000.00
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This request is for software upgrades to GP&L's EMS and SCADA systems.

i. GP&L Apollo Substation Precast Concrete Cable Trench Bid No. 0827-19

Trenwa, Inc.	\$134,689.00
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This request is to purchase a precast concrete underground electric cable trench.

j. GP&L King Mountain Switch Station Low Profile Steel Bid No. 0895-19

Klute, Inc., Steel Fabrication	\$415,886.08
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This request is for the purchase of steel switch stands, bus supports, and pedestals for the GP&L King Mountain Switch Station.

k. Kingsley Road and First Street Water Line Improvements Bid No. 0788-19

A & M Construction and Utilities, Inc.	\$1,108,272.85
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This request is to provide water line improvements along First Street from Main Street to Avenue C and along Kingsley Road from National Drive to Jupiter Road.

I. GP&L King Mountain Switch Station Construction Labor **Bid No. 0882-19**

Primoris T&D Services, LLC	\$4,588,613.24
Optional Contingency	<u>458,861.00</u>
TOTAL:	<u>\$5,047,474.24</u>

This request is for the above-grade electrical equipment construction of the King Mountain Switch Station. Due to the complex nature of this project, an Optional Contingency is included for any additional work that may be required.

m. GP&L/TMPA Crane Rental and Equipment Services **Bid No. 0889-19**

Davis Motor Crane Service, Inc.	\$100,000.00
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This request is to provide crane rental and equipment relocation services on as as-needed-basis for GP&L and TMPA. This is a Term Agreement with two optional renewals.

n. Dent Road Switch Station Grading Services **Bid No. 0306-19**

Mann Robinson & Son, Inc.	\$137,605.00
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This request is to approve Change Order #1 to provide additional grading services for the Dent Road Switch Station.

o. Electric Motor Repair for Rowlett Creek and Duck Creek Wastewater Treatment Plants **Bid No. 0870-19**

Brandon & Clark, Inc.	\$300,000.00
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This request is to obtain repair services on an as-needed-basis for 3 phase electric motors ranging in size from 50HP to 600HP at the Rowlett Creek and Duck Creek Wastewater Treatment Plants. This is a Term Agreement with four optional renewals.

p. GP&L Apollo Substation Rebuild Materials **Bid No. 0999-19**

Graybar Electric Co., Inc.	\$356,493.39
Optional Contingency	<u>35,649.33</u>
TOTAL:	<u>\$392,142.72</u>

This request is to purchase electric conduit and associated materials to support the rebuild of the Apollo Substation. Due to the complex nature of the project, an Optional Contingency is included for any additional materials that may be required.

q. King Mountain Switch Station Dead-end Structures and Masts

Bid No. 0781-19

Klute, Inc., Steel Fabrication

\$640,087.64

This request is to purchase tapered steel dead-end H-frame structures and lightning masts for the King Mountain Switch Station.

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. Zoning File No. Z 19-09, Masterplan (District 5)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving an amendment to a Planned Development (PD) District on a 15.7-acre tract of land zoned Planned Development (PD) District 06-48 for Community Retail Uses and located at 901-1251 Northwest Highway; 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.

b. Zoning File No. Z 19-12 Habitat for Humanity of Greater Garland (District 5)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision (SUP) for used goods, retail sales (indoors) on a 1.49-acre tract of land zoned Community Retail (CR) District and located at 2909 Broadway 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; providing a savings clause and a severability clause; and providing an effective date.

4. Consider an ordinance amending Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas; providing a penalty clause, a savings clause; and a severability clause and providing an effective date.

At the May 20, 2019 Work Session, Council considered updating the City of Garland Code of Ordinances Chapter 51, Article VI Water Resource Emergency Management Plan and Chapter 51, Article VIII Water Conservation Plan.

5. **Consider an ordinance 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.**

At the June 3, 2019 Work Session, Council considered revising the existing parking restrictions on Shepherd Drive to extend for the full length of Shepherd Drive on both sides of the street at all times, and establish a no parking anytime zone on the north side of Briarwood from Evergreen Street to 475 feet south.

6. **Consider an ordinance repealing Article VI, "Automated Red Light Enforcement" of Chapter 26, "Police - Miscellaneous Provisions and Offenses" of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.**

On June 1, Governor Abbott signed into law HB 1631 which prohibits the "implementation or operation" of red light camera programs. Because the bill had the necessary number of votes to make it become effective immediately upon signing by the Governor, the law went into effect when the Governor signed it. Although the law allows for the continuation of certain red light camera programs, the savings clause that allows such continued operation does not apply to Garland. SafeLight Garland has been shut down and no violations are being processed as of 12:01 a.m. on June 1, 2019.

7. **Consider a resolution authorizing the City Manager to enter into a Project Specific Agreement to the Master Agreement governing major capital transportation improvement program with the County of Dallas, Texas; and providing an effective date.**

At the June 3, 2019 Work Session, Council considered adopting a resolution authorizing the City Manager to execute a PSA with Dallas County for the construction of the MGR Bikeway (Duck Creek Trail Connections).

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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

8. Consider the Appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem

Council is requested to consider the election of a Mayor Pro Tem and if so desired a Deputy Mayor Pro-Tem.

9. Mayor Appointments

Mayor Scott LeMay will present for Council confirmation appointments to Council committees and outside boards.

10. 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 Member Dylan Hedrick

- Mike Rose - Plan Commission

11. 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.

12. Adjourn.

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GARLAND

City Council Regular Session Agenda

1.

Meeting Date: 06/18/2019

Item Title: Minutes June 4

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Consider approval of the minutes of the June 4, 2019 Regular Meeting.

Attachments

June 4 Minutes



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, June 4, 2019, 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 Rich Aubin
Council Member David Gibbons
Council Member Deborah Morris
Council Member Jerry A. Nickerson
Council Member Jim Bookhout
Council Member Robert Vera
Council Member Dylan Hedrick
Council Member Robert John Smith

Staff Present: City Manager Bryan Bradford
Deputy City Manager Mitch Bates
City Attorney Brad Neighbor

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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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.

Mayor LeMay, along with Captain Guy Trampe (via Skype) and Dr. Robertson, Department of Defense, presented a Special Recognition and the Patriot Award to Gary Holcomb, Director of Procurement and Purchasing, for employer support of Captain Trampe during his active duty in the Guard and Reserve.

The Pet of the Month was presented by Mr. Eddy Luna, Animal Services Officer.

CONSENT AGENDA

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Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout. Motion to approve carried:

Vote: 9 - 0

1. Consider approval of the minutes of the May 15 Special Meeting and May 21 Regular Session.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout. Motion to approve carried:

Vote: 9 - 0

2. Consider approval of the following bids:

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout. Motion to approve carried:

Vote: 9 - 0

a. Water and Wastewater Main Replacements

Bid No. 0691-19

Tri-Con Services, Inc.	\$1,277,000.00
Optional Contingency	<u>127,700.00</u>
TOTAL:	\$1,404,700.00

This request is to provide water line replacements on Parker Drive, Davidson Drive, Kirby Street and Benton Street as well as water line and wastewater line replacements on Quincy Drive. Due to the complex nature of the project, an Optional Contingency is included for any additional work that may be required.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

**b. Drinking Water System Risk and Resiliency
Assessment and Emergency Action Plan**

Bid No. 0898-19

Freese and Nichols, Inc.

\$199,890.00

This request is to provide an Engineering Evaluation in accordance with the America's Water Infrastructure Act (AWIA) that was signed into law on October 23, 2018.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

c. GP&L Security & IT Modular Building

Bid No. 0892-19

Ramtech Building Systems

\$181,000.00

This request is for the construction of a modular building for GP&L Security & IT.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

**d. King Mountain/Roadrunner 345kV Transmission
Line Materials**

Bid No. 0755-19

Techline, Inc.

\$625,756.22

This request is for the purchase of materials to construct a 345kV transmission line to connect the Roadrunner Solar Farm into the new King Mountain Switch Station.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

e. GP&L and TMPA Substation Circuit Breakers

Bid No. 0812-19

Mitsubishi Electric Power Products, Inc.

\$3,500,000.00

This request is for the purchase of substation circuit breakers on an as-needed basis for the TMPA and GP&L Electric Systems. This is a Term Agreement with two optional renewals.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

- f. **TMPA Jack Creek to Twin Oaks Transmission Line Structure Replacement** **Bid No. 0714-19**

Sabre Industries, Inc. \$192,431.00

This request is for the purchase of two steel monopoles that will replace an existing lattice structure pole on the TMPA Jack Creek to Twin Oaks transmission line.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

- g. **King Mountain Switch Station Control House** **Bid No. 0736-19**

Electrical Power Products, Inc. \$850,069.00

This request is for the purchase of a control house for the King Mountain Switch Station.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

- h. **Erosion Control** **Bid No. 0936-19**

Knight Erosion Control, Inc. \$500,000.00

This request is to provide labor, materials and equipment necessary for the installation of bag walls for erosion maintenance on an as-needed basis. This is a Term Agreement with two optional renewals.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

- i. **Automated Vehicle Location (AVL) Equipment and Installation Services** **Bid No. 0917-19**

GTS Technology Solutions	\$131,959.31
Optional Contingency	<u>12,979.55</u>
TOTAL:	\$144,938.86

This request is for the purchase and installation of AVL/GPS devices for GP&L and TMPA vehicles and equipment. An Optional Contingency is included for any additional work that may be required.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

3. **Resolution No. 10395 authorizing the City Manager to enter into an Interlocal Agreement with the Mesquite Independent School District; and providing an effective date.**

Council approved a resolution authorizing the City Manager to enter into an Interlocal Agreement with the MISD to reimburse the City of Garland for the actual cost of the Price Elementary School parking lot reconstruction as a part of the Stroud Lane Street Replacement, Water Main Replacement and Storm Drain Extension project.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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4. **Ordinance No. 7066 authorizing an amendment to the 2019 Capital Improvement Program (2019 CIP Amendment No. 2), providing for the supplemental appropriation of funds in the new commercial front-loader trucks project and the wheel wash installation project; and providing an effective date.**

At the May 20, 2019 Work Session, the City Council reviewed a Policy Report recommending an amendment of the 2019 Adopted Capital Improvement Program (CIP). For Council's consideration is an ordinance amending the 2019 Adopted CIP to appropriate \$502,202 for the purchase of two new commercial front-loader trucks for EWS - Delivery included in the New Commercial Front-Loader Trucks capital project, and an additional \$44,300 for the purchase of a street sweeper in lieu of the installation of a wheel wash included in the Wheel Wash Installation capital project .

Motion was made by Mayor Pro Tem Rich Aubin, and seconded by Council Member Robert Vera Motion to approve carried:

Vote: 9 - 0

5. **Ordinancer No. 7067 amending Chapter 30 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.**

With the passage of HB 852 the City of Garland's residential building permit fee scheduled needs to be updated to eliminate the use of construction valuation for determining the permit fee.

Motion was made by Mayor Pro Tem Rich Aubin, and seconded by Council Member Robert Vera Motion to approve carried:

Vote: 9 - 0

6. Hold public hearings on:

- a. Consider the application of Masterplan, requesting approval of an amendment to Planned Development (PD) District 06-48 for Community Retail Uses regarding the freestanding signage layout. This property is located at 901-1251 West Northwest Highway. (File No. Z 19-09, District 5)**

BEING an approximate 15.7-acre tract of land identified as Lots 2 and 3 on Block 1, of the Meadowcreek Square Shopping Center No. 2 and Lots 1R and 2R on Block 1, of the Meadowcreek Square Shopping Center Replat of Lot 1, Block 1, two additions to the City of Garland, as recorded in Volume 83026, Page 3713 and Instrument No. 200600421329 of the Official Public Records of Dallas County, Texas. The applicant proposes to remove two freestanding signs and add one freestanding sign at an existing shopping center.

The staff report was presented by Jose De La Vega, Sr. Development Planner. Speaker on this item was Maxwell Fisher, applicant. There was discussion by the Council.

Motion was made by Mayor Pro Tem Rich Aubin, and seconded by Council Member Jim Bookhout Motion to approve carried:

Vote: 9 - 0

- b. Consider the application of Habitat for Humanity of Greater Garland, requesting approval of a Specific Use Provision (SUP) for Used Goods, Retail Sales (Indoors) on a property zoned Community Retail (CR) District. This property is located at 2909 Broadway Boulevard. (File No. Z 19-12, District 5)**

BEING Lot 1, Block 1, of Broadway Car Care Center, an Addition to the City of Garland, Dallas County, Texas, according to the Plat, recorded in Volume 2000008, Page 813, Map Records, Dallas County, Texas. The applicant requests to allow the operation of a home improvement retail store which sells new and repurposed/used items on an already developed site (an area of approximately 1.49 acres with a building and parking area).

The staff report was presented by Will Guerin, Director of Planning. Speakers on this item was Rich Buquet, applicant. Mr. Alberto Guerrero submitted a speaker card; he was in attendance because he had received a notification letter on the project, but did not testify.

Motion was made by Mayor Pro Tem Rich Aubin, and seconded by Council Member Jerry A. Nickerson Motion to approve carried:

Vote: 9 - 0

7. Citizen comments: There were no 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.

8. Adjourn: There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:37 p.m.

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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.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.a.

Meeting Date: 06/18/2019

Item Title: Substation Connectors and Fittings

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0775-19

Purchase Justification:

This request is to purchase bus, cable, ground grid fittings, and tools on an as-needed basis for Substation construction and maintenance. This is a Term Agreement with four (4) optional renewals. A term is defined as either the annual expiration date or the expenditure of funds, whichever occurs first. Subsequent renewals do not require additional City Council approval. If all optional renewals are exercised, the potential financial impact will be \$850,000 over the life of the agreement. Expenditures will not exceed appropriated funds.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Five (5) bids were received and evaluated based on the published criteria of cost of materials, cost of additional tools, and prior experience with the City. Techline, Inc., quoted an unapproved alternate and is therefore deemed nonresponsive. Irby Utilities did not include shipping in their bid as required and is therefore deemed nonresponsive. DMC Power, Inc., received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
DMC Power, Inc.	All	\$170,000.00
TOTAL:		\$170,000.00

Basis for Award: Best Value

Purchase Requisition #: 41349

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: \$170,000

Proposed Balance: N/A

Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Term Contract sets price but does not commit funds. Expenses will be charged as incurred to Electric Substations CIP and Operating accounts.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
CIP

Fiscal Year: 2018-19

Document Location: Oper. Budget - Page 215 & CIP - Page E10

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/04/2019

[illegible]



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.b.

Meeting Date: 06/18/2019

Item Title: Dump Trucks

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0986-19

Purchase Justification:

This request is to purchase four (4) replacement dump trucks to be used by the Street and Stormwater Departments in their daily operations.

Evaluation:

The dump trucks are available from VED Heritage Properties, LTD., through the BuyBoard Cooperative Purchasing Contract 521-16.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
VED Heritage Properties, LTD.	All	\$562,136.00
TOTAL:		\$562,136.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 41783

Fiscal Impact

Total Project/Account: \$3,591,449

Expended/Encumbered to Date: 2,903,755

Balance: \$687,694

This Item: 562,136

Proposed Balance: \$125,558

Account #: 831-4692-9007, 831-4693-9007, 692-4699-3981900-9009

Fund/Dept/Project – Description and Comments:

Infrastructure Repair & Replacement Fund / Street Department

Street Maintenance - 1 New Mack 12-YD Dump Truck replacing Unit 469-0020	- \$140,434
Street Construction - 1 New Mack 12-YD Dump Truck replacing Unit 469-160	- 140,434

Miscellaneous Revenue Supported CIP / Stormwater Maintenance Equipment

Stormwater - 2 New Mack 12-YD Dump Trucks replacing Units 460-114 & 460-121	- 280,868
BuyBoard Fee	- <u>400</u>

TOTAL	\$562,136
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The two replacement Stormwater Maintenance 12-YD Dump Trucks were approved in the 2018 Capital Improvement Program (Page M20) and a PO was issued in June 2018. That vendor is no longer authorized to sell this particular dump truck on BuyBoard, so the PO established in June 2018 for the two Stormwater Dump Trucks was cancelled. The funding approved for the two dump trucks in the 2018 CIP has not been spent. A budget amendment to the 2019 CIP will be brought for consideration at a later date to appropriate an additional \$281,268 to be expended by Stormwater Management in 2019.

Attachments

Bid Recap

Fiscal Reference:

Budget Type:	Operating Budget CIP
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Fiscal Year:	2018-19
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Document Location:	Oper. Budget - Page 275 & CIP - Page M15
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Budget Director Approval:	Ron Young	Approval Date: 06/07/2019
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 06/03/2019
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.c.

Meeting Date: 06/18/2019

Item Title: GP&L King Mountain Switch Station Civil Site Grading and Fencing

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0801-19

Purchase Justification:

This request is for the civil site grading and fencing at the GP&L King Mountain Switch Station. The total site area for the project is approximately 13 acres, 9 acres of which will be fenced. Challenges for these services include a 13-foot elevation difference across the site, grading through weathered limestone, and the inability to use blasting due to transmission lines and oil/gas pipelines in the area. This is part of the approved King Mountain Switch Station CIP project. Due to the complex nature of the project, an Optional Contingency is included for any additional work that may be required.

Evaluation:

A Competitive Sealed Proposal was issued in accordance with Purchasing procedures. Three (3) proposals were received and evaluated based on the published criteria of price, experience, qualifications, equipment, and safety. DynaGrid Construction Group, LLC, received the highest evaluated score, offering the Best Value for the City. Subsequently, the City negotiated an expedited completion schedule from 90 days to 45 days for an additional cost of \$799,000.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
DynaGrid Construction Group, LLC	All	\$4,714,350.50
Optional Contingency		471,435.00
TOTAL:		\$5,185,785.50

Basis for Award: Best Value

Purchase Requisition #: 41494

Fiscal Impact

Total Project/Account: \$13,400,000
Expended/Encumbered to Date: 2,345,865
Balance: \$11,054,135
This Item: 5,185,786
Proposed Balance: \$5,868,349
Account #: 210-3799-3178001-7111
Fund/Dept/Project – Description and Comments:
Electric CIP / 2019 Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/04/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.d.

Meeting Date: 06/18/2019

Item Title: Winters Park / Spring Creek Greenbelt Trail - Project Management

Submitted By: Skip Keller, Interim Parks Director

Bid Number: 1004-19

Purchase Justification:

This request is to approve Change Order #1 to perform project management and construction administration services for the trail project which is currently under construction in Winters Park and Spring Creek Greenbelt. This project is partially funded through the Federal Highway Administration (FHWA), and funding is administered through TxDOT. The City of Garland is the local agency receiving Federal funds and is required to process and submit regular inspections and reports to TxDOT in order to be eligible to receive the reimbursement funding. Due to the limited capacity of City staff, additional assistance from the consulting engineer is being requested to remain in compliance with Federal requirements. This will help to ensure the fullest possible reimbursement of all approved and applicable Federal funding in the amount not to exceed \$1,044,806 in accordance with the terms outlined in the Local Project Advance Funding Agreement (LPAFA).

Evaluation:

BW2 Engineers, Inc., was awarded the original Professional Services Agreement in the amount of \$127,332 at the May 5, 2009, City Council Meeting. BW2 Engineers, Inc., is also on the City's short list of approved professional service providers.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
BW2 Engineers, Inc.	All	\$128,500.00
TOTAL:		\$128,500.00

Basis for Award: Change Order

Purchase Requisition #: 41811

Fiscal Impact

Total Project/Account: \$700,000
Expended/Encumbered to Date: 484,674
Balance: \$215,326
This Item: 128,500
Proposed Balance: \$86,826
Account #: 614-2499-1833304-7101

Fund/Dept/Project – Description and Comments:

Parks CIP / 2019 Trail Development Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page P01

Budget Director Approval: Ron Young

Approval Date: 06/07/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.e.

Meeting Date: 06/18/2019

Item Title: Ambulances for Garland Fire Department

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0988-19

Purchase Justification:

This request is to purchase two (2) replacement ambulances to be used by the Garland Fire Department in their daily operations.

Evaluation:

The ambulances are available from Mac Haik Dodge Chrysler Jeep, through the Houston Galveston Area Council (HGAC) Cooperative Purchasing Contract #AM10-18.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Mac Haik Dodge Chrysler Jeep	All	\$528,800.00
TOTAL:		\$528,800.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 41803

Fiscal Impact

Total Project/Account: \$2,766,538
Expended/Encumbered to Date: 1,768,024
Balance: \$998,514
This Item: 528,800
Proposed Balance: \$469,714
Account #: 692-1399-1210719-9009
Fund/Dept/Project – Description and Comments:

Public Safety CIP / Fire Department

The replacement of two (2) ambulances, Units 130-847 and 130-0801.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page PS04

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/03/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.f.

Meeting Date: 06/18/2019

Item Title: Street Sweeper

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0989-19

Purchase Justification:

This request is to purchase a new street sweeper to be used by the Hinton Landfill in their daily operations.

Evaluation:

The street sweeper is available from TYMCO, Inc., through the Houston Galveston Area Council (HGAC) Cooperative Purchasing Contract SW04-18.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	TYMCO, Inc.	All	\$244,335.00
		TOTAL:	\$244,335.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 41806

Fiscal Impact

Total Project/Account: \$269,300
Expended/Encumbered to Date: 14,300
Balance: \$255,000
This Item: 244,335
Proposed Balance: \$10,665
Account #: 692-1609-1715816-9007
Fund/Dept/Project – Description and Comments:

New additional TYMCO Street Sweeper for Hinton Landfill - \$244,335.00

The 2019 Capital Improvement Program Budget Amendment No. 2 appropriated additional funding and authorized the purchase of a street sweeper for Hinton Landfill in lieu of the installation of a wheel wash.

Attachments**Bid Recap**

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page EW05

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/03/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.g.

Meeting Date: 06/18/2019

Item Title: New Home Construction - 540 N. Fourth Street

Submitted By: Mona Woodard, Neighborhood Services Administrator

Bid Number: 0897-19

Purchase Justification:

This request is for the construction of a new single-family home using the HOME Infill Federal grant-funding. The home will be constructed on the vacant lot at 540 N. Fourth Street that was purchased specifically for use as an infill site. HOME funding may be utilized to further affordable housing within a community for low to moderate-income qualified buyers in accordance with HUD's national objectives for HOME investment partnership funding. Due to the complex nature of the 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. Three (3) bids were received and evaluated with Lyon Construction Company submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Lyon Construction Company	1	\$184,000.00
Optional Contingency		5,000.00
TOTAL:		\$189,000.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 41694

Fiscal Impact

Total Project/Account: \$1,158,021
Expended/Encumbered to Date: 922,464
Balance: \$235,557

This Item: 189,000
Proposed Balance: \$46,557
Account #: 823-8231-391-9419-711128
Fund/Dept/Project – Description and Comments:
HOME Grant Fund / HOME Infill Program

Attachments

Bid Recap

Fiscal Reference:
Budget Type: Operating Budget
Fiscal Year: 2018-19
Document Location: Page 226

Budget Director Approval:	Ron Young	Approval Date: 06/07/2019
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 06/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.h.

Meeting Date: 06/18/2019

Item Title: GP&L Emergency Management System and SCADA Upgrades

Submitted By: Jeff Janke, Administration

Bid Number: 0993-19

Purchase Justification:

This request is for software upgrades to GP&L's EMS and SCADA systems. These systems provide GP&L Grid Controllers with real-time electric grid status necessary for adherence to ERCOT Protocols, Operating Guides and NERC Standards. Periodic hardware upgrades are required to remain in compliance with these standards.

Evaluation:

Open Systems International is the developer and Sole Source provider of the existing EMS and SCADA systems.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Open Systems International	All	\$210,000.00
TOTAL:		\$210,000.00

Basis for Award: Sole Source

Purchase Requisition #: 41804

Fiscal Impact

Total Project/Account:	\$1,942,913
Expended/Encumbered to Date:	1,117,899
Balance:	\$825,014
This Item:	210,000
Proposed Balance:	\$615,014

Account #: 215-3699-3129701-6051, 211-3612-7121, 211-3623-7121,
211-3642-7121

Fund/Dept/Project – Description and Comments:

Electric CIP

2019 Communications Upgrades/Improvements Program - \$21,129

Electric Utility Fund

Energy Operations - \$188,871

Total - \$210,000

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
CIP

Fiscal Year: 2018-19

Document Location: Oper. Budget - Page 215 & CIP - Page E02

Budget Director Approval: Ron Young Approval Date: 06/07/2019

Purchasing Director Approval: Gary L. Holcomb Approval Date: 06/06/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.i.

Meeting Date: 06/18/2019

Item Title: GP&L Apollo Substation Precast Concrete Cable Trench

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0827-19

Purchase Justification:

This request is to purchase a precast concrete underground electric cable trench. The trench will provide infrastructure and protection for underground cables and will provide access to cables during maintenance and upgrades. This is part of the approved Apollo Substation Rebuild CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated with Trenwa, Inc., submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Trenwa, Inc.	All	\$134,689.00
TOTAL:		\$134,689.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 41601

Fiscal Impact

Total Project/Account:	\$12,947,000
Expended/Encumbered to Date:	6,940,125
Balance:	\$6,006,875
This Item:	134,689
Proposed Balance:	\$5,872,186
Account #:	210-3799-3177201-6051

Fund/Dept/Project – Description and Comments:Electric CIP / 2019 Substations Upgrades Program

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.j.

Meeting Date: 06/18/2019

Item Title: GP&L King Mountain Switch Station Low Profile Steel

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0895-19

Purchase Justification:

This request is for the purchase of steel switch stands, bus supports and pedestals for the GP&L King Mountain Switch Station. This is part of the approved King Mountain Switch Station CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated with Klute, Inc., Steel Fabrication submitting the Straight Low Bid.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Klute, Inc., Steel Fabrication	All	\$415,886.08
TOTAL:		\$415,886.08

Basis for Award: Straight Low Bid

Purchase Requisition #: 41640

Fiscal Impact

Total Project/Account: \$13,400,000
Expended/Encumbered to Date: 7,531,651
Balance: \$5,868,349
This Item: 415,886
Proposed Balance: \$5,452,463
Account #: 210-3799-3178001-6051
Fund/Dept/Project – Description and Comments:

Electric CIP / 2019 Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/04/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.k.

Meeting Date: 06/18/2019

Item Title: Kingsley Road and First Street Water Line Improvements

Submitted By: Michael Polocek, Engineering Director

Bid Number: 0788-19

Purchase Justification:

This request is to provide water line improvements along First Street from Main Street to Avenue C and along Kingsley Road from National Drive to Jupiter Road. The First Street improvements consist of constructing approximately 105 LF of water line by open cut. The Kingsley Road improvements consist of constructing approximately 3,200 LF of water line by open cut, 200 LF of water line by bore, and 2,300 SY of pavement replacement. Kingsley Road will require traffic control and construction sequencing. The water line improvements include replacement of pavement, sidewalks, ramps, irrigation, water services, sodding and signs.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Five (5) bids were received and evaluated with A & M Construction and Utilities, Inc., submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
A & M Construction and Utilities, Inc.	All	\$1,108,272.85
TOTAL:		\$1,108,272.85

Basis for Award: Straight Low Bid

Purchase Requisition #: 41690

Fiscal Impact

Total Project/Account: \$11,381,437

Expended/Encumbered to Date: 5,749,654

Balance: \$5,631,783
This Item: 1,108,273
Proposed Balance: \$4,523,510
Account #: 220-4049-3019000-9213, 220-4049-3020700-9129

Fund/Dept/Project – Description and Comments:

Water CIP / Transmission Mains (16-inch and above)
\$1,001,960 - 220-4049-3019000-9213

Water CIP / Upgrade Undersized Water Mains
106,313 - 220-4049-3020700-9129

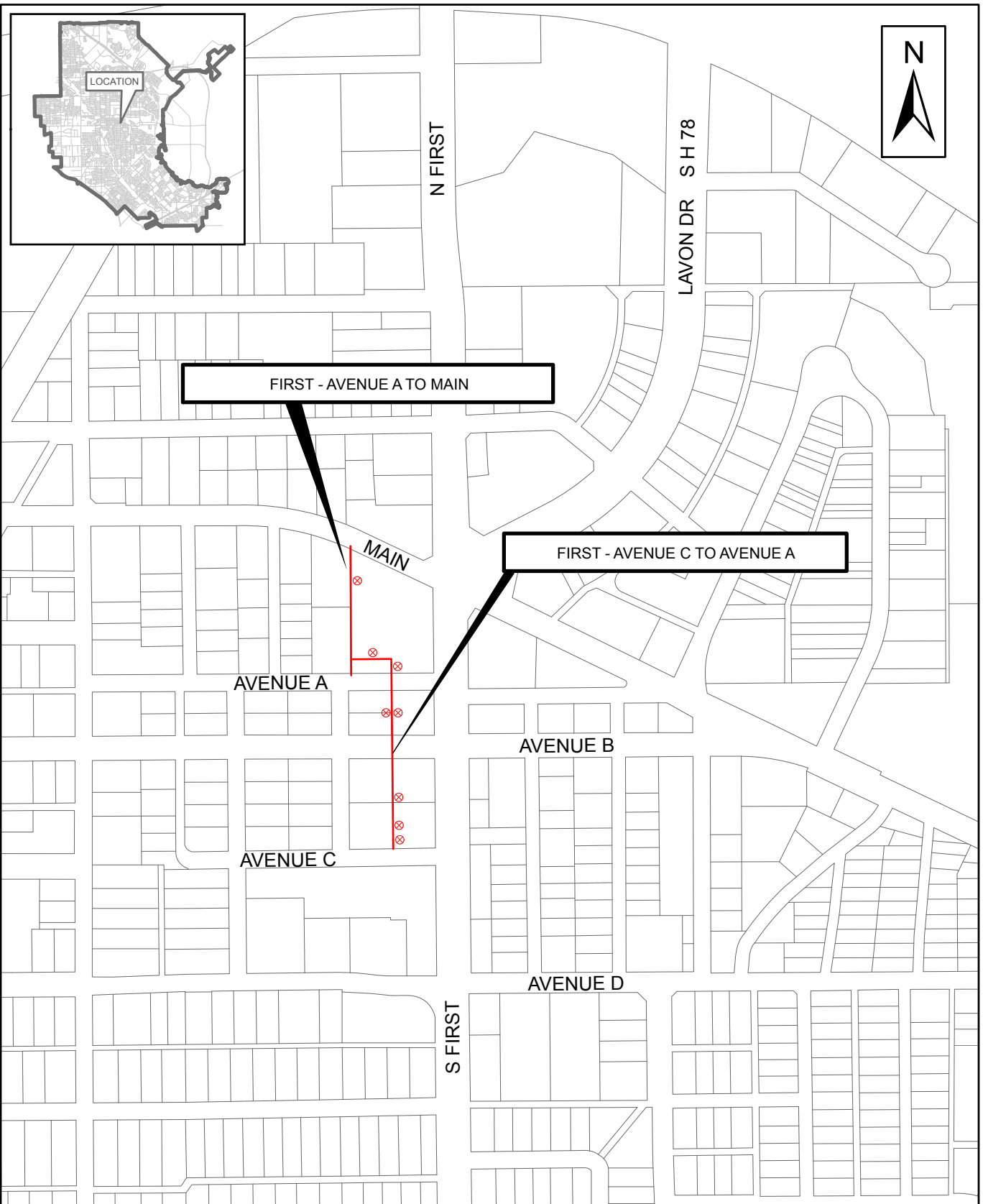
Attachments

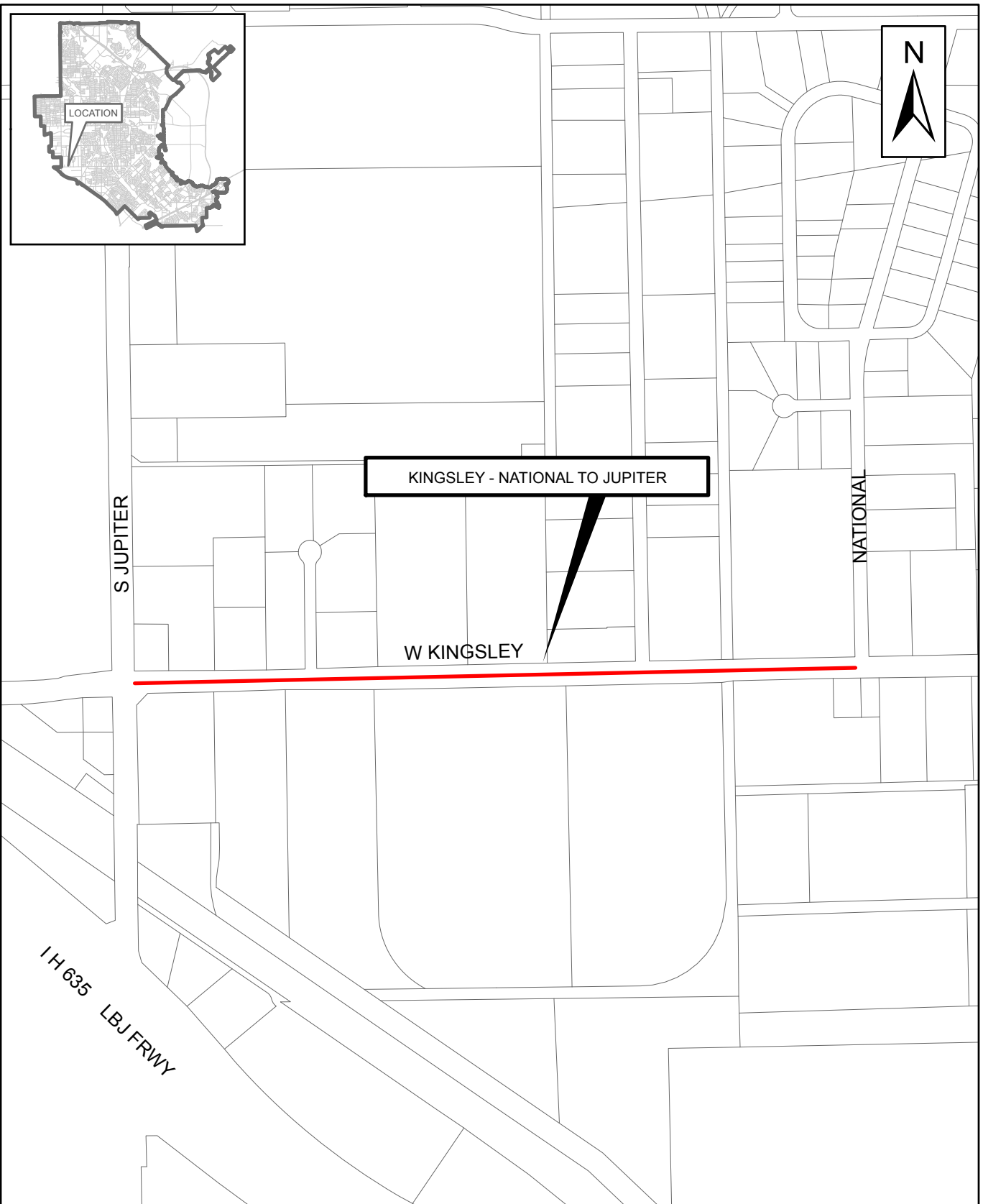
Bid Recap 1 of 2
Bid Recap 2 of 2
First Street Location Map
Kingsley Rd Location Map

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2019
Document Location: Pages W01 & W08

Budget Director Approval:	Ron Young	Approval Date: 06/07/2019
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 06/05/2019





W KINGSLEY - NATIONAL TO JUPITER
WATER IMPROVEMENTS

Scale: 1"=600
File: WKingsley
Date: 04/06/2017
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.I.

Meeting Date: 06/18/2019

Item Title: GP&L King Mountain Switch Station Construction Labor

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0882-19

Purchase Justification:

This request is for the above-grade electrical equipment construction of the King Mountain Switch Station. The Switch Station will connect a solar farm collection station with GP&L's 345 kV CREZ line located in West Texas. This is part of the approved King Mountain Switch Station CIP project. Due to the complex nature of this 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. Two (2) bids were received and evaluated based on the published criteria of price, experience, qualifications, equipment and safety. Primoris T&D Services, LLC, received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Primoris T&D Services, LLC	All	\$4,588,613.24
Optional Contingency		458,861.00
TOTAL:		\$5,047,474.24

Basis for Award: Best Value

Purchase Requisition #: 41654

Fiscal Impact

Total Project/Account: \$13,400,000
Expended/Encumbered to Date: 7,947,537
Balance: \$5,452,463

This Item: 5,047,474
Proposed Balance: \$404,989
Account #: 210-3799-3178001-7111
Fund/Dept/Project – Description and Comments:
Electric CIP / 2019 Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2019
Document Location: Page E10

Budget Director Approval:	Approval Date:
Purchasing Director Approval: Gary L. Holcomb	Approval Date: 06/06/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.m.

Meeting Date: 06/18/2019

Item Title: GP&L/TMPA Crane Rental and Equipment Services

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0889-19

Purchase Justification:

This request is to provide crane rental and equipment relocation services on as as-needed-basis for GP&L and TMPA. These services are necessary to install and relocate transformers, generation circuit breakers and other electrical apparatus in the delivery of electric service. This is a Term Agreement with two (2) optional renewals. A term is defined as either the annual expiration date or the expenditure of funds, whichever occurs first. Subsequent renewals do not require additional City Council approval. If all optional renewals are exercised, the potential financial impact will be \$300,000 over the life of the agreement. Expenditures will not exceed appropriated funds.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. One (1) bid was received and evaluated with Davis Motor Crane Service, Inc., submitting the Straight Low Bid.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Davis Motor Crane Service, Inc.	All	\$100,000.00
TOTAL:		\$100,000.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 41326

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A

This Item: \$100,000

Proposed Balance: N/A

Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Term Contract sets price but does not commit funds. Expenses will be charged as incurred to GP&L and TMPA Operating and CIP accounts.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
CIP

Fiscal Year: 2018-19

Document Location: Oper. Budget - Page 215 & CIP - Pages E01-E11

Budget Director Approval: Ron Young Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb Approval Date: 06/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.n.

Meeting Date: 06/18/2019

Item Title: Dent Road Switch Station Grading Services

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0306-19

Purchase Justification:

This request is to approve Change Order #1 to provide additional grading services for the Dent Road Switch Station. Additional services include changes to the entry gate, changing the entry driveway from gravel to concrete and additional fill dirt as required. This is part of the approved Dent Road 138kV Switch Station CIP project.

Evaluation:

Mann Robinson and Son, Inc., was awarded the original bid in the amount of \$942,282.66 at the February 5, 2019, City Council Meeting.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Mann Robinson & Son, Inc.	All	\$137,605.00
TOTAL:		\$137,605.00

Basis for Award: Change Order

Purchase Requisition #: 41758

Fiscal Impact

Total Project/Account:	\$8,778,160
Expended/Encumbered to Date:	8,043,774
Balance:	\$734,386
This Item:	137,605
Proposed Balance:	\$596,781
Account #:	210-3799-3177401-7111

Fund/Dept/Project – Description and Comments:Electric CIP / 2019 Substations Upgrades Program

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/07/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.o.

Meeting Date: 06/18/2019

Item Title: Electric Motor Repair for Rowlett Creek and Duck Creek Wastewater Treatment Plants

Submitted By: Wes Kucera, Managing Director

Bid Number: 0870-19

Purchase Justification:

This request is to obtain repair services on an as-needed-basis for 3 phase electric motors ranging in size from 50HP to 600HP at the Rowlett Creek and Duck Creek Wastewater Treatment Plants. This is a Term Agreement with four (4) optional renewals. A term is defined as either the annual expiration date or the expenditure of funds, whichever occurs first. Subsequent renewals do not require additional City Council approval. If all optional renewals are exercised, the potential financial impact will be \$1,500,000 over the life of the agreement. Expenditures will not exceed appropriated funds.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated based on published criteria of price, compliance to specifications, location, and capability of services. Brandon & Clark, Inc., received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Brandon & Clark, Inc.	All	\$300,000.00
TOTAL:		\$300,000.00

Basis for Award: Best Value

Purchase Requisition #: 41242

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: \$300,000

Proposed Balance: N/A

Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Term Contract - Electric Motor Repair

Term Contract sets price but does not commit funds. Expenses will be charged to Wastewater Utility Fund accounts as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2018-19

Document Location: Page 287

Budget Director Approval: Ron Young

Approval Date: 06/07/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.p.

Meeting Date: 06/18/2019

Item Title: GP&L Apollo Substation Rebuild Materials

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0999-19

Purchase Justification:

This request is to purchase electric conduit and associated materials to support the rebuild of the Apollo Substation. This is part of the approved Apollo Substation Rebuild CIP project. Due to the complex nature of the project, an Optional Contingency is included for any additional materials that may be required.

Evaluation:

The materials are available from Graybar Electric Co., Inc., through the U.S. Communities Cooperative Purchasing Contract EV2370.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Graybar Electric Co., Inc.	All	\$356,493.39
Optional Contingency		35,649.33
TOTAL:		\$392,142.72

Basis for Award: Cooperative Purchase

Purchase Requisition #: 41810

Fiscal Impact

Total Project/Account:	\$12,947,000
Expended/Encumbered to Date:	7,074,814
Balance:	\$5,872,186
This Item:	392,143
Proposed Balance:	\$5,480,043
Account #:	210-3799-3177201-6051

Fund/Dept/Project – Description and Comments:Electric CIP / 2019 Substations Upgrades Program

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval: Ron Young

Approval Date: 06/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 06/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.q.

Meeting Date: 06/18/2019

Item Title: King Mountain Switch Station Dead-end Structures and Masts

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0781-19

Purchase Justification:

This request is to purchase tapered steel dead-end H-frame structures and lightning masts for the King Mountain Switch Station. This is part of the approved King Mountain Switch Station CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated based on price. The apparent low bidder, SAE Towers, did not include the required bonds and is therefore deemed nonresponsive. Klute, Inc., Steel Fabrication submitted the Lowest Responsible Bid, taking no exceptions to the terms and conditions or bonding requirements.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Klute, Inc., Steel Fabrication	All	\$640,087.64

TOTAL: \$640,087.64

Basis for Award: Lowest Responsible Bid

Purchase Requisition #: 41469

Fiscal Impact

Total Project/Account:	\$13,635,099
Expended/Encumbered to Date:	12,995,011
Balance:	\$640,088
This Item:	640,088

Proposed Balance: \$0
Account #: 210-3799-3178001-6051
Fund/Dept/Project – Description and Comments:
Electric CIP / 2019 Substations Upgrades Program

* The Total Project/Account includes a CIP budget transfer of \$235,099.

Attachments

Bid Recap

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2019
Document Location: Page E10

Budget Director Approval:	Ron Young	Approval Date: 06/06/2019
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 06/05/2019



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3.a.

Meeting Date: 06/18/2019

Item Title: Z 19-09 Masterplan (District 5)

Submitted By: Josue De La Vega, Sr. Development Planner

Summary of Request/Problem

Zoning Ordinance Z 19-09 Masterplan

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 19-09 Ordinance

Z 19-09 Exhibit A

Z 19-09 Exhibit B

Z 19-09 Exhibits C & D

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT TO A PLANNED DEVELOPMENT (PD) DISTRICT ON A 15.7-ACRE TRACT OF LAND ZONED PLANNED DEVELOPMENT (PD) DISTRICT 06-48 FOR COMMUNITY RETAIL USES AND LOCATED AT 901-1251 NORTHWEST HIGHWAY; 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 13th day of May, 2019, the Plan Commission did consider and make recommendations on a certain request for approval of an amendment to Planned Development (PD) District 06-48 by **Masterplan**; 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 a Planned Development (PD) District on a 15.7-acre tract of land zoned Planned Development (PD) District 06-48 for Community Retail Uses and located at 901-1251 Northwest Highway 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 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 19-09

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 19-09

BEING an approximate 15.7-acre tract of land identified as Lots 2 and 3 on Block 1, of the Meadowcreek Square Shopping Center No. 2 and Lots 1R and 2R on Block 1, of the Meadowcreek Square Shopping Center Replat of Lot 1, Block 1, two additions to the City of Garland, as recorded in Volume 83026, Page 3713 and Instrument No. 200600421329 of the Official Public Records of Dallas County, Texas.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 19-09

901 - 1251 Northwest Highway

- I. Statement of Purpose:** The purpose of this Planned Development is to amend certain requirements regarding freestanding signs in Planned Development (PD) District 06-48.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, Planned Development (PD) District 06-48, Planned Development (PD) District 81-26 and Planned Development (PD) District 77-78 as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of Planned Development (PD) District 06-48, Planned Development (PD) District 81-26, Planned Development (PD) District 77-78 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. Specific Conditions:**
- A. Development Requirements: Refer to Planned Development (PD) District 06-48, Planned Development (PD) District 81-26 and Planned Development (PD) District 77-78 for general development regulations.
- B. Freestanding Signs: Except as specified below, all Sign Standards of the Garland Development Code shall remain in effect:
- a. The subject property shall only be allowed to have the following four (4) freestanding signs and such signs shall be in general conformance with the freestanding signage layout reflected on Exhibit C:
1. Sign B: An existing monument sign along Northwest Highway.
 2. Sign C: An existing multi-tenant, pylon style sign along Northwest Highway.

3. Sign E: An existing monument sign along West Centerville Road.
 4. Sign F: A new multi-tenant, monument style sign along West Centerville Road. This sign shall be in general conformance to Exhibit D.
- b. Prior to the installation of Sign F, Sign A and Sign D on Exhibit C shall be removed.
 - c. Any maintenance or modifications to the existing and new freestanding signs shall comply with the applicable Sign Standards of the Garland Development Code.
 - d. The specific conditions under this Planned Development apply to the entire subject property regardless of ownership or platted lots configuration.

MEADOW CREEK SQUARE SHOPPING CENTER

901-1251 NORTHWEST HIGHWAY
GARLAND, TX 75041

SIGN A - EXISTING MULTI-TENANT PYLON TO BE REMOVED

SIGN B - EXISTING TOM THUMB FUEL SIGN TO REMAIN

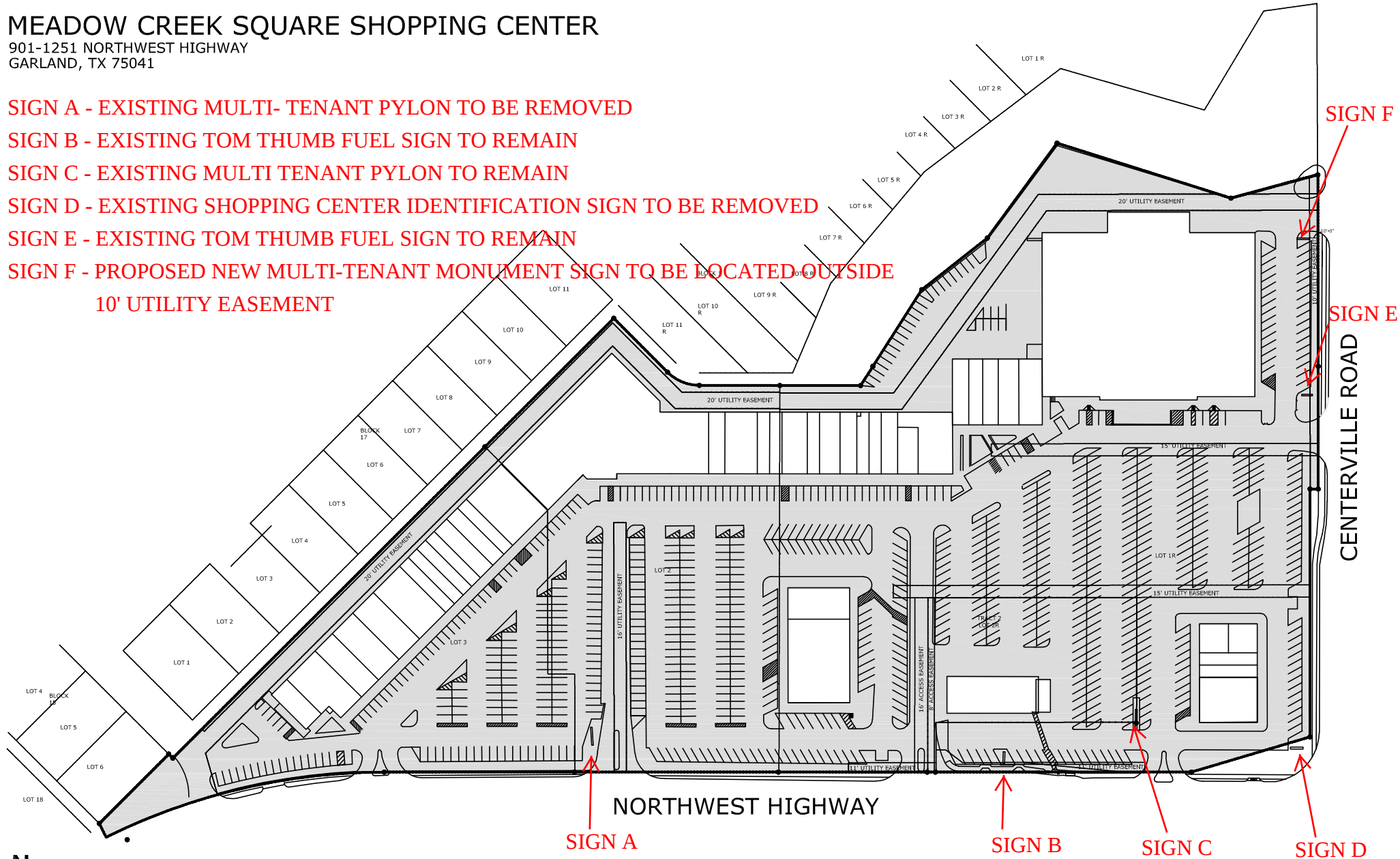
SIGN C - EXISTING MULTI-TENANT PYLON TO REMAIN

SIGN D - EXISTING SHOPPING CENTER IDENTIFICATION SIGN TO BE REMOVED

SIGN E - EXISTING TOM THUMB FUEL SIGN TO REMAIN

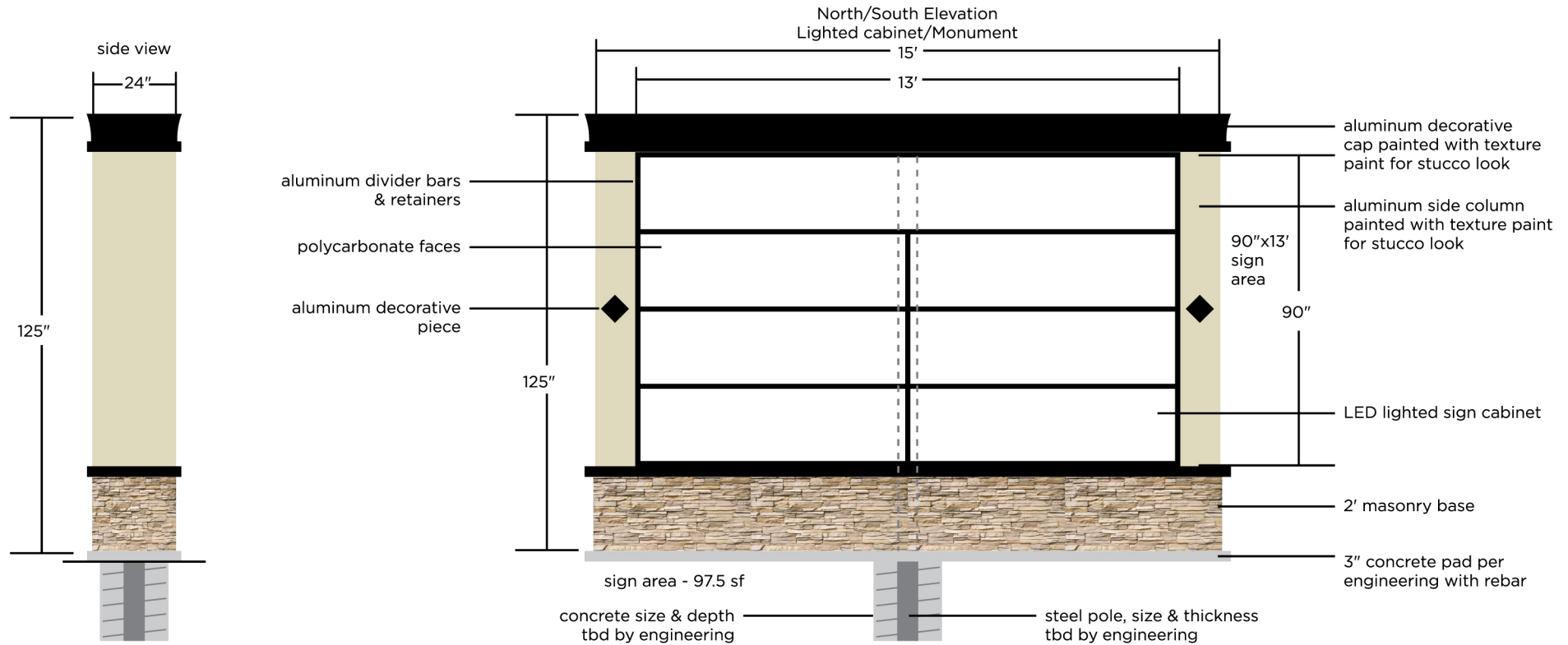
SIGN F - PROPOSED NEW MULTI-TENANT MONUMENT SIGN TO BE LOCATED OUTSIDE

10' UTILITY EASEMENT



THIS SITE PLAN IS PRESENTED SOLELY FOR THE PURPOSE OF IDENTIFYING THE APPROXIMATE LOCATION AND SIZE OF THE BUILDINGS PRESENTLY CONTAINED BY THE OWNER. BUILDING SIZES, SITE DIMENSIONS, ACCESS AND PARKING AREAS, EXISTING TENANT LOCATIONS, AND IDENTITIES ARE SUBJECT TO CHANGE AT THE OWNER'S DISCRETION, EXCEPT AS OTHERWISE EXPRESSLY RESTRICTED HEREIN.

SIGN F
Proposed new multi-tenant monument style sign



Date: 4/5/19

Job: Meadow Creek Square
Monument

Elevation: North/South
Exhibit D

Address: Centerville/NW Drive



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

3.b.

Meeting Date: 06/18/2019

Item Title: Z 19-12 Habitat for Humanity of Greater Garland (District 5)

Submitted By: Kira Wauwie, Principal Development Planner

Summary of Request/Problem

Zoning Ordinance Z 19-12 Habitat for Humanity of Greater Garland

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 19-12 Ordinance

Z 19-12 Exhibit A

Z 19-12 Exhibit B

Z 19-12 Exhibit C

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION (SUP) FOR USED GOODS, RETAIL SALES (INDOORS) ON A 1.49-ACRE TRACT OF LAND ZONED COMMUNITY RETAIL (CR) DISTRICT AND LOCATED AT 2909 BROADWAY 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; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 13th day of May, 2019, the Plan Commission did consider and make recommendations on a certain request for approval of a Specific Use Provision (SUP) for Used Goods, Retail Sales (Indoors) by **Habitat for Humanity of Greater Garland**; 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 a Specific Use Provision (SUP) for Used Goods, Retail Sales (Indoors) on a 1.49-acre tract of land zoned Community Retail (CR) District and located at 2909 Broadway Boulevard 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 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.

Section 7

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

ZONING FILE NO. Z 19-12

PASSED AND APPROVED this _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 19-12

BEING LOT 1, BLOCK 1, OF BROADWAY CAR CARE CENTER, AN
ADDITION TO THE CITY OF GARLAND, TEXAS ACCORDING TO THE
PLAT, RECORDED IN VOLUME 2000008, PAGE 813 MAP RECORDS,
DALLAS COUNTY, TEXAS.

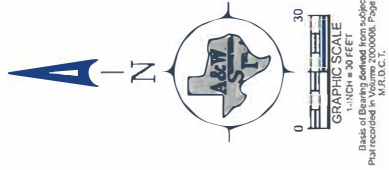
SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 19-12

2909 Broadway Boulevard

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow Used Goods, Retail Sales (Indoors).
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District 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. Site Layout: The site should be in general conformance with the approved site plan labeled Exhibit C. In the event of conflict between the conditions and the site plan, the conditions listed below are to apply.
- V. Specific Use Provision:**
- A. SUP Time Period: The Specific Use Provision for Used Goods, Retail Sales (Indoors) shall be in effect for a period of twenty (20) years.
- B. The Used Goods, Retail Sales (Indoors) use shall be limited to the retail sales of new and used/repurposed home improvement items, with general office use.
- C. No outdoor retail sales or outdoor storage is permitted.

SURVEY PLAT



LEGAL DESCRIPTION
Being Lot 1, Block 1, of Broadway Car Care Center, an Addition to the City of Garland, Dallas County, Texas, according to the Plat, recorded in Volume 2000008, Page 813, Map Records, Dallas County, Texas.

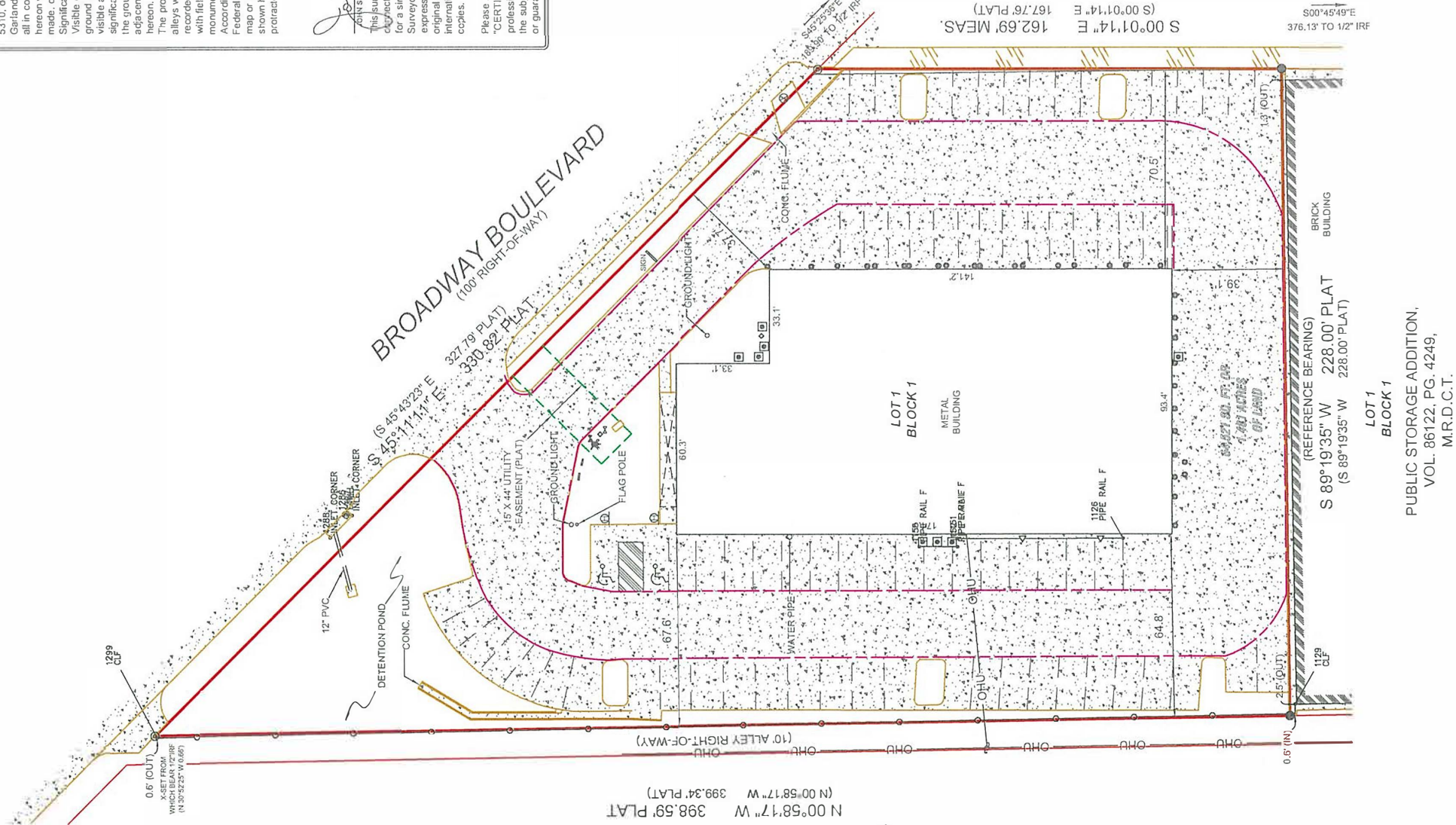
SURVEYOR'S CERTIFICATION

I, John S. Turner, Registered Professional Land Surveyor No. 5310, do hereby certify to Habitat for Humanity of Greater Garland, Inc., Frost Bank, and Slevart Title Guaranty Company, all in connection with G. F. NO. 19000230034, that the plat shown hereon was prepared from and represents accurately a survey made, on the ground, under my direction and supervision. Significant improvements to the property are as shown hereon. Visible evidence of use of the subject property found on the ground is shown hereon. EXCEPT AS SHOWN, there were no visible and apparent easements, encroachments or protrusions of significant improvements across subject property lines found on the ground. Visible and apparent conflicts with boundaries of adjacent properties found on the ground (if any) are as shown hereon. The area of the property as shown hereon is correct. The property has contiguous or common lines with streets and alleys where shown hereon. This survey was compiled from recorded plats and/or deeds and other records, in conjunction with field measurements and significant and visible monumentation and evidence of boundaries found on the ground. According to the Community Panel No. 480133C 0240K of the Federal Emergency Management Agency flood insurance rate map or flood hazard boundary map dated 07-07-14. The property shown hereon is located in Zone "X". (This information is protracted from F.I.R.M.)



JOHN S. TURNER RPLS 5310
This survey was performed exclusively for the parties in connection with the G. F. number shown hereon and is licensed for a single use. This survey remains the property of the Surveyor. Unauthorized reuse is not permitted without the expressed written permission of the Surveyor. This survey is an original work protected by United States Copyright law and international treaties. All rights reserved. Do not make illegal copies.

Please note that the use of the word "CERTIFY" or "CERTIFICATE" used hereon constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification and does not constitute a warranty or guarantee, either expressed or implied.



BROADWAY TERRACE ADDITION NO. 2,
VOL. 39, PG. 17,
M.R.D.C.T.

LOT 1
BLOCK 1
PUBLIC STORAGE ADDITION,
VOL. 86122, PG. 4249,
M.R.D.C.T.

NOTE: All 1/2 IRS are 1/2-inch iron rods with yellow plastic caps stamped "RPLS 5310".

LEGEND									
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND
1/2" IRON ROD	2" FOUND	3" FOUND	4" FOUND	5" FOUND	6" FOUND	7" FOUND	8" FOUND	9" FOUND	10" FOUND

EXHIBIT C

2909 BROADWAY BOULEVARD
GARLAND, TEXAS

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MEADOWS, TX 75187
PHONE: (972) 861-4075 FAX: (972) 631-4054
WWW.AWSURVEY.COM

DATE: 03/30/2018
DRAWN BY: JST



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

4.

Meeting Date: 06/18/2019

Item Title: Water Conservation and Resource Emergency Management Plans

Submitted By: Wes Kucera, Managing Director

Summary of Request/Problem

At the May 20, 2019 Work Session, Council considered updating the City of Garland Code of Ordinances Chapter 51, Article VI Water Resource Emergency Management Plan and Chapter 51, Article VIII Water Conservation Plan.

Recommendation/Action Requested and Justification

Council is requested to consider approving the updated ordinances to the City of Garland Code of Ordinances Chapter 51, Article VI Water Resource Emergency Management Plan and Chapter 51, Article VIII Water Conservation Plan.

Attachments

Water Conservation Plan 2019

Water Resource Emergency Management Plan 2019

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 51, "GENERAL UTILITY PROVISIONS", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1

That Article VIII of Chapter 51, "General Utility Provisions", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"ARTICLE VIII. WATER CONSERVATION PLAN

Sec. 51.116 Declaration of policy, purpose, and intent

In order to conserve the available water supply by providing a consistent mechanism for preventing the waste of water resources, the following regulations and restrictions on the delivery and consumption of water are hereby adopted.

Sec. 51.117 Definitions

In this article:

(1) Code means the Code of Ordinances of the City, as amended.

(2) Conservation means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve efficiency in the use of water, or increase the recycling and reuse of water so that an adequate supply of water is conserved and made available for future or alternative uses.

(3) Customer means any person (as that term is defined in Section 10.03 of this Code) using or receiving water supplied by the City.

(4) Director means the Managing Director of Water, Wastewater, and Water Recycling of the City, his or her designee, or such other individual to whom the City Manager has appointed the duties and authority under this article.

(5) Drip irrigation is a method of landscape irrigation involving irrigation tubing that provides water directly to the roots of the plants.

(6) Institutional use means the use of water by an entity dedicated to public service, such as a school, university, church, hospital, nursing home, or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

(7) Landscape irrigation use means water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

(8) Municipal per capita water use is the sum total of water diverted into a water supply system for residential, commercial, public, and institutional uses divided by actual population served.

(9) Municipal use means the use of potable water provided by a public water supplier as well as the use of treated wastewater effluent for residential, commercial, public, and institutional applications.

(10) Reclaimed water means reclaimed municipal wastewater that has been treated to a quality that meets or exceeds the minimum standards of Chapter 210 of the Texas Administrative Code and is used for lawn irrigation, industrial purposes, or other non-potable purposes.

(11) Residential Gallons Per Capita Per Day ("Residential GPCD") means the total gallons sold for residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

(12) Reuse is the authorized use for one or more beneficial purposes of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(13) Soaker hose is a type of water hose made of porous material that allows water to seep out of the hose without spraying water into the air.

(14) Total Gallons Per Capita Per Day ("Total GPCD") means the total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in 30 T.A.C. § 288.1 shall be credited against total diversion volumes for the purposes of calculating Total GPCD for targets and goals.

(15) Unaccounted-for water is the difference between the amount of water delivered by the City's wholesale water supplier and the amount of water sold by the City. Unaccounted-for water can include inaccurate or incomplete recordkeeping, meter error, unmetered uses (i.e. firefighting), leaks, and water theft or unauthorized use.

(16) Water conservation goals are measures of water consumption on a per capita basis set by the City as a benchmark for evaluating the effectiveness of the water conservation plan.

(17) Water conservation plan is a strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan is required by Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code.

Sec. 51.118 Water utility profile

The director shall endeavor to set water conservation goals for the City based on data collected and reported in the water utility profile filed with the Texas Commission on Environmental Quality (or successor agency) as required or provided by law. The profile shall include information regarding population and customer data, water usage data, water supply system data, and wastewater system data. The director shall ensure that a copy of the most current filed report is available for public inspection and copying.

Sec. 51.119 Water conservation goals

Water conservation goals are established to provide for a reduction and/or stabilization in the per capita water use over current water use trends. These goals can be realized from incorporation of water savings measures. The planning goals for the City include the following:

Total Municipal per capita water use at or below 141.0
Total GPCD by the year 2024 and at or below 138.0
Total GPCD by the year 2029. Municipal per capita water use shall be calculated on an annual basis.

Sec. 51.120 Water conservation savings elements

The following measures shall be implemented as a part of the water conservation plan in an effort to track water use and control water losses.

(1) Water source metering. The director shall endeavor to take monthly meter readings at each pumping station that pumps water into the City's water distribution system. These meters shall be within an accuracy of plus or minus 5 percent. These readings shall be recorded in a recordkeeping data base.

(2) Enforcement measures. The City has established criminal penalties and provided for the assessment of service fees for tampering with, bypassing, or diverting water distributed by the Water Department.

(3) Universal metering. The director shall endeavor to meter all water connections to the City's water distribution system including all residential, commercial, and industrial users, parks, public areas, and municipal facilities; provided however, that the director need not attempt to meter connections for water uses which are not from permanently metered locations, such as water used in fire protection, new construction, line flushing, maintenance flushing, storm sewer flushing, jet truck filling, fire hydrant flushing, and other required system flushing.

(4) Meter repair and replacement. The director shall endeavor to test and repair meters on an as needed basis. All meters shall be periodically replaced on an as needed basis.

(5) Control of unaccounted-for water. The director shall endeavor to maintain unaccounted-for water below 12 percent, as recommended by the City's water purveyor, the North Texas Municipal Water District (NTMWD). The amount of unaccounted-for water shall be monitored on an annual basis. If the amount of unaccounted-for water exceeds 12 percent, the director shall take appropriate actions to reduce the amount of unaccounted-for water. Actions may include the following:

- (a) Meter replacement and/or repair.
- (b) Large meter recalibration.
- (c) Aggressive leak detection program.
- (d) Water audit.
- (e) Any other action deemed necessary to reduce the unaccounted-for water use.

(6) Record management. Based on requirements of the Texas Administrative Code, the director shall separate water use into the following categories:

- (a) Residential.
 - (i) Single Family
 - (ii) Multi-Family
- (b) Commercial.
- (c) Public/institutional.
- (d) Industrial.
- (e) Agricultural.
- (f) Wholesale.

(7) Leak detection and repair. The director shall endeavor, on a continual basis, to monitor water lines by visual inspection and sound amplifiers for potential water leaks. Water lines shall be upgraded and replaced as necessary to correct any deficiencies.

(8) Public education and information. The director shall endeavor to provide the public with information on water conservation with activities such as:

(a) Publication of information in a newspaper of general circulation in the City; publication in the "City Press"; posting information on the City's website; and including inserts in utility bills highlighting water conservation material;

(b) Water conservation presentations at schools and other meetings at the request of the organization;

(c) Providing water conservation kits to residents who live along replaced water mains;

(d) Providing water conservation material at City public buildings;

(e) Encouraging the use of native, drought-tolerant, or adaptive plants;

(f) Promoting the use of drip irrigation; and

(g) Offering, as funding permits, educational water audits to water customers on a first-come, first-served basis.

(9) Conservation water rate structure. The City has implemented a three-tier increasing block rate structure to discourage waste of water replacing the existing uniform rate type structure.

(10) Water reuse and recycling. Treated wastewater plant effluent is reused at the City's two wastewater treatment facilities for plant wash down, on-site plant irrigation, and chlorination/dechlorination. Additional reuse includes diversion of treated effluent to a local power plant and NTMWD. The Director shall continue to identify additional opportunities for treated effluent reuse.

(11) Water conserving water fixtures. Section 30.80 of this Code adopts the plumbing code, which requires new toilets, showerheads, and faucets that are installed to meet reduced water use requirements. Use of these new fixtures in new construction and in remodeling will reduce water demand.

(a) As funding permits, conservation credits shall be applied to a customer's utility bill when proof of purchase and a signed application has been received for the purchase of up to three (3) new toilets and up to one (1) new clothes washing machine.

(12) Showerhead replacement program. The City provides low-flow showerheads and sink aerators to customers with showerheads with flows greater than 2.5 gpm. The showerheads are provided to customers impacted by mainline replacement at the completion of the project.

(13) Wholesale water customers. Any contract that the director may enter into for the wholesale sale of water after the adoption of the water conservation plan shall include the requirements that the wholesale customer develop and implement a water conservation plan that meets the requirements of title 30, part 1, chapter 288, subchapter A, rule 288.2 of the Texas Administrative Code.

(14) Water service in food service establishments. The City encourages food service establishments to serve water only when requested by the patron.

(15) Reservoir system operation plan. The City purchases all of its water from NTMWD, which utilizes system operation. The City does not have its own surface water supplies for which to implement a system operation plan.

(16) Monitoring effectiveness of the water conservation plan. The City monitors the effectiveness of the Water Conservation Plan on an annual basis through yearly reports.

(17) Conservation measures relating to lawn and landscape irrigation. Lawn and landscape irrigation practices within the City can cause a waste of valuable water resources. The purpose of this subsection is to assure that water be used for lawn and landscape irrigation in a manner that prevents waste and conserves water resources. All new irrigation systems must be in compliance with state design and installation regulations (Title 30, Part 1, Chapter 344 of the Texas Administrative Code).

(a) Lawn and landscape irrigation restrictions; offenses.

(i) Watering with sprinklers or irrigation systems is limited to no more than two days per week (April 1 - October 31), and no more than one day a week (November 1 - March 31) provided no active drought restrictions are in effect. A person commits an offense if he knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased, or managed by him in a manner which exceeds the weekly watering limitations set forth in this section.

(ii) Except for hand watering using an automatic shutoff nozzle and or the use of soaker hoses or drip irrigation systems, a person commits an offense if, between the hours of 10:00 a.m. and 6:00 p.m. between April 1 - October 31 of any year, he knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased, or managed by him.

(iii) A person commits an offense if he knowingly or recklessly irrigates, waters or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased, or managed by the person in a manner that causes:

A. A substantial amount of water to fall upon impervious areas instead of upon the lawn or landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or

B. An irrigation system or other lawn or landscape watering device to operate during any form of precipitation.

(iv) A person commits an offense if, on premises owned, leased, or managed by him, he operates a lawn or landscape irrigation system or device that:

A. Has any broken or missing sprinkler head; or

B. Has not been properly maintained in a manner that prevents the waste of water.

(b) Rain sensing devices and freeze gauges.

(i) Any new irrigation system installed within the City on or after June 1, 2007, must be equipped with a rain sensing devices and freeze gauges.

(ii) A person commits an offense if, on premises owned, leased, or managed by him, he:

A. Installs, or causes or permits the installation of, a new irrigation system in violation of subsection (b) (i);

B. Operates, or causes or permits the operation of, an irrigation system that does not comply with subsection (b) (i); or

C. Fails to maintain the rain/freeze sensor in proper functioning order.

(c) At home car washing can be done only when using a water hose with an automatic shut-off nozzle.

(18) The Director shall endeavor to coordinate with the regional water planning group in order to ensure consistency with the approved regional water plan.

(19) Hotels and motels are encouraged to offer a linen reuse water conservation option to customers."

SECTION 2

That, except as otherwise provided in this Ordinance, a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances of the City of Garland, Texas. The City's authority to seek injunctive relief or other civil relief available under the law is not limited by this section.

SECTION 3

That Chapter 51, "General Utility Provisions", of the Code of Ordinances of 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 terms and provisions of this Ordinance are severable and are governed by Section 10.06 of the Code of Ordinances of the City of Garland, Texas.

SECTION 5

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

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 51, "GENERAL UTILITY PROVISIONS", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1

That Article VI of Chapter 51, "General Utility Provisions", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"ARTICLE VI. WATER RESOURCE EMERGENCY MANAGEMENT PLAN

Sec. 51.90 Declaration of policy, purpose, and intent

(A) In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection; and to protect and preserve public health, welfare, and safety; minimize the adverse impacts of a water supply shortage or other water supply emergency conditions, the following regulations and restrictions on the delivery and consumption of water are hereby adopted.

(B) Water uses regulated or prohibited under this water resource emergency management plan (the "plan") are considered to be nonessential and the continuation of such uses during times of a water shortage or other emergency water supply conditions are deemed to constitute a waste of water that will subject offenders to both civil and criminal fines and penalties.

Sec. 51.91 Definitions

In this article:

(1) Aesthetic water use means water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

(2) Aquatic life means a vertebrate organism dependent upon an aquatic environment to sustain its life.

(3) Athletic Field means a sports competition field used primarily for organized sports practice, competition or exhibition events for schools, professional sports or sanctioned league play.

(4) Automatic Shutoff Nozzle means a device which permits water to flow through it only when outside pressure is applied.

(5) Cool season grasses means varieties of turf grass that grow best in cool climates primarily in northern and central regions of the United States (i.e. perennial and annual rye grass, Kentucky blue grass and fescues).

(6) Commercial users means commercial, institutional and industrial customers using water that is integral to its operations.

(7) Conservation means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve efficiency in the use of water or increase the recycling and reuse of water so that an adequate supply of water is conserved and made available for future or alternative uses.

(8) Customer means any person (as that term is defined in section 10.03 of this Code) using or receiving water supplied by the City.

(9) Director means the Managing Director of Water, Wastewater, and Water Recycling of the City, his or her designee, or such other individual to whom the City Manager has appointed the duties and authority under this article.

(10) Drip irrigation (also known as micro irrigation) means the application of small quantities of water as drops, small streams or miniature sprays through emitters of applicators placed along a water delivery line. The drip method encompasses a number of systems or concepts such as bubbler, dripper, trickle, line source mist or miniature spray.

(11) Landscaped areas mean areas of decorative plantings of vegetation generally consisting of shrubs, vines, groundcovers, trees, ornamental trees, and decorative grass species that are planted to improve aesthetic

qualities or natural beauty of a site and/or to stabilize the soil conditions, thereby minimizing water runoff. These areas may also include vegetation planted in containers intended to supplement or highlight areas of the landscape or garden.

(12) Landscape irrigation use means water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

(13) Lawns mean an open area covered by closely mown and cultivated perennial turf grass.

(14) Soaker hose means a type of water hose made of porous material that allows water to seep out of the hose without spraying water into the air.

Sec. 51.92 Triggering criteria for initiation and termination of emergency response stages

(A) The Director shall monitor water supply or demand conditions on a daily basis and will determine when conditions warrant the initiation or termination of any emergency response stage of the plan. The Director shall endeavor to provide public notification of the initiation or termination of an emergency response stage by means of publication of notice in a newspaper of general circulation in the City, the "City Press," and the City's internal website, by posting notices on the City's public access CATV channel, and social media channels, through Customer mailings when applicable, and by posting signs in City buildings. The Director shall endeavor to notify North Texas Municipal Water District ("NTMWD") by telephone and a follow-up letter, e-mail, or fax when an emergency response stage is initiated. The Director shall notify the executive director of the TCEQ within 5 business days when any mandatory provisions of the plan are activated.

(B) When the Director determines that a water shortage or water supply emergency requires activation of the plan, the provisions of the plan shall go into effect immediately upon the first publication of notice and shall remain in effect until terminated by the Director.

(C) The Director may order the termination of an emergency response stage or water emergency when the conditions for termination are met or at his discretion. The Director may decide not to order the

termination of an emergency response stage or water emergency even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the emergency response stage. The Director shall endeavor to take the following actions when an emergency response stage is terminated:

- (1) Notify the public by means of publication of notices in a newspaper of general circulation in the City; publication in the "City press"; posting notices on the City's website, social media channels, and on the City's public access CATV channel; through Customer mailings, if applicable, and by posting signs in City buildings;

- (2) Notify the NTMWD in a timely manner; and

- (3) Notify the executive director of the TCEQ within five (5) business days that activated mandatory provisions of the plan are terminated.

(D) Depending on the circumstances prevailing at the time the plan is put into effect, the Director may determine that a water shortage or other water supply emergency exists under one of the following stages:

- (1) Stage 1.

- (a) Requirements for initiation. The Director may initiate restrictions on certain nonessential water uses applicable to a Stage 1 water shortage when:

- (i) The City's wholesale water provider, NTMWD, notifies the Director of delivery or source shortages, requests initiation of Stage 1 of the plan, and the Director concurs;

- (ii) Total daily water demand exceeds 95 percent of the amount that can be delivered to Customers for three consecutive days;

- (iii) Water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate;

- (iv) Supply source becomes contaminated;

(v) Water system is unable to deliver water due to the failure or damage of major water system components; or

(vi) The water system experiences continually falling treated water storage levels that do not refill above 65 percent overnight.

(b) Stage 1 may terminate when the circumstances that caused the initiation of Stage 1 no longer prevail and the Director authorizes.

(2) Stage 2.

(a) Requirements for initiation. The Director may initiate restrictions on certain nonessential water uses applicable to a Stage 2 water shortage when:

(i) The City's wholesale water provider, NTMWD, notifies the Director of delivery or source shortages, requests initiation of Stage 2 of the plan, and the Director concurs;

(ii) Total daily water demand exceeds 98 percent of the amount that can be delivered to Customers for three consecutive days;

(iii) Water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate;

(iv) Supply source becomes contaminated;

(v) Water system is unable to deliver water due to the failure or damage of major water system components; or

(vi) The water system experiences continually falling treated water storage levels that do not refill above 50 percent overnight.

(b) Stage 2 may terminate when the circumstances that caused the initiation of Stage 2 no longer prevail and the Director authorizes.

(3) Stage 3.

(a) Requirements for initiation. The Director may initiate restrictions on certain nonessential water uses applicable to a Stage 3 water shortage when:

(i) The City's wholesale water provider, NTMWD, notifies the Director of delivery or source shortages, requests initiation of Stage 3 of the plan, and the Director concurs;

(ii) Total daily water demand exceeds the amount that can be delivered to Customers;

(iii) Water demand for all or part of the delivery system seriously exceeds delivery capacity because delivery capacity is inadequate;

(iv) Supply source becomes contaminated;

(v) Water supply system is unable to deliver water due to the failure or damage of major water system components; or

(vi) The water system experiences continually falling treated water storage levels that do not refill above 20 percent overnight.

(b) Stage 3 may terminate when the circumstances that caused the initiation of Stage 3 no longer prevail and the Director authorizes.

Sec. 51.93 Emergency Response Stages

Based upon an analysis of water supply and demand conditions and in accordance with the triggering criteria set forth above, the Director may implement the following responses as appropriate to the water shortage or water emergency being experienced.

(1) Stage 1. The goal for water use reduction under Stage 1 is a two percent (2%) reduction in the use that would have occurred in the absence of emergency management measures. During a Stage 1 shortage:

(a) The City will, in the manner it deems necessary and appropriate, endeavor to:

(i) Accelerate public education efforts on ways to reduce water use.

(ii) Halt nonessential City government water use.

(iii) Encourage the public to wait until the current drought or emergency situation has passed before establishing new landscaping.

(iv) The City will, in the manner it deems necessary and appropriate, endeavor to implement viable alternative supply strategies.

(v) Allow irrigation in Stage 1 as follows:

A. Between April 1 and October 31, irrigation of landscape areas, foundations, trees and lawns with hose-end sprinklers or automatic irrigation systems is prohibited except on Tuesdays and Saturdays; and from November 1 to March 31 the irrigation of landscape areas, foundations, trees and lawns with hose-end sprinklers or automatic irrigation systems is limited to once a week as approved by the Director. An exception is allowed where establishment of vegetation is required by TCEQ for storm water permits on new construction.

B. Irrigation of landscape areas, foundations, and trees is allowed on any day provided it is accomplished using a handheld hose equipped with an automatic shutoff nozzle, a hose-filled bucket or watering can of five (5) gallons or less, a soaker hose, or a drip irrigation system. Excessive run-off is prohibited.

C. The City and School District may water parks, sports fields, landscaped and lawn areas of medians and parkways, or other municipal facilities throughout the week in a manner that achieves the equivalent of two water days between April 1 and October 31 and from November 1 to March 31 the equivalent of once a week as approved by the Director.

D. Except for hand watering with an automatic shutoff nozzle, or the use of soaker hoses or drip irrigation systems, irrigation of lawns or landscape areas is prohibited between the hours

of 10:00 a.m. and 6:00 p.m. from April 1 to October 31.

(vi) Discourage over seeding of cool season turf grasses (such as rye grass or other similar grasses) that intensify cool season water requirements, except where establishment of vegetation is required by TCEQ for storm water permits on new construction.

(2) Stage 2. The goal for water use reduction under Stage 2 is a reduction of ten percent (10%) in the use that would have occurred in the absence of emergency management measures. During a Stage 2 shortage:

(a) The City will endeavor to continue or initiate actions available under stage 1.

(b) The City will, in the manner it deems necessary and appropriate, endeavor to implement viable alternative water supply strategies.

(c) The operation of any ornamental fountain or pond for aesthetic or scenic purposes, if it uses potable water, is prohibited except when necessary to support aquatic life.

(d) The use of water to wash down sidewalks, walkways, driveways, parking lots, tennis courts, or other hard surfaces areas is prohibited except for human health and safety purposes. Use of water for dust control on construction projects is permitted to the extent allowed or required by law or regulation.

(e) Use of water to wash any vehicle, including without limitation a motor vehicle, motorcycle, boat, trailer, or airplane, is prohibited unless the source of water is equipped with an automatic shutoff nozzle that will stop the flow of water when that flow is not needed to rinse the vehicle being washed.

(f) Use of water in such a manner as to allow excessive water runoff or other waste is prohibited. Water runoff is excessive when it extends for a distance greater than ten (10) feet from the property's boundary lines; onto an adjacent property; or ten (10) feet past the targeted irrigation area for commercial sites.

Excessive water runoff is cause for termination of water service.

(g) Irrigation is allowed in Stage 2 as follows:

(i) Between April 1 and October 31, irrigation of landscape areas, foundations, trees and lawns with hose-end sprinklers or automatic irrigations systems is limited to one day per week on the day designated for residential trash pickup in Customer's area; and from November 1 to March 31 the irrigation of landscaped areas, foundations, trees and lawns with hose-end sprinklers or automatic irrigation systems is limited to one day every other week on the day designated for collection of recyclable materials in Customer's area.

(ii) The City and School District may water parks, sports fields, landscaped and lawn areas of medians and parkways, or other municipal facilities throughout the week in a manner that achieves the equivalent of one water day between April 1 and October 31 and from November 1 to March 31 the equivalent of once every other week as approved by the Director.

(iii) Irrigation of landscaped areas, trees, lawns or foundations is permitted at any time if it is done by means of a handheld hose equipped with an automatic shutoff nozzle, soaker hoses, or by drip irrigation except that water runoff continues to be prohibited.

(iv) Golf courses using potable water may water fairways on designated watering days only, but may water greens and tee boxes as necessary. Athletic fields may be watered as necessary to insure the safety and well-being of the public.

(v) An exception is allowed where establishment of vegetation is required by TCEQ for storm water permits on new construction.

(vi) Irrigation systems may run for ten (10) minutes per station to test and repair the system and insure proper operation.

(vii) Except for hand watering with a hand-held hose equipped with an automatic shutoff nozzle, or the use of soaker hoses or drip irrigation systems, irrigation of lawns or landscape areas is prohibited between the hours of 10:00 a.m. and 6:00 p.m. from April 1 to October 31.

(h) Existing swimming pools, wading pools, hot tubs or spa-type pools may not be drained and refilled; provided however that water may be added to swimming pools to replace losses during normal use or may be refilled immediately after repair by a commercial pool company.

(i) Discourage hydroseeding, hydromulching, and sprigging, except where establishment of vegetation is required by TCEQ for stormwater permits on new construction.

(3) Stage 3. The goal for water use reduction under Stage 3 is a reduction of whatever amount is deemed necessary under the circumstances to accomplish objectives of this Article. During a Stage 3 shortage:

(a) The City may continue or initiate any actions available under Stages 1 and 2.

(b) The City will, in the manner it deems necessary and appropriate, endeavor to implement viable alternative water supply strategies.

(c) Use of water to wash any vehicle at any location other than a commercial vehicle washing facility, including without limitation a motor vehicle, motorcycle, boat, trailer, or airplane, is prohibited unless for health, sanitation or safety reasons and for essential governmental purposes. A hose-end automatic shutoff nozzle must be used for this exception.

(d) Irrigation of landscape areas, foundations, trees and lawns with hose-end sprinklers or automatic irrigation systems is prohibited. Landscape areas, foundations, and trees may be watered for up to 2 hours on any day by a handheld hose equipped with an automatic shutoff nozzle, a soaker hose, or a drip irrigation system. Athletic fields may be watered as necessary to

insure the safety and wellbeing of the public. Runoff continues to be prohibited.

(e) Permitting of pools is prohibited. Pools already permitted may be completed and filled with water. Existing pools may add water to maintain pool levels but may not be drained and refilled.

(f) Discourage the establishment of new landscaping. An exception is allowed where establishment of vegetation is required by TCEQ for storm water permits on new construction.

(g) Prohibit golf course watering with potable water except for greens and tee boxes.

(h) Require all commercial users to reduce water use by a percentage established by the City Manager or his designee.

(i) The operation of any ornamental fountain or pond for aesthetic or scenic purposes, if it uses potable water, is prohibited except where necessary to support aquatic life.

Sec. 51.94 Water rationing surcharges

Surcharges on water consumption may be imposed and collected during any emergency response stage approved by the Council.

Sec. 51.95 Enforcement

Water use restrictions imposed in Stage 1, 2 and 3 emergency response stages may be enforced as follows:

(1) Upon the first or a subsequent violation, a Customer may be issued a citation, with minimum and maximum fines as established by ordinance.

(2) Upon the second or a subsequent violation, the City may terminate water service to the Customer. Services discontinued pursuant to this subsection will be restored only upon payment of a reconnection charge as set forth in section 50.30(D)(1)(b) of this Code.

(3) Any person in apparent control of the premises where a violation occurs or originates is presumed to be the

violation, and proof that the violation occurred on the person's premises constitutes a rebuttal presumption that the person in apparent control of the property committed the violation. Parents are presumed to be responsible for violations of their minor children and proof that a violation committed by a child occurred on premises under the parent's control constitutes a rebuttal presumption that the parent committed the violation. The presumption may be rebutted by proof that the parent had previously directed the child not to use the water as it was used in violation of the plan and that the parent could not have reasonably known of the violation.

Sec. 51.96 Variances

(A) The Director may, in writing, grant a temporary variance of existing water uses otherwise prohibited under the plan if the Director determines that the failure to grant such a variance would cause an emergency condition adversely affecting the public health, safety or welfare, or the person requesting the variance would suffer an undue hardship and the person demonstrates that:

(1) Compliance with the plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the plan is in effect; or

(2) Alternative methods can be implemented which will achieve a similar level of reduction in water use.

(B) A petition for a variance must include the following:

(1) The name and address of petitioners;

(2) The purpose of the intended water use;

(3) The specific requirement of the plan from which the petitioner is requesting relief;

(4) A detailed statement as to how the specific requirement creates a hardship unique to the petitioner or adversely affects the petitioner, and a statement as to what damage or harm will occur to the petitioner or others if the petitioner complies with this article;

(5) A description of the relief requested;

(6) The period of time for which the variance is sought;
and

(7) A description of what alternative water use restrictions or other measures the petitioner is taking or proposes to take in order to meet the intent of this plan.

(C) Unless waived or modified in writing by the Director, a variance granted under this section shall include a timetable for compliance and shall contain a condition terminating the variance if the petitioner fails to meet a specified requirement of the variance.

(D) No variance will be retroactive or otherwise justify any violation of this plan that occurs prior to the issuance of the variance.

Sec. 51.97 Provisions to inform the public and opportunity for public comment

The City will provide the opportunity for public input in the development of this water resource emergency plan by the following means:

(1) Providing written notice of the proposed plan and opportunity to comment on the plan by newspaper, posted notice and/or notice on the City's website.

(2) Providing the draft plan to anyone requesting a copy.

(3) Holding a public meeting to give the public the opportunity to provide input on the plan. The meeting will be held at a time and location convenient to the public.

Sec. 51.98 Provisions for continuing public education and information

(A) The City will inform and educate the public about the water resource emergency plan by the following means:

(1) Preparing a bulletin describing the plan and making it available at City Hall and other appropriate locations.

(2) Making the plan available to the public through the City's website.

(3) Including information about the water resource emergency plan on the City's website.

(4) Notifying local organizations, schools, and civic groups that staff are available to make presentations on the plan (usually in conjunction with presentations on water conservation programs).

(B) At any time that the plan is activated or the emergency response stage changes, the City will notify local media of the issues, the current emergency response stage, and the specific actions required of the public. The information will also be publicized on the City's website and social media channels. Billing inserts will also be used as appropriate.

Sec. 51.99 Coordination with the regional water planning group

A letter will be sent to the chair of the Region C water planning group with a copy of this water resource emergency plan. The City will also send a copy of this water resource emergency plan to NTMWD.

Sec. 51.99.1 Review and update of water resource emergency plan

As required by TCEQ rules, the City will review and update the water resource emergency plan every five years. The plan will be updated as appropriate based on new or updated information."

SECTION 2

That, except as otherwise provided in this Ordinance, a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances of the City of Garland, Texas. The City's authority to seek injunctive relief or other civil relief available under the law is not limited by this section.

SECTION 3

That Chapter 51, "General Utility Provisions", of the Code of Ordinances of 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 terms and provisions of this Ordinance are severable and are governed by Section 10.06 of the Code of Ordinances of the City of Garland, Texas.

SECTION 5

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

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

5.

Meeting Date: 06/18/2019

Item Title: Shepherd Drive and Briarwood Drive Parking Restrictions

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

Changes in area parking have resulted in the need for parking restrictions. Council is requested to restrict parking along these two streets.

Recommendation/Action Requested and Justification

Revise existing parking restrictions on Shepherd Drive to extend for the full length of Shepherd Drive on both sides of the street at all times, and establish a no parking anytime zone on the north side of Briarwood from Evergreen Street to 475 feet south.

Attachments

Figure 1

Figure 2

Shepherd Drive and Briarwood Drive Parking Ordinance

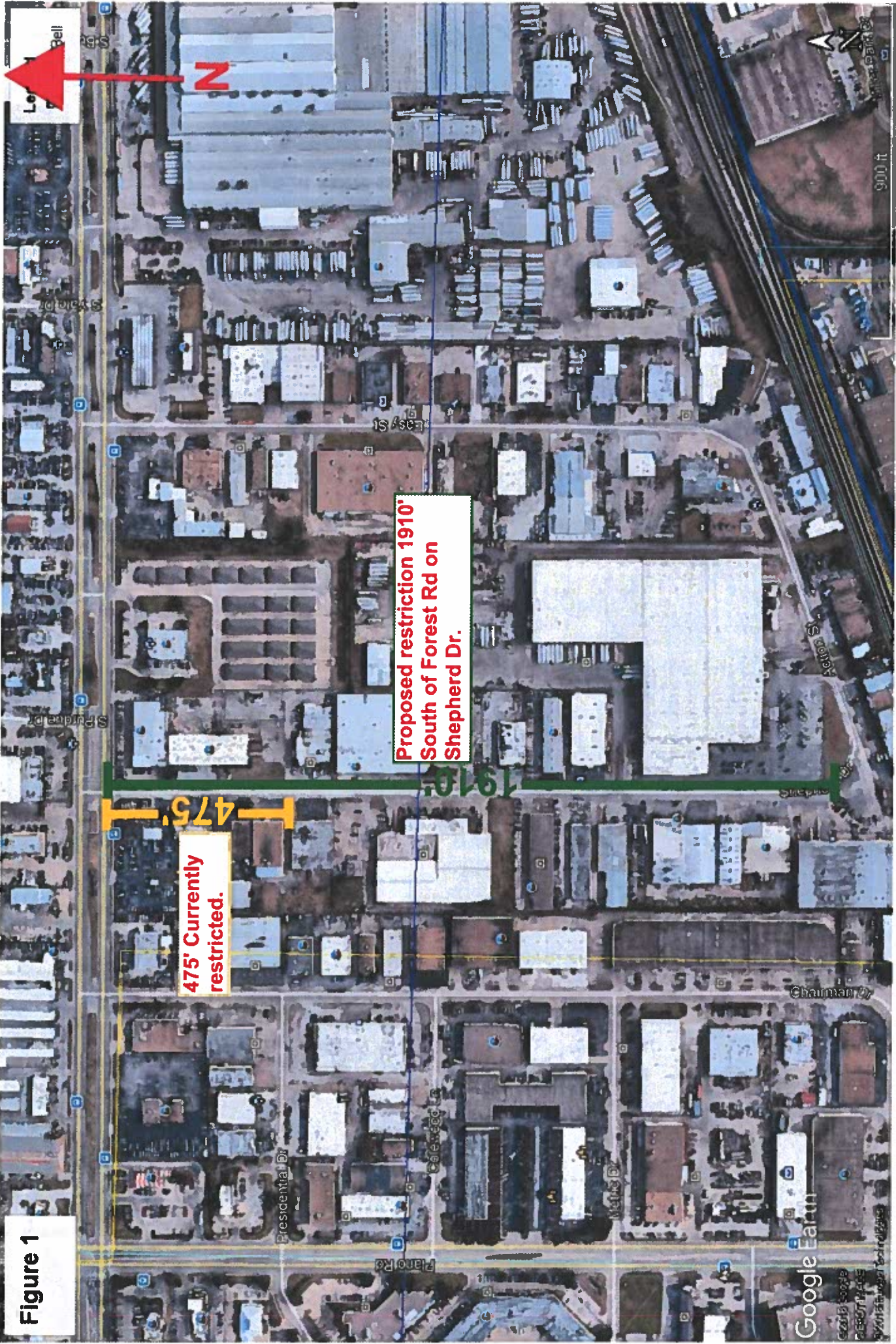


Figure 1

Proposed restriction 1910'
South of Forest Rd on
Shepherd Dr.

475' Currently
restricted.

Figure 2
Briarwood & Evergreen st



ORDINANCE NO.

AN ORDINANCE 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.

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

Section 1

That Section 33.48(A), "Prohibited at all times", of Article IV, "Stopping, Standing, and Parking", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the addition of the following:

<u>Street</u>	<u>Side</u>	<u>Extent</u>
Shepherd Drive	Forest Blvd to 1910 feet south of Forest Lane	Both
Briarcrest Drive	Evergreen Street to 475 feet Southwest of Evergreen Street	North

Section 2

That Section 33.48(A), "Prohibited at all times", of Article IV, "Stopping, Standing, and Parking", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the deletion of the following:

<u>Street</u>	<u>Side</u>	<u>Extent</u>
Shepherd Drive	Forest Lane to 475 feet south of Forest Lane	Both

Section 3

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 3

That Chapter 33, "Transportation", of the Code of Ordinances of 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 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 5

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

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

6.

Meeting Date: 06/18/2019

Item Title: Termination of SafeLight Garland automated red light enforcement program

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

On June 1, Governor Abbott signed into law HB 1631 which prohibits the "implementation or operation" of red light camera programs. Because the bill had the necessary number of votes to make it become effective immediately upon signing by the Governor, the law went into effect when the Governor signed it. Although the law allows for the continuation of certain red light camera programs, the savings clause that allows such continued operation does not apply to Garland. SafeLight Garland has been shut down and no violations are being processed as of 12:01 a.m. on June 1, 2019.

Recommendation/Action Requested and Justification

Article VI, Chapter 26 of the Garland Code of Ordinances provides the operating authority for the SafeLight Garland program. Because the new law does not define what the "operation" of a red light camera program entails, it is recommended that Article VI be repealed in its entirety. It is no longer effective and no longer necessary. A proposed ordinance repealing that article is attached.

Attachments

SafeLight Temination

ORDINANCE NO.

AN ORDINANCE REPEALING ARTICLE VI, "AUTOMATED RED LIGHT ENFORCEMENT" OF CHAPTER 26, "POLICE - MISCELLANEOUS PROVISIONS AND OFFENSES" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Article VI, "Automated Red Light Enforcement" of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby repealed effective June 1, 2019 at 12:01 a.m. Any red light violation detected through the SafeLight Garland automated red light enforcement system after such date and time shall not be processed, and if processed inadvertently, shall be administratively dismissed. The City Manager, the City Attorney, and the Chief of Police are hereby authorized to implement the termination of any and all pending matters relating to the SafeLight Garland program as they in their reasonable discretion determine to be necessary or useful to that purpose.

Section 2

That Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance. Nothing contained in this Ordinance shall be deemed or construed as waiving, disavowing or relinquishing any right, claim, position, immunity, defense or cause of action the City may have, all of which are hereby reserved.

Section 3

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 4

That, except as provided in Section 1, this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

7.

Meeting Date: 06/18/2019

Item Title: Project Supplemental Agreement with Dallas County for MGR Bikeway (Duck Creek Trail Connections)

Submitted By: Michael Polocek, Engineering Director

Summary of Request/Problem

In 2012 the City executed a Master Agreement with Dallas County that provides general terms regarding funding availability, agency responsibilities, etc., for “partnering” on eligible future CIP projects. According to this model, a PSA is then required to finalize specific costs and project management issues. Generally, the County provides a 50% share of construction costs. The City must pay for any City utility improvements or relocations.

The City applied for Regional Toll Revenue (RTR) funding for the Mesquite Garland Richardson (MGR) Trail Connectivity Project from TxDOT thru the North Central Texas Council of Governments call for projects. The project included the construction of the trail connections as well as remarking streets for shared lane use for bikes and also designated bike lanes. The application was successful and the Garland was awarded funding.

In 2018, the City solicited Dallas County for matching local funds on a 50% cost share basis for the construction of the MGR Bikeway (Duck Creek Trail Connections Segments I and II) project. Dallas County agreed.

The City has a commitment with North Central Texas Council of Governments (NCTCOG) where NCTCOG agreed to fund designate \$2,040,000 to the MGR Bikeway/Trail Connectivity Project. The remaining balance would be paid thru a commitment of local funds. The following is the commitment of funds for the project by each Agency:

Texas Department of Transportation	\$2,040,000
City of Garland	\$1,250,000
Dallas County	\$1,250,000

The PSA establishes the commitment amount of \$1,250,000 each for the City and Dallas County for the construction of the MGR Trail Connections Segments I and II. The approved 2019 CIP includes funds to cover the trail design and construction amounts.

City Council considered this item at the June 3, 2019 Work Session.

Recommendation/Action Requested and Justification

Approve a Resolution authorizing the City Manager to execute the Project Specific Agreement with Dallas County for MGR Bikeway (Duck Creek Connections).

Attachments

PSA Dallas County MGR Bikeway
MGR Resolution
Location Map

**DALLAS COUNTY CAPITAL IMPROVEMENT PROGRAM
PROJECT SPECIFIC AGREEMENT
TO THE MASTER AGREEMENT GOVERNING
MAJOR CAPITAL TRANSPORTATION IMPROVEMENT PROGRAM**

This Project Specific Agreement hereinafter “PSA” to the Master Agreement Governing Major Capital Improvement Program (“Master Agreement”) is made by and between the City of Garland, Texas, hereinafter "City", and the County of Dallas, Texas, hereinafter "County", acting by and through its duly authorized officials, for the purpose of transportation improvements that are part of what is known as the Duck Creek Trail Connections Project, and this PSA is necessary to complete the existing gaps within the Duck Creek Trail Corridor by providing trail crossings under Centerville Road and Interstate Highway 30 “ I-30/I.H. 30”, MCIP Project 19201, hereinafter "Project".

WHEREAS, the City has requested that it be designated as the Lead Agency for the Project and will provide the Project Manager;

WHEREAS, The City and County entered into a Master Agreement Governing Major Capital Improvement Program on October 23, 2012, by Commissioner Court Order 2012-1795 for the purpose of transportation improvements on roads inside Dallas County;

WHEREAS, Chapter 791 of The Texas Government Code and Chapters 251 and 472 of the Texas Transportation Code provide authorization for local governments to contract with each other for the performance of governmental functions and services, as well as joint funding of road construction or improvements of road or street projects.

NOW THEREFORE THIS PSA is made by and entered into by the City and the County, for the mutual consideration stated herein.

Witnesseth

**Article I.
Project Specific Agreement**

This PSA is to specifically identify the Project, changes in the rights and responsibilities of each of the parties as set forth in the Master Agreement and additions thereto as incorporated herein, as needed for the Project. This PSA will be an addition to the Master Agreement and incorporate each of its terms and conditions. All terms of the Master Agreement remain in full force and effect except as modified herein. In the event of any conflict between the Master Agreement and this PSA, this PSA shall control as to the Project.

Article II.

Incorporated Documents

This PSA incorporates, as if fully reproduced herein word for word and number for number, the following items:

1. Master Agreement authorized by County Commissioners Court Order 2012-1795 dated October 23, 2012, and additions thereto as incorporated herein.
2. Project Scoping Sheets and alignment map, which is attached and incorporated herein as Attachment “A”.
3. Current Cost Estimates and Funding Sources, which is attached and incorporated herein as Attachment “B”.
4. Project Vicinity Map, which is attached and incorporated herein as Attachment “C”.

Article III.

Term of Agreement

This PSA shall become effective when signed by the last party whose signature makes the respective agreement fully executed and shall terminate upon the completion and acceptance of the Project by Dallas County Commissioners Court or upon the terms and conditions in the Master Agreement, Article IV, Section A, Termination.

Article IV.

Project Description

This PSA is entered into by the parties for public transportation improvements within the City of Garland. The Project is defined as the construction of two missing segments of trail within the Duck Creek Trail Corridor in the City of Garland. Segment I consists of a trail connection along the northwest side of Centerville Road between Glenbrook Drive and South First Street that loops under Centerville Road to connect to the existing Duck Creek Trail 0.2 miles southeast of Centerville Road. Segment II consists of a trail connection that begins 0.10 miles northwest of the WB I-30 Frontage Road at Greenbelt Pkwy and extends south along the City Utility easement to cross under I-30 to the Mesquite City Limit. These two segments will fill in existing gaps within the Duck Creek Trail Corridor by providing trail crossings under Centerville Road and I-30. The Project will aid in roadway safety and facilitate the movement of public transportation to benefit both the City and County by, among other things, providing alternate routes for use by pedestrians, bicyclists, and other non-motorized vehicle operators who would otherwise use public streets within the City and the County for travel, thus resulting in a reduction in traffic conflicts between such users and motorists traveling on the same streets. The City does hereby give its approval for the expenditure of County funds for the construction, improvement, maintenance or repair of a street located within the municipality.

Article V.

Fiscal Funding

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this PSA, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this PSA, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Article VI.

Agreements

I. County and City Responsibilities:

1. City will be the Lead Agency for the Project from commencement of planning to completion of construction.
2. City and County have mutually agreed that the Project limits are Segment I, which consists of a trail connection along the northwest side of Centerville Road between Glenbrook Drive and South First Street that loops under Centerville Road to connect to the existing Duck Creek Trail 0.2 miles southeast of Centerville Road. Segment II consists of a trail connection that begins 0.10 miles northwest of the WB I-30 Frontage Road at Greenbelt Pkwy and extends south along the City Utility easement to cross under I-30 to the Mesquite City Limit.
3. The agreed upon Standard Basic Project Design for the Project is as defined in the Project Scoping Sheets, Attachment "A". Such design shall be the Standard Basic Project Design for the Project and specifically does not include Road or Street Amenity, Paving and Drainage Amenities, Project Amenities or Utility Betterments as defined in the Master Agreement. If the City adds relocation or adjustment of City

Utilities or Utility Betterments, the City agrees that it will pay 100% of the costs of these additions.

4. The Project may require the acquisition of transportation right-of-way which is specifically all real property needed or convenient for transportation and/or drainage purposes as shown in the Project design or right-of-way plans and specifically includes all real property outside of the designed right-of-way needed, if applicable, or convenient to the construction, drainage, interface with adjoining streets or alleys, driveways or other access ways or other Project permanent or temporary easements which is approved by the City and the County. Such right-of-way acquisition shall be the responsibility of the City as Lead Agency. All property acquired shall be free and clear of all encroachments. City shall coordinate any necessary City owned utility adjustments for construction of the Project. Such acquisitions will be transferred into the City's name, as the City will be solely responsible for maintenance after construction is completed.
5. In order to certify compliance with the expenditure of the Project funding for this PSA, the City agrees to furnish to the County, its Auditor, or its designated representative(s) the unrestricted right to audit any and all accounting and other records regarding any funds paid or claimed under this agreement, including, but not limited to all books, records, reports, tickets, deposits, expenditure, budget or any item therein, supporting data, computer records and programs, and all items of hardware, software or firmware, or any other item utilized by the City regarding this PSA (records). City contracts and agrees that all records shall be kept and maintained for a period of time not less than four (4) years from the date of the termination of this PSA. Such records shall be provided to the County in Dallas County, Texas and available for any audit at any time upon request.
6. The results of any audit may be furnished to the County for comment. In the event that any such audit determines that moneys are owed to the County, the City shall be provided notice pursuant to Article VII, Miscellaneous, IV. Notice in this PSA and provided a maximum of ten (10) days after mailing to refute the findings. Any such sums are deemed to be due and payable to Dallas County, Texas, within thirty (30) days of the date of an invoice for such cost being deposited in the United States mail, via certified mail, and with return receipt requested.
7. The audit provisions of this PSA shall survive the termination of this agreement until all Project claims to which the County is or may be a party, are fully paid or reduced to judgment not subject to appeal and barred by the Texas statute regarding limitation of actions.

II. City Responsibilities:

1. City shall be the Lead Agency for this Project. City will provide project management of the Project from commencement of planning to completion of construction, and the City commits to execute the necessary agreements, subject to City Council approval, for the implementation of construction of the Project as mutually agreed upon and incorporated herein by this PSA.

2. City will accomplish all tasks and responsibilities of the Lead Agency as set forth in the Master Agreement. City will provide project management in accordance with the Phase 5 Project Delivery System in Article VI of the Master Agreement.
3. City shall execute the necessary agreements for the acquisition and any utility relocation as required herein.
4. City shall provide City Council Resolution commitment to meet the Project funding subject to City Council authorization of required additional funds.
5. City shall coordinate any necessary City owned utility adjustments for construction of the Project.
6. City shall work to ensure construction is completed in a timely and effective manner.
7. The Project may require the acquisition of transportation right-of-way which is specifically all real property needed or convenient for transportation and/or drainage purposes as shown in the Project design or right-of-way plans and specifically includes all real property outside of the designed right-of-way needed, if applicable, or convenient to the construction, drainage, interface with adjoining streets or alleys, driveways or other access ways or other Project permanent or temporary easements which is approved by the City and the County. Such right-of-way acquisition shall be the responsibility of the City as Lead Agency. All property acquired shall be free and clear of all encroachments. City shall coordinate any necessary City owned utility adjustments for construction of the Project. Such acquisitions will be transferred into the City's name as the City will be solely responsible for maintenance after construction is completed.
8. City shall coordinate any necessary utility adjustments for construction of the Project.
9. City shall allow the County an opportunity to review design plans, change orders and amendments.
10. City shall be responsible for maintaining the improvements after the Project is complete.

III. County Responsibilities

1. County agrees to participate in the City led project as a funding participant.
2. The County will attend task force meetings, field construction meetings and will retain right during construction to confirm progress through inspection and to review plans, change orders and amendments.
3. The review of, comments to, approval or acceptance of work performed by the City, its contractors or subcontractors' work by the County shall not constitute nor be deemed either controlling or a release of the responsibility, and liability of City regarding its consultant, employees, subcontractors, agents and consultants for the accuracy and competency of their work. Nor shall such approval and acceptance be deemed to be an assumption of such responsibility by the County for any defect, error or omission in the work prepared.

IV. Funding:

County and City mutually agree to proportionately fund the Direct Project and Program cost as follows:

1. Notwithstanding any provision in the Master Agreement, this PSA, any amendment thereto, or any other agreement between the parties regarding this Project, the total Project cost is estimated to be Two Million Five Hundred Thousand Dollars and no cents (\$2,500,000.00) for Duck Creek Trail.
2. The County's total obligation to this Project is to provide funding in the amount not to exceed One Million Two Hundred Fifty Thousand Dollars and no cents (\$1,250,000.00) towards eligible items, reduced by the County's in-house delivery costs of the total Project cost. The County's in-house delivery cost is estimated to be Twenty Five Thousand Dollars and no cents (\$25,000.00) to be reduced from the County's participation. Project costs may include County Project delivery costs including but not limited to preliminary scoping and research, preliminary design services, special services, primary design services, inspection, laboratory services and construction.
3. The City's total obligation to this Project is to provide funding in the amount not to exceed One Million Two Hundred Fifty Thousand Dollars and no cents (\$1,250,000.00) for ROW acquisition and Project costs. The parties acknowledge that if there is any remaining City money left, City could use the said remainder for amenities or other expenditure related to the Project.
4. The City agrees to encumber an amount adequate for total estimated Project costs as determined prior to the commencement of each Project milestone as determined by the County within thirty (30) days of notification by the City. County will pay expended Project costs as invoiced by the City during construction in compliance with Attachment "A" and accepted by all agencies involved in an amount not to exceed One Million Two Hundred Fifty Thousand Dollars and no cents (\$1,250,000.00) reduced by all IHPD as referenced in Attachment "B".
5. If the total Project costs excluding paving and drainage amenities or utility betterments should exceed the total Project cost, the City and County agree to amend the Project's scope to remain within the current estimated amount.
6. Any payments to be made by any party hereto shall be from current revenue or other lawfully available funds in accordance with Chapter 791 of the Texas Government Code.

Article VII.
Miscellaneous

- I. **Indemnification.** County and City agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any sovereign or governmental immunity available to the County or City or their respective officials, officers, employees, or agents under Texas or other law and without waiving any available defense under Texas or other law. Nothing

in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.

- II. No Third Party Beneficiaries. The terms and provisions of this PSA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of City and County that any entity other than City or County receiving services or benefits under this PSA shall be deemed an incidental beneficiary only. This PSA is intended only to set forth the contractual right and responsibilities of the parties hereto.
- III. Applicable Law. This PSA is and shall be expressly subject to the sovereign immunity of the County and governmental immunity of the City, pursuant to Title 5 of the Texas Civil Practice and Remedies Code, as amended, and all applicable federal and state laws. This PSA shall be governed by and construed in accordance with the laws and case decisions of the State of Texas. Exclusive venue for any legal action regarding this PSA filed by either City or County shall be in Dallas County, Texas.
- IV. Notice. Any notice provided for in this PSA to be given by either party to the other, shall be required to be in writing and shall be deemed given when personally delivered, or two (2) business days after being deposited in the United States mail, postage prepaid, via certified mail, return receipt requested, or via registered mail, and addressed as follows:

To County: County of Dallas
Director of Public Works
Dallas County Administration Building
411 Elm Street, Fourth Floor
Dallas County, Texas 75202-3389

To City: City of Garland
Public Works Department
800 Main Street.
Garland, TX 75040

Either party may change its address for notice by giving the other party notice thereof.

- V. Assignment. This PSA may not be assigned or transferred by either party without the prior written consent of the other party.
- VI. Binding Agreement; Parties Bound. This PSA has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties, their successors and permitted assigns.
- VII. Amendment. This PSA may not be amended except in a written instrument specifically referring to this PSA and signed by the parties hereto.
- VIII. Number and Gender. Words of any gender used in this PSA shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.
- IX. Counterparts. This PSA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

- X. Severability. If one or more of the provisions in this PSA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this PSA to be invalid, illegal or unenforceable, but this PSA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this PSA, which shall remain in full force and effect.
- XI. Entire Agreement. This PSA embodies the complete agreement of the parties, supersedes all oral or written previous and contemporary agreements between the parties and relating to matters in the PSA.
- XII. Contingent. This Agreement is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council.
- XIII. Effective Date. This PSA shall commence on the Effective Date. The Effective Date of this PSA shall be the date it is executed by the last of the parties. Reference to the date of execution shall mean the Effective Date.
- XIV. No Joint Enterprise/Venture. City and County agree that neither party is an agent, servant, or employee of the other party. No joint enterprise/venture exists between the City and County.

(the remainder of this page intentionally left blank)

The City of Garland, State of Texas, has executed this PSA pursuant to duly authorized City Council Resolution _____, dated the _____ day of _____, 2019.

The County of Dallas, State of Texas, has executed this PSA pursuant to Commissioners Court Order Number _____ and passed on the _____ day of _____, 2019.

City of Garland

County of Dallas

By:

Clay Lewis Jenkins, County Judge

Title: _____

Date

Date

Attest:

Approved as to Form*:
John Creuzot
District Attorney

City Secretary \ Attorney

By: _____
Jana Prigmore Ferguson
Assistant District Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

ATTACHMENT B

Project Specific Agreement to Master Agreement Governing Major Capital Improvement Program

CURRENT COST ESTIMATES AND FUNDING SOURCES

City of Garland and Dallas County
Project Name: Duck Creek Trail
MCIP Project 19201
(From Centerville Road and I-30)

Project Cost Estimates	
Expenditure	Estimated Cost
Dallas County In House Project Delivery (Inspection, Project Management, Planning, General Support, etc...)	\$ 25,000.00
Construction	\$ 2,475,000.00
Total Overall Cost of Project (MCIP Eligible Items)	\$ 2,500,000.00

Project Funding Sources	
Source	Amount
City of Garland	\$ 1,250,000.00
Dallas County MCIP	\$ 1,250,000.00
Total Funding Source (MCIP Eligible Items)	\$ 2,500,000.00

ATTACHMENT A
**Project Supplemental Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**
PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

SPECIFIC R.O.W. ALIGNMENT DESCRIPTION

City or Town Council approves of the Financing, Construction or Improvement on the MGR Bikeway (Duck Creek Trail Connections) project with Dallas County. The _____ easement will have an approximate width of ____feet or as otherwise necessary and convenient for construction of the project and consent to acquire by easement which Dallas County Commissioners Court determines is necessary or convenient to the project.

LEAD AGENCY: City of Garland, TX

LEAD AGENCY'S PROJECT MANAGER: Shafik Salamor, PE

CONTACT INFORMATION: Email: ssalamor@garlandtx.gov Phone: 972-205-2126

PROJECT SEGMENT LIMITS: Centerville Rd & Glenbrook Dr to approx. 600 feet south of
IH-30 ROW west of Greenbelt Pkwy.

PROJECT SEGMENT LENGTH: Approx. 5,100 feet

MAP IDENTIFYING LIMITS AND PREFERRED ALIGNMENT:

Please refer to attached Map with aerial imagery depicting project limits and preferred alignment of the proposed multiuse bikeway.

ATTACHMENT A
**Project Supplemental Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**
PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

EASEMENT TOPICS

IN THE TABLE BELOW LIST EACH AGENCY/ENTITY WITH PROPERTY AFFECTED BY ALIGNMENT (E.G. DART, ONCOR, TxDOT) AND FOR EACH PROPERTY OWNER LIST EASEMENT TYPES (E.G. SIDEWALK, TRAIL, SHARED USE).

Approximate Segment Start	Approximate Segment End	Proposed Pavement Width (ft)	Proposed Shoulder Width (ft)	Proposed Easement Width (ft)	Proposed Easement Type	Agency or Entity to Grant Easement
Trail 'C' Sta. 10+05	Trail 'C' Sta. 13+69	12'	2'	N/A	Driveway Permit	TxDOT
Trail 'C' Sta. 14+05	Trail 'C' Sta. 18+81	12'	2'	30'	Pedestrian Access Easement	D.L Faulkner ET AL
Trail 'C' Sta. 13+69	Trail 'C' Sta. 14+05	12'	2'	Varies	Pedestrian Access Easement	Faulkner Inv. Co.
Trail 'C' Sta. 18+81	Trail 'C' Sta. 19+85	12'	2'	30'	Pedestrian Access Easement	Nguyen
Trail 'C' Sta. 1+50	Trail 'C' Sta. 10+05	12'	2'	N/A	Interlocal Agreement	City of Mesquite, TX

ATTACHMENT A
**Project Supplemental Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**
PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

EASEMENT TOPICS

RIGHT OF WAY CONSTRAINTS, IF ANY, PROVIDE A LIST AND DESCRIPTION
ALONG WITH DATA FOR RISK ASSESSMENT: ☐ YES ☒ NO

Please note that all of the easements shown in the preceding table have already been executed and
obtained by the City of Garland.

ANY NON-ROUTINE, i.e., CEMETARY, JUNK YARD, OLD CHURCHES, SERVICE
STATIONS, CONTAMINATED SOILS, LANDFILLS, NOISE WALL CONSIDERATIONS,
TRAILER PARKS, RESIDENT RELOCATION? ☐ YES ☒ NO

If yes, please define below:

ANY NON-CONFORMING ISSUES?	☐ YES	☒ NO	
ANY WATER WELLS?	☐ YES	☒ NO	
EASEMENT/R.O.W. MAP NEEDED?	☒ YES	☐ NO	
FIELD NOTES NEEDED?	☐ YES	☒ NO	
R.O.W. PLATS NEEDED?	☐ YES	☒ NO	
R.O.W. ACQUISITION?	☒ YES	☐ NO	☐ MAYBE
TREE MITIGATION ORDINANCE?	☐ YES	☒ NO	
PARKING/LOSS OF PARKING CONSIDERATIONS?	☐ YES	☒ NO	
HISTORICAL SITE CONSIDERATION?	☐ YES	☒ NO	

ATTACHMENT A
**Project Supplemental Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**
PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

TRAIL PAVEMENT AND ALIGNMENT TOPICS

PAVEMENT SECTION

DESIGN STANDARDS TO BE USED?
(e.g. AASHTO, TAS)

AASHTO, TAS, City of Garland

ORDER OF PRECEDENCE OF STANDARDS

AASHTO, TAS, City of Garland

PAVEMENT WIDTH:

Existing:

N/A

Proposed:

12 feet

BICYCLE DESIGN SPEED

20 MPH

PAVEMENT CROSSFALL (1-2%):

1.5%

GRADE REQUIREMENTS:

Any deep cuts, high fills? ☒ YES ☐ NO; however, majority of the trail follows natural ground elevations.

Maximum vertical grade: 4.76%

Density measurements required: ☒ YES ☐ NO

Will switchbacks be necessary to comply with grade requirements: ☐ YES ☒ NO

ATTACHMENT A
**Project Supplemental Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**
PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

TRAIL PAVEMENT AND ALIGNMENT TOPICS (continued)

ROADWAY CROSSINGS INVOLVED? ☐ YES ☒ NO

DRIVEWAY CROSSINGS INVOLVED? ☒ YES ☐ NO; Only at Glenbrook Dr.

RAILROAD CROSSINGS INVOLVED? ☐ YES ☒ NO

BRIDGES OR GRADE SEPARATIONS? ☒ YES ☐ NO

If yes, please specify facility(ies) below:

Grade separations are designed for crossing existing bridges at two locations: Centerville Rd and IH-30.

Two pedestrian bridges are proposed to cross Duck Creek at two locations: Centerville Rd and south of IH-30

MINIMUM RAILING HEIGHT

SIGNAGE AND/OR DISTANCE MARKERS?

If yes, please specify types and generally describe locations:

1. "Steep Grade" signs for crossing under Centerville Road (Trail 'A').
2. "Intersection Crossing" signs for crossing maintenance drive (Trail 'A' Sta. 24+00).
3. "Curve Ahead" signs for curve adjacent to Greenbelt Pkwy. (Trail 'C' Sta. 2+00).
4. "Trail Ends" sign at end of trail south of I.H. 30 (Trail 'C' Sta. 17+50).

PAVEMENT STRUCTURE

MAINTENANCE VEHICLE TRAFFIC? ☒ YES ☐ NO

MINIMUM PAVEMENT STRUCTURE THICKNESS:

CONCRETE REINFORCEMENT TYPE (E.G. REBAR OR FIBER): #3 rebar

EXPANSION JOINT INTERVALS: 48' Max.

EXPANSION JOINT MATERIAL: Redwood with Class 4 non-sag low modulus silicone sealant

ATTACHMENT A

Project Supplemental Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects

PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)

MCIP Project _____

DRAINAGE TOPICS

STORM SEWER DESIGN CRITERIA:

☐ TxDOT ☒ CITY ☐ HYDRO-35 ☐ TP-40

INLET DEPTHS (APPROPRIATE FOR PAVEMENT THICKNESS)

3.5' Typ.

MINIMUM COVER FOR LATERALS

1' Min. for new laterals

BRIDGES/BOX CULVERTS INVOLVED? ☒ YES ☐ NO

If yes, specify involvement: ☒ BRIDGE(S) ☐ BOX CULVERT(S)

FLOOD PLAIN CONSIDERATION? ☒ YES ☐ NO

If yes, what frequency storm event does the trail need to remain clear of?

Portion of the trail is constructed

in a greenbelt under the 100-year floodplain.

If yes, how many feet of freeboard are required?

N/A

PERMITS

COE 404 PERMITS NEEDED ☐ YES ☒ NO

TNRCC 401 PERMIT ☐ YES ☒ NO

CDC PERMIT ☐ YES ☒ NO

EIS ☐ YES ☒ NO

ADA PERMIT ☐ YES ☒ NO

TDLR PERMIT ☒ YES ☐ NO

ANY OTHER PERMITS FROM OTHER AGENCIES SUCH AS TxDOT, DFW AIRPORT,
DART, ETC.? ☒ YES ☐ NO

If yes, please document below:

1. TxDOT Driveway Permit/Agreement for crossing under I.H. 30.

ATTACHMENT A
**Project Supplemental Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**
PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

UTILITIES

LIST OF ALL KNOWN UTILITIES:

Garland Power & Light (High Voltage Transmission Lines), Oncor Electric, Atmos Energy (Gas), GISD, Charter/Spectrum, Frontier Communications, NTMWD (water transmission main), City of Garland (Water, Wastewater & Stormwater) and Irrigation.

DOCUMENT KNOWN RISKS (TRA lines, Transmission Towers, Lone Star Gas Valve Stations) FOR OUR UTILITY PARTNERS:

Contractor shall have utilities located prior to any construction.
Overhead High Voltage (138-kV) Transmission Lines

ARE UTILITIES ALONG PROPOSED PATHWAY? ☒ YES ☐ NO

DO UTILITIES OWN THEIR R.O.W. OR HAVE PREVIOUS EASEMENTS?

☒ YES ☐ NO ☐ UNDETERMINED

If yes, please describe below:

Existing City of Garland Easement for Electric Transmission ROW
Existing City of Garland 30' Utility Easement for Sanitary Sewer ROW

IF NECESSARY, HAS WORK ORDER BEEN ISSUED FOR SUE (Subsurface Utility Engineering)?

☐ YES ☐ NO ☒ NOT NECESSARY

ANY UNUSUAL CONSIDERATIONS? ☐ YES ☐ NO

If yes, please document below:

WATER UTILITY BETTERMENTS? ☐ YES ☒ NO

WATER UTILITY RELOC.? ☐ YES ☒ NO

SAN. SEWER BETTERMENTS? ☐ YES ☒ NO

SAN. SEWER RELOC.? ☐ YES ☒ NO

ATTACHMENT A
**Project Supplemental Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**
PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

ADDITIONAL TOPICS OF CONCERN

LANDSCAPING (OTHER THAN SODDING)? ☐ YES ☒ NO

EXPOSED AGGREGATE DRIVEWAYS, SIDEWALKS? ☐ YES ☒ NO

STAMPED/COLORED CONCRETE? ☐ YES ☒ NO

IRRIGATION? ☐ YES ☒ NO

BRICK PAVERS? ☐ YES ☒ NO

If yes, please define location(s):

TRAIL LIGHTING? ☐ YES ☒ NO

If yes, please define location(s) and spacing of lighting poles:

TRAFFIC/CROSSING SIGNALS? ☐ YES ☒ NO

CROSSWALK MARKINGS? ☐ YES ☒ NO

ON-STREET DEDICATED BIKE LANES? ☐ YES ☒ NO If yes, specify width:

BUS STOPS OR BUS SHELTERS? ☐ YES ☒ NO

RETAINING WALLS? ☒ YES ☐ NO

If yes, please specify wall type (stone, blocks, gabions, proprietary types, etc.):

Reinforced concrete retaining walls adjacent to Trail 'A' between Lon Wynn Park and Duck Creek; reinforced concrete retaining wall adjacent to Trail 'A' under Centerville Road bridge; reinforced concrete retaining wall adjacent to Trail 'C' south of I.H. 30.

DECORATIVE RAILINGS? ☐ YES ☒ NO

LOGO COLUMNS? ☐ YES ☒ NO

ATTACHMENT A

Project Supplemental Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects

PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

ADDITIONAL TOPICS OF CONCERN (Continued)

SOD, SEEDING, TOPSOIL?

☒ SOD ☒ SEEDING ☒ TOPSOIL ☐ OTHER:

WAYFINDING MAPS? ☐ YES ☒ NO

ANY ADDITIONAL AMENITIES (NOT NECESSARILY FUNDED BY COUNTY)
ADJACENT TO TRAIL (E.G. 911 MARKERS, BENCHES, FOUNTAINS, LOGOS, TRASH
CANS)?

If yes, please specify amenity(ies) below:

Bike racks and trash cans at Lon Wynne Park (not funded by County)

ANY PARALLEL FACILITIES PLANNED (E.G. JOGGING PATH NEXT TO CONCRETE
MULTIMODAL PATHWAY)? ☐ YES ☒ NO

CONSTRUCTION AREA LIMITS OF DISTURBANCE: Approx. 2.15 Acres

SPECIAL SCHOOL OR EMERGENCY VEHICLE CONSIDERATIONS

ANY NEARBY OR ADJACENT SCHOOLS, PARKS, CITY HALL, FIRE OR POLICE
DEPARTMENT REQUIRING SPECIAL CONSIDERATION? ☐ YES ☒ NO

If yes, please list the special consideration(s) below:

ATTACHMENT A

Project Supplemental Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects

PROJECT SCOPING SHEETS FOR MULTIUSE PATHWAYS (TRAILS)

Project Name: MGR Bikeway (Duck Creek Trail Connections)
MCIP Project _____

PUBLIC INVOLVEMENT

NEIGHBORHOOD MEETING, REQUIRED? ☐ YES ☒ NO

HAVE ALL NEIGHBOR GROUPS PROVIDED EARLY INPUT?

☐ YES ☐ NO ☒ N/A

IF REQUIRED WHO CONDUCTS, CITY OR COUNTY?

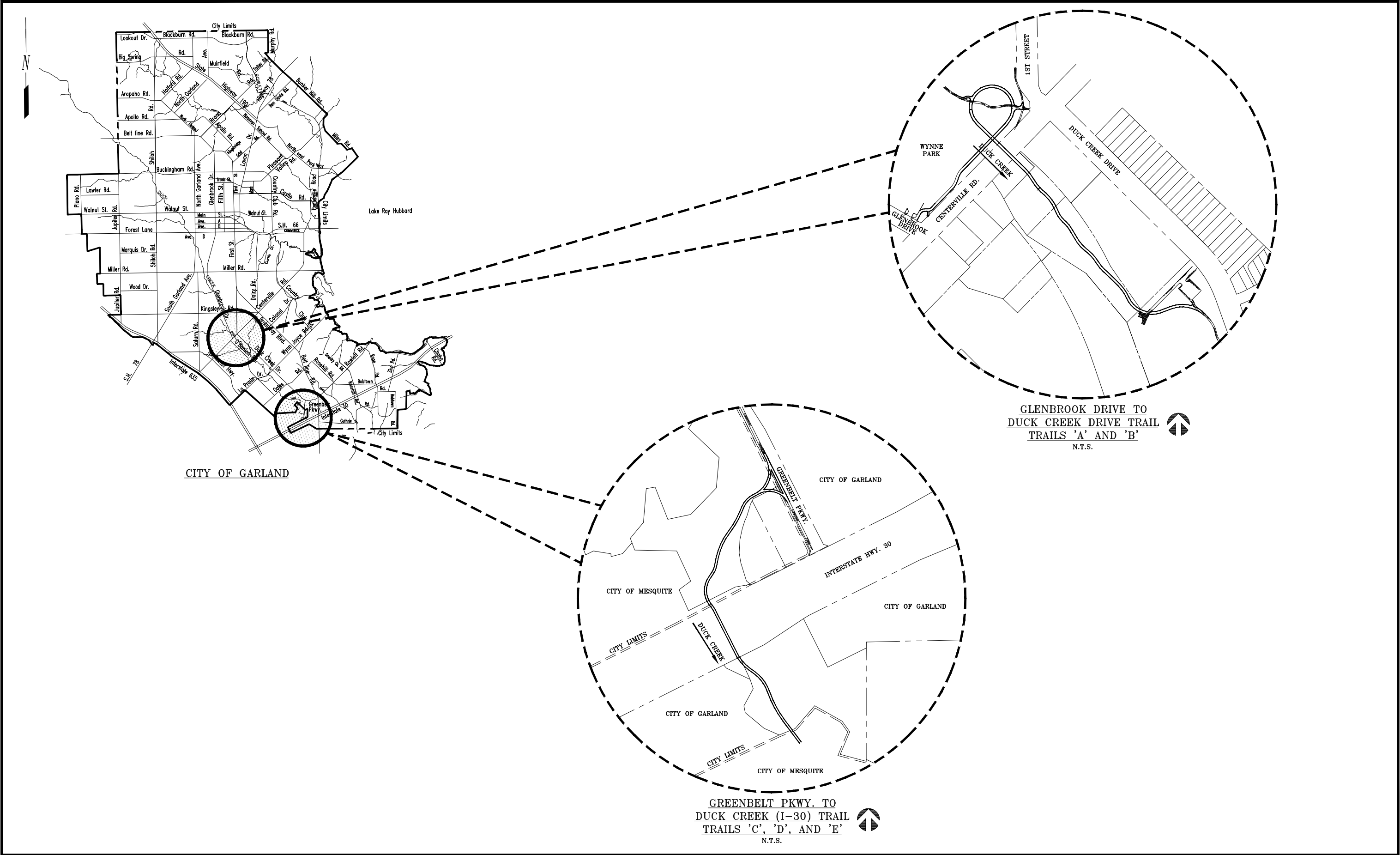
☐ CITY ☐ COUNTY ☒ N/A

DOCUMENT POTENTIAL SITES FOR PUBLIC AND/OR NEIGHBORHOOD MEETINGS:

CONSTRUCTIBILITY REPORT

FROM INSPECTION STAFF, DOCUMENT ANY AND ALL ISSUES THAT MAY AFFECT
PROJECT SCOPE, BUDGET, CONSTRUCTIBILITY, THE PROJECT SCHEDULE AND/OR
THE SAFETY OF PROJECT?

Occasional flooding of Duck Creek.
Franchise utility coordination.



6			
5			
4			
3			
2			
1			
NO.	DATE	REVISION	REVIEWED

DRAWN: _____ BW2
DESIGN: _____ JFW
REVIEWED: _____ JCT
SCALE: _____ NO SCALE
DATE: _____ APRIL 2015
DWG. NAME: _____ 1558LOCMAP

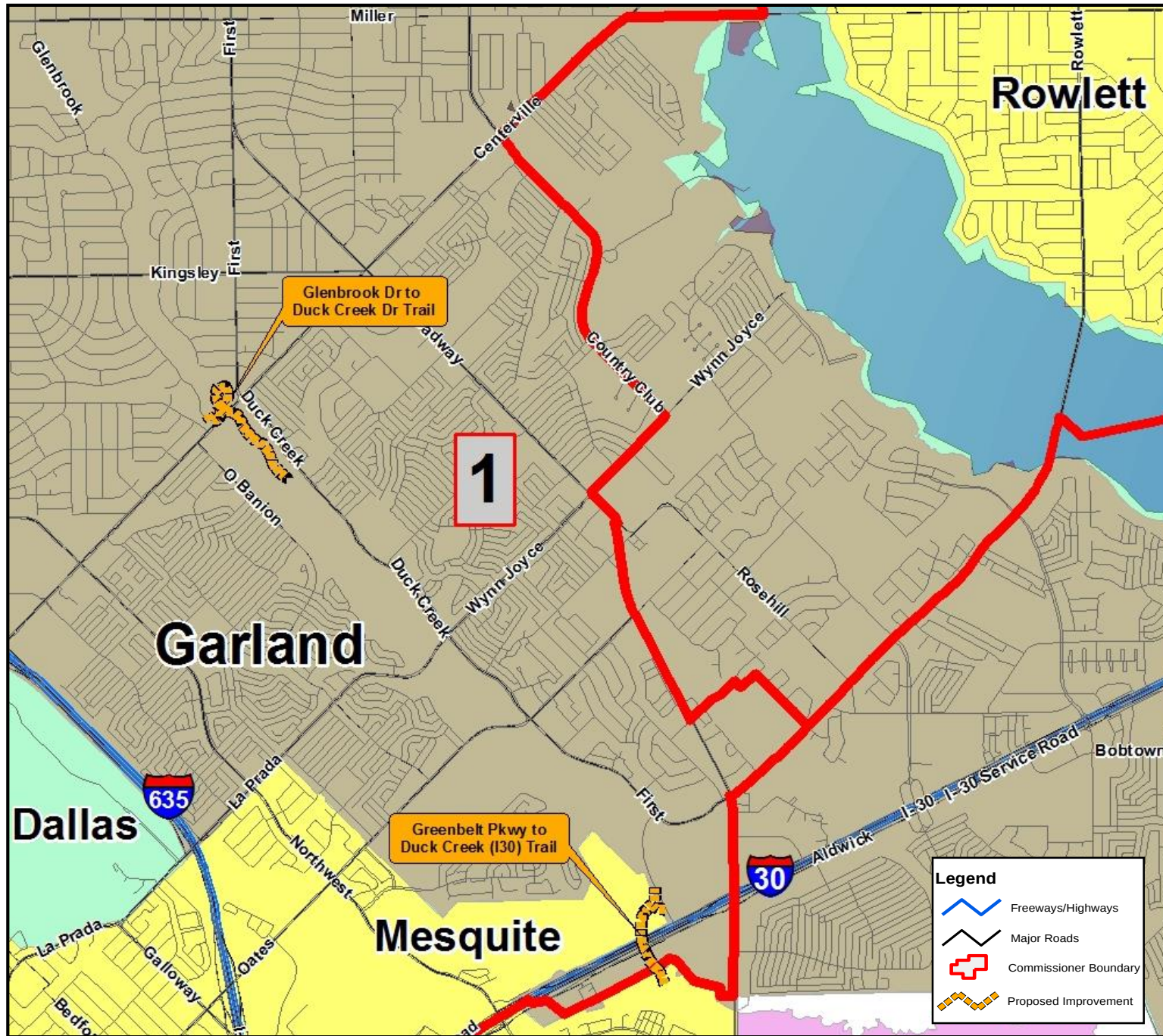


BW2 ENGINEERS, INC.
1919 S. Shiloh Road
Suite 500, L.B. 27
Garland, Texas 75042
(972) 864-8200 (T) (972) 864-8220 (F)
Firm Registration No. F-5290

THIS DOCUMENT REPRESENTS
WORK-IN-PROGRESS AND IS NOT
TO BE USED FOR CONSTRUCTION
OR PERMITTING.
J.W.
JAMES F. WALDBAUER TEXAS P.E. NO. 65670

DUCK CREEK TRAIL CONNECTIONS
PROJECT LOCATION MAP
CITY OF GARLAND

SHEET NO. 1
OF 65 SHEETS
JOB NO. 12-1558



Attachment "C"
Project Location Map

Duck Creek Trail Connection
MCIP 20701

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
PROJECT SPECIFIC AGREEMENT TO THE MASTER AGREEMENT
GOVERNING MAJOR CAPITAL TRANSPORTATION IMPROVEMENT
PROGRAM WITH THE COUNTY OF DALLAS, TEXAS; AND PROVIDING
AN EFFECTIVE DATE.

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

Section 1

That the City Council hereby authorizes the City Manager to enter into an a Project Specific Agreement to the Master Agreement Governing Major Capital Improvement Program with Dallas County, Texas, for the City of Garland to construct two missing segments of trail within the MGR Bikeway (Duck Creek Trail Corridor) in the City of Garland, as set out in the agreement attached hereto.

Section 2

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

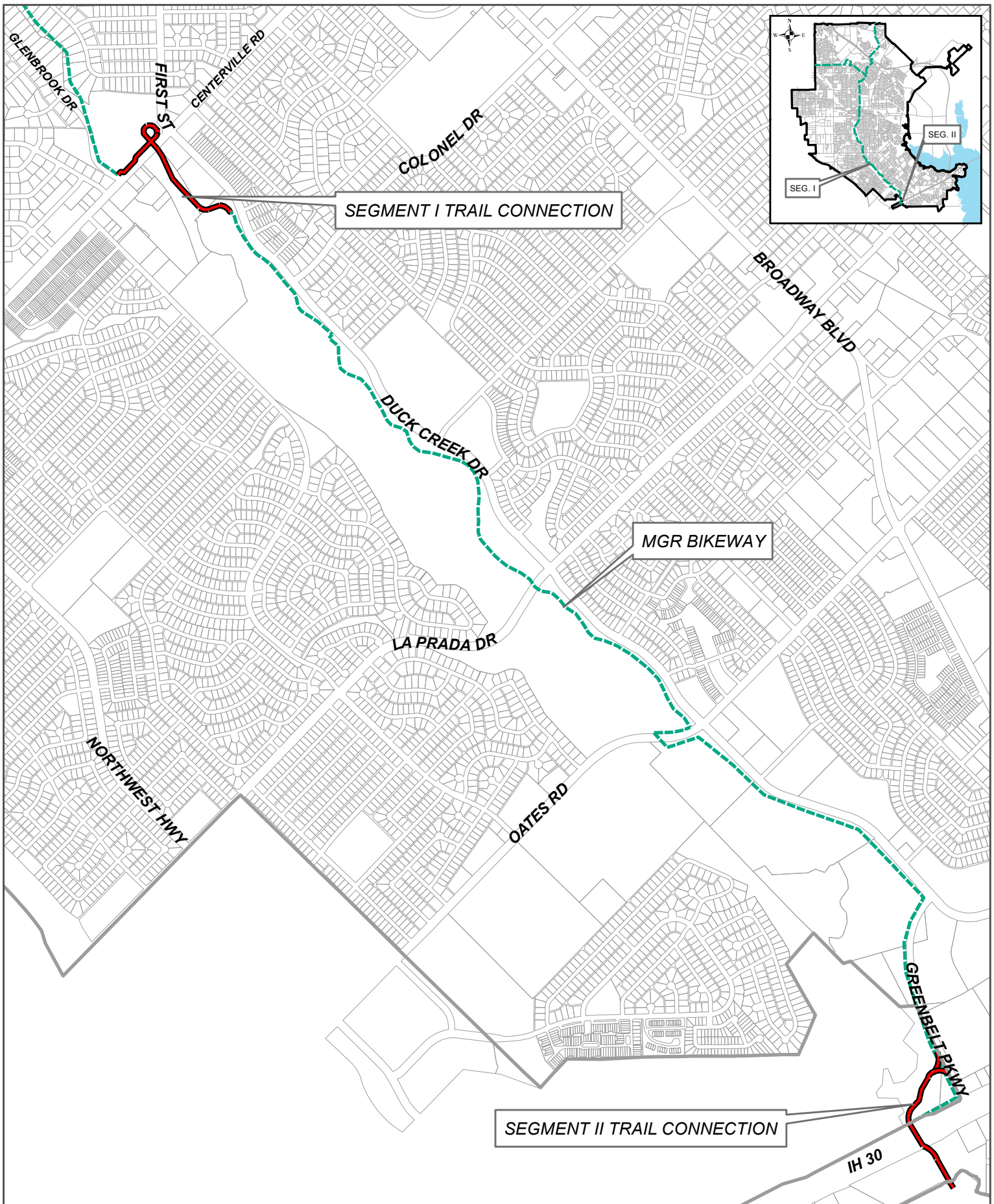
PASSED AND APPROVED this the _____ day of June,
2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

8.

Meeting Date: 06/18/2019

Item Title: Consider the Appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council is requested to consider the election of a Mayor Pro Tem and if so desired a Deputy Mayor Pro-Tem.

Recommendation/Action Requested and Justification

Council discussion.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

9.

Meeting Date: 06/18/2019

Item Title: Mayor Appointments to Council Committees and Outside Boards

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

The City Council may accept or disapprove the Mayor's nominations to Council committees and outside boards.

Recommendation/Action Requested and Justification

Council will vote to approve or deny the Mayor's appointments.

Attachments

Mayor Appointments



GARLAND

TEXAS MADE HERE

June 7, 2019

Councilmembers,

Thank you all for your council committee interests. I know these committee meetings are above and beyond our regular meeting schedule and I appreciate your commitment to them. The work of these committees is an asset to the council which has a direct impact on the city. I was able to meet most of the assignment requests but there will always be some spots not requested that need to be filled. I'm looking forward to another productive year.

My thanks to you always,

A handwritten signature in black ink, reading "Scott LeMay", with a long horizontal flourish extending to the right.

Scott LeMay
Mayor of Garland

Council Committee Assignments 2019-20

Internal Committees	
Audit	Councilmember
Chair	Rich Aubin
Member	David Gibbons
Member	Deborah Snyder Morris
Administrative Services	Councilmember
Chair	Robert John Smith
Member	Jerry Nickerson
Member	Jim Bookhout
Community Services	Councilmember
Chair	Deborah Snyder Morris
Member	Rich Aubin
Member	Dylan Hedrick
Development Services	Councilmember
Chair	David Gibbons
Member	Robert Vera
Member	Dylan Hedrick
Public Safety	Councilmember
Chair	Robert Vera
Member	Jim Bookhout
Member	Dylan Hedrick
Transportation	Councilmember
Chair	Rich Aubin
Member	Jerry Nickerson
Member	Robert John Smith
External Committees	
NCTCOG	Councilmember
General Assembly Member	Rich Aubin
DRMC	Councilmember
Board Member	Jerry Nickerson
Alternate	Robert Vera
RTC	Councilmember
Board Member	Rich Aubin
Alternate	Jerry Nickerson
TEX 21	Councilmember
Board Member	
Alternate	Robert Vera
Alternate	Jim Bookhout



GARLAND

City Council Regular Session Agenda

Meeting Date: 06/18/2019

Item Title: Boards and Commissions

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Council Member Dylan Hedrick

- Mike Rose - Plan Commission
-

Attachments

Mike Rose Application



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:

1-23-19

Name: MICHAEL J. ROSE

Phone:

(Home)

Address: 2406 LONE OAK TRAIL

Phone:

(Other) CEU

City, State, Zip: GARLAND, TX 75040

Email:

Resident of Garland for 29 years

Resident of Texas for 50 years

Dallas County Voter Registration Number

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.

BEEN INVOLVED IN DEVELOPMENT SINCE '71

If you have previously served on a City Board or Commission, please specify and list dates of service.

BOND '97, '04
CHARTER '04, '17
PLAN COM. LATELY 90'S

List civic or community endeavors with which you have been involved.

CHAIRMAN THE BEER/WINE ELECTION
TEAM MEMBER OF GROUP SWING CITY COUNCIL RE ELECTION

What is your educational background?

B.S. IN EDUCATION

M.S. IN COMMUNICATIONS

What is your occupational experience?

BROKER SINCE '71 IN COMMERCIAL R.E.

I hereby affirm that all statements herein are true and correct.

Michael J. Rose

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

CSO Suit/Claim Filed
Clerk Signature & Date

Yes No

Date Notified

Disclosure Form Filed

Revised 03/2018